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2nd Federal Energy Efficiency Action Plan

Drawn up by the

Federal Public Service for Economy, SMEs, Self-Employed and Energy

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ABBREVIATIONS

CONCERE-ENOVER : Concertation Etat-régions pour l'Energie - Energie-overleg

[State-Regional Energy Consultation]

NEEAP: Nationaal energie-efficiëntie actieplan [National Energy Efficiency Action Plan]

FPS: Federal Public Service

GS: General Service

PODDO: Programmatorische Overheidsdienst Duurzame Ontwikkeling [Programming FPS Sustainable Development]

FPIM: Federale Participatie en Investeringsmaatschappij [Federal Holding and Investment Company]

ESCO: Energy Service Company

Fedesco: Federal ESCO

Belesco: Belgian Association of ESCOs

EMAS: Eco-Management and Audit Scheme

IBSR-BIVV: Institut Belge pour la Sécurité Routière - Belgische Instituut voor de Verkeersveiligheid [Belgian Road Safety Institute]

EuP: Energy-using Products

ErP: Energy-related Products

FRGE: Fonds ter reductie van de globale energiekosten in residentiële gebouwen [Fund for the reduction of overall energy costs in residential buildings]

IP MVP: International Performance Measurement Verification Protocol

CMVP: Certified Measurement & Verification Professional programme

1 INTRODUCTION

1.1 *The Belgian institutional framework*

As a result of various constitutional reforms, Belgium is a federal state consisting of a Federal Government and three regional governments (Flanders, Wallonia and Brussels-Capital Region). The Federal Government has competence for “matters which, due to their technical and economic inseparability, require a homogeneous approach at national level”. The drawing-up and implementation of policy guidelines relating to energy efficiency largely fall within the competence of the regional governments. However, policy measures are also introduced at Federal level in order to promote efficient energy use. Energy efficiency is regarded in all respects as one of the key objectives of Belgian energy policy. The regions encourage energy efficiency by means of a broad range of measures, including measures in the form of investment subsidies, low-interest or interest-free loans, premiums and information campaigns. The Federal Government contributes to raising energy efficiency by means of energy-related taxes and other tax-related stimuli, energy-performance standards for equipment, energy labelling, soft loans and other measures.

In 1992 the Federal Government and the three regional governments created a formal consultative committee to discuss all energy matters, known as the CONCERE/ENOVER (Concertation Etat-régions pour l'Energie/Energie-overleg). Its role is primarily of an advisory nature. ENOVER comprises a number of working groups dealing with various issues, including the Expert Working Group on Energy Efficiency. During the monthly meetings of this Working Group, information is exchanged on recent policy developments, and an attempt is made to create synergy between the policies implemented by the Federal Government and the three regions. The Expert Working Group on Energy Efficiency deals with:

- The drawing up of Belgian positions in European dossiers;
- Coordination of the implementation of Directive 2006/32/EC on energy end-use efficiency and energy services;
- The harmonisation of regional calculation methods for evaluating the impact of the first national energy efficiency action plan (NEEAP);
- The exchange of information on projects and measures implemented according to their respective powers. Providing information on how respective policy is evolving: termination of certain measures, introduction of others, progress with existing measures, etc.;
- Drawing-up of the second NEEAP.

1.2 *Body responsible for monitoring and supervising the Energy Efficiency Directive*

The Federal Public Service Economy, SMEs, Self-Employed and Energy [Federale Overheidsdienst Economie, KMO, Middenstand en Energie]; more specifically the General Service Energy [Algemene Dienst Energie] (also referred to as the “FOD Economie AD Energie”); is charged with general supervision of and responsibility for monitoring of the framework established in connection with the implementation of Directive

2006/32/EC. The GS Energy is thus also responsible for reporting on energy-efficiency measures implemented under the 2nd Federal Energy Efficiency Action Plan. For the purposes of drawing up that plan, regular bilateral meetings are held between GS Energy and the competent Federal Public Services (FPS) and organisations in question: e.g. the FPS Public Health, Food Chain Safety and Environment, the FPS Economy, SMEs, Self-Employed and Energy, the FPS Mobility and Transport; the FPS Finance, the Programming FPS Sustainable Development (PODDO), Federal Buildings Agency and Fedesco. This consultation was crucial in terms of performing a proper evaluation of energy-saving measures at Federal level.

2 OVERALL CONTEXT OF THE SECOND NEEAP

2.1 *Highlights of the second NEEAP*

In the context of Directive 2006/32/EC on energy end-use efficiency and energy services, Belgium is required to aim towards an indicative energy savings target of 9% of final energy consumption by 2016 as compared to 2006. In view of the fact that energy efficiency falls largely within regional competence, each of the three regions of Belgium (Flanders, Wallonia and Brussels-Capital Region) has each adopted a 9% energy savings target. Given significant differences between regional measures in terms of circumstances, quantities, staffing and target groups, each region also separately submitted a first energy efficiency action plan with a view to achieving the 9% target. A Federal energy efficiency action plan was submitted to support and complete the regional plans. The Federal measures are not therefore aimed at achieving any specific energy savings target, but back up and complete regional measures. The measures of the first plan will be evaluated in the second Federal Energy Efficiency Action Plan. Since there is an overlap between regional and federal energy efficiency measures, the impact of the Federal measures on energy consumption is not calculated as such in order to avoid the risk of energy savings being counted twice. However, information is supplied for each measure on the context, objective(s), progress, current state and expected outcome of this measure.

This will be followed by an overview of the Federal measures.

In addition to regional investment subsidies, low and interest-free loans and premiums, the Federal Government implements energy-related taxes, tax breaks, soft loans (from the Global Energy Cost Reduction Fund) and a range of other measures. The energy performance standards for energy-related products and energy labels also fall under Federal competence (the Ecodesign and Energy Labelling Directives respectively).

The Federal Government attaches importance to its function of setting an example. For example, the state has entrusted the Federal Holding and Investment Company (FPIM) with the task of providing Fedesco, the public energy services company (ESCO) established as a public limited company on behalf of the Federal

Government, with a start-up capital. Fedesco promotes and stimulates energy efficiency in public buildings in cooperation with the Federal Buildings Agency. The association Belesco has also been set up, at the initiative of Fedesco and Energy Magazine, by 20 Belgian public and private organisations to stimulate the Belgian ESCO market in the context of the promotion of energy efficiency. A further important measure in which the Federal administration plays an exemplary role is through the promotion and reimbursement of the cost of more energy-efficient forms of transport, such as public transport and the use of bicycles, for Federal employees travelling to work. Through its "Guide to Sustainable Procurement" (www.gidsvoorduurzameaankopen.be), information is provided on the ecological and ethical standards on the basis of which the Federal administration is seeking to achieve a 50% target in respect of sustainable procurement procedures for all Federal public contracts. Most Federal bodies are also seeking to obtain the EMAS label (Eco Management and Audit Scheme).

The Federal administration is trying to provide the public with the knowledge and information it needs on how to use energy more efficiently and thus reduce their energy consumption and energy bills through, *inter alia*, the Fedesco information centre, the Belesco forum and the campaigns, brochures and websites of various Federal administrative bodies.

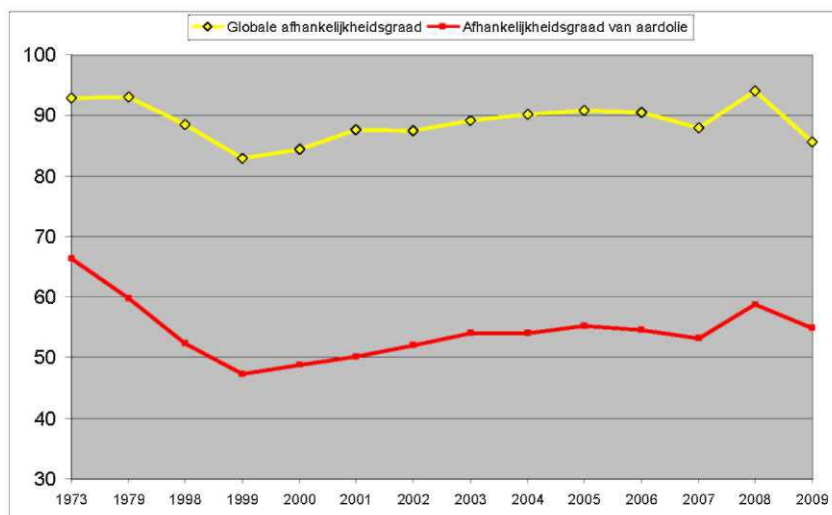
Some of the measures included in the first NEEAP seem to have only a minimal effect on improving energy efficiency. Their impact in terms of saving energy is probably somewhat negligible because the focus lies elsewhere, for example on reducing CO₂ emissions. They are therefore less relevant in the context of this energy efficiency action plan. This action plan gives a brief description and the current state of affairs as regards the following measures, but they will not be dealt with in further detail.

- More speed controls (speed cameras) and campaigns to encourage more careful driving
- Deductibility from corporation tax of car expenses other than the cost of fuel according to the level of CO₂ emissions.
- Harmonisation of excise duties: where this relates to the implementation of Directive 2003/96/EC, one cannot really speak of "harmonisation".
- Support for fuel substitution: this perhaps refers to the initiatives which have been taken to include certain bio-components in fossil fuels. The energy content of mixed fuels does, however, seem to be lower than that of 100% fossil fuels. This therefore appears to offer little in terms of energy efficiency.

2.2 National context of energy savings

Security of supplies is seen as fundamental to Federal energy policy. This is because Belgium is dependent on foreign energy sources for which there is considerable price volatility, and there is growing competition for natural resources on international markets. This dependency must consequently be well managed, particularly in crisis situations. This means that Belgium must take the right action to guarantee the continuity of its energy supply. In this context, energy-saving measures play a crucial role within

Federal energy policy given that energy efficiency clearly contributes to securing the energy supply. Moreover, the introduction of measures to increase energy efficiency can reduce greenhouse-gas emissions, create jobs relatively quickly, improve competitiveness, limit dependency on energy imports and reduce consumers' energy bills. European plans and directives on energy and energy efficiency provide the Federal administration with an incentive to take measures falling within its area of competence.



[Key: Yellow line = Overall degree of dependency; Red line = Dependency on oil]

Figure 1: Degree of energy dependency (% of gross domestic consumption)

Source: FPS Economy, SMEs, Self-employed and Energy

The energy-intensity of the Belgian economy is higher than that of neighbouring countries. This is largely due to a highly energy-intensive industrial sector, made up to a large extent of the iron/steel and chemicals industries. Since the 1970s, there has been some improvement in the level of energy intensity.

[See original for graph]

[Key: -□- = Belgium; -□- = France; -Δ- = Germany; -* = Netherlands; - IEA Europe]

Figure 2: Energy intensity in Belgium and in other selected IEA members, 1973 to 2010 (Toe per USD '000 at 2000 prices and purchasing power)

Sources: Energy Balances of OECD Countries, IEA/OECD Paris, 2009, and National Accounts of OECD Countries, OECD Paris, 2009.

A cost-effective policy on energy efficiency and renewable energy might help improve our energy intensity. Over the period 2000-2009, a reduction in the use of solid fuels and a significant increase in the use of renewable fuels was observed, a fact which emphasizes the growing interest in sustainable energy use in Belgium.

[See original for graph]

[Key: ■ Electricity ■ Natural gas ■ Solid fuels ■ Petroleum ■ Heat ■ Renewable fuels]

Figure 3: Total final consumption by energy carried for the period 2000-2009 (in kToe)

Source: FPS Economy, SMEs, Self-employed and Energy

2.3 *Review of energy saving targets and achievements*

Within Belgium, each region has undertaken to meet the energy-savings target of 9% through the implementation of their own energy efficiency action plans, which list their energy-saving measures. Federal measures complete or support the regional measures and are not therefore aimed at any specific target.

3 FINAL ENERGY SAVINGS IN THE END-USE SECTORS

3.1 *List of strategies with impact on final energy demand*

European policy contributes to the development of an effective and cost-effective Federal energy policy. The following European plans and directives relating to energy efficiency provide the Federal administration with an incentive to take measures falling within its area of competence.

- With its **Strategy 2020**, Europe is aiming to reduce primary energy consumption by 20% up to 2020.
- The **European energy efficiency action plan** will also be revised in the summer of 2011 in order to avoid falling behind on the reduction in energy consumption.
- Further to this initiative, a number of long-term visions are being developed. The **Low-carbon Economy Roadmap** overlaps with other sectoral roadmaps which are now being developed, including the Energy Roadmap, which aims to reduce CO₂ emissions by at least 80% up to 2050 as compared to 1990. The **Energy Roadmap** places an important focus on increasing energy efficiency through measures relating to the economy and energy systems.

Belgium is closely following the discussions taking place at European level between the various Member States and is submitting the necessary comments. Belgium will also take the action necessary to contribute to achieving the European targets set.

- **European directives** also provide an incentive to set targets and aim at achieving them with the help of specific cost-effective measures. In the context of energy efficiency, the following Directives have an important impact on the development of a better and more targeted energy-efficiency policy: The Energy Services Directive, the Energy Performance of Buildings Directive, the Energy-labelling and Ecodesign Directives, and the Renewable Energy Directive. The implementation of the measures included in these Directives contributes effectively to achieving the necessary reduction in energy consumption in Belgium.
- Following on from the **European Economic Recovery Plan**, a Belgian National Recovery Plan has been established in the context of the economic and financial crisis of 2008 with the aim of giving a boost to the economy and to employment. An important component of the Belgian Recover Plan is that of Energy-Climate, whereby energy efficiency is identified as a priority. In this context too, Belgium is seeking to make a contribution by setting an indicative primary energy efficiency target of 18%.

Energy efficiency is incorporated into a number of Federal action plans:

- The **Federal Sustainable Development Plan**; 1st (2000-2004), 2nd (2004-2008), 3rd (2009-2012). This Plan has been established pursuant to the Law of 5 May 1997 on the coordination of Federal policy regarding sustainable development. As laid down by that Law, this Federal Plan contains measures “which need to be taken at Federal level in order to achieve the objectives of sustainable development”. The Plan does not have prescriptive force but provides policy guidelines which the Government intends to implement. The following measures included in the Plan could help improve energy efficiency: promotion of improved efficiency and sustainability in the use of resources, setting up of a knowledge centre with the task of issuing advice in support of climate and energy policy and performing appropriate research on adapting the third-investor principle to energy-efficiency investments in the buildings of the Federal administration.

- The **Federal Sustainable Public Procurement Action Plan 2009-2011**; this was approved by the Cabinet on 3 July 2009. PODDO is responsible for coordinating the implementation of this action plan. Particular reference is made to the implementation of Action 1.1 of this action plan: Updating and revision of the “Guide Sustainable Procurement”. This is an online tool intended to assist public authorities in making their procurement activities more sustainable. It covers a wide range of product groups.
- The **Federal Climate Plan**; this was approved by the Cabinet on 20 March 2004. The Federal administration has committed itself under the National Climate Plan, in which the regions are also involved, to reduce the emission of greenhouse gases by 4.8 million tonnes over the period 2008-2012. The plan is aimed at optimising energy production, the rational use of energy in buildings and the development of sustainable means of transport.
- **Eco-Management and Audit Scheme**; an increasing number of Federal bodies are becoming EMAS-registered. In the context of the environmental management system, most of these bodies are implementing projects to improve their energy efficiency. Fedesco is the main player as far as the technical aspects are concerned.

3.2. End-use measures and final energy savings

3.2.1 Calculation methodology

Federal measures offer support to existing regional measures. Consequently, there is some overlap between the regional and Federal measures. In order to avoid energy savings being counted twice when calculating the energy-saving impact of measures, Federal measures as such are not taken into account. The Federal administration has therefore not established a calculation method.

3.2.2 All individual measures

Some of the measures included in the first NEEAP seem to have only a minimal effect on improving energy efficiency. Their impact in terms of saving energy is probably negligible because the focus lies elsewhere, for example on reducing CO₂ emissions. These Federal measures are therefore less relevant in the context of this energy efficiency action plan. They are briefly described here but will not be dealt with in further detail:

- **Measure 2.9.1. “More speed cameras and careful-driving campaigns” falls under the category of “Strengthening measures to reduce speeding”:**

A large number of speed control radars or cameras have been installed by local and regional administrations. The Federal administration has supported these measures with the necessary regulation and campaigns (via the Belgian Road Safety Institute – IBSR/BIVV). The Highway Code, set out in the Royal Decree of 30 September 2005 laying down the infringements by degree of severity to the general rules adopted pursuant the Law on road transport police, distinguishes between first, second, third and fourth-degree infringements. A penalty is laid down for each type of infringement of the laws on road transport. Fourth-degree infringements are the most serious. The severity of the infringement determines the level of the penalty, which can range from fines to imprisonment. Measures to reduce speeding do not necessarily lead to a reduction of fuel consumption, but do reduce the number of people injured on the roads. Moreover, they sometimes lead to a reduction in fuel consumption (e.g. a speed reduction from 70 km/hour to 50 km/hour on roads), but in other circumstances might have the opposite effect (e.g. a speed reduction from 50 km/hour to 30 km/hour), in the knowledge that the main objective is still to reduce the number of road injuries.

Energy efficiency can be achieved only if drivers comply with speed restrictions, whereby infringement of them is subject to the penalties imposed by the law.

- **Measure 3.2.1 “Deductibility from corporation tax of car costs other than the cost of fuel according to the level of CO₂ emissions” falls under the category “Tax relief and other tax-related measures”:**

This measure is specifically aimed at company vehicles.

- By the Law of 27.04.2007, amended by the Law of 22.12.2008, an Article 198 a was introduced into the Belgian Income Tax Code [Wetboek van de inkomstenbelastingen] regulating the deductibility from corporation tax of car costs other than the cost of fuel according to the level of CO₂ emissions per kilometre, which distinguishes between vehicles with a diesel engine and those with a petrol engine (the lower the emissions, the greater the level of deductibility), the aim being to encourage the purchase of cleaner cars.
- By the law of 23.12.2009, the abovementioned Article 198 a of the Income Tax Code was amended with regard to costs incurred from 01.01.2010, whereby a higher level of deductibility (up to 120%) was provided for in respect of vehicles emitting 0 grams of CO₂, i.e. electric vehicles.

- **Measure 7.1.1 “Harmonisation of excise-duty rates” falls under the category “Energy-related taxes”:**

Under Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity, the Member States are required to comply

with certain minimum rates. They do have some freedom to set rates which exceed the minimum rates laid down. This Directive has been transposed into national law by the FPS Finance. The rates of Belgian excise duties (which take account of the minimum rates laid down by European law) are stipulated in Chapter XVIII of the Programming law of 27 December 2004 (entitled "Taxation of energy products and electricity"). In present circumstances, one cannot really speak of a "harmonisation" of excise duties. It can be noted that a proposal to revise Directive 2003/96/EC has very recently been presented by the European Commission with the aim of increasing the current rates. If prohibitively high rates are imposed on extremely polluting energy products, this might lead to a reduction of consumption. However, the effect on energy efficiency is likely to be minimal in this case.

- **Measure 7.1.2 "Support for fuel replacement" falls under the category "Energy-related taxes":**

Various initiatives have been taken to add certain bio-components to fossil fuels.

- For example, the FPS Finance has, in conjunction with various other FPSs, developed and implemented a system of reduced excise duties for biofuels. This reduction was necessary in order to compensate for the additional cost of producing bio-components. Under normal circumstances, this tax arrangement will cease to apply at the end of 2012.
- In the (economic) Law of 22 July 2009, an obligation was introduced requiring biofuels to be incorporated into fossil motor fuels released for consumption. This obligation should normally cease to apply at the end of June 2011 but was extended by 24 months at the cabinet meeting of 13 May 2011.

In view of the fact that the energy content of blended fuel is lower than that of 100% fossil fuels, this cannot be regarded as an energy-saving measure.

Measure F 1.2.1. "Banning access to the Belgian market for household appliances of categories B, C and D (dishwashers, refrigerators, freezers and dryers)" falls under the category "Minimum equipment energy performance standards (EU Labelling Directive)". This is discussed in the table and relevant section below, but has not been implemented since it was rejected by the European Commission because it distorts the free market and overlaps with the forthcoming Ecodesign implementing measures. It will not therefore be dealt with in future evaluations of the 2nd EEAP.

Measures are classified under a sector and a category, as shown in the summary table below. These categories are defined according to the nomenclature presented by the European

Commission in the final version (19/11/2010) of the “Guide and template for the preparation of the second national energy efficiency action plans”.

Table 1: Breakdown of Federal energy-saving measures relating to final energy consumption by sector and category

No of measure – 2nd EEAP	Title of measure – 2nd EEAP	Sector - 2nd EEAP	Category no - 2nd EEAP	Title of category – 2nd EEAP
1.2.1	Banning access to the Belgian market for household appliances of categories B, C and D (dishwashers, refrigerators, freezers and dryers)	Buildings	1.2	Minimum energy performance standards for equipment (EU Labelling Directive)
1.2.2 + 1.2.3	Strengthening of energy efficiency standards for household appliances and for equipment in stand-by and off mode	Buildings	1.2	Minimum energy performance standards for equipment (EU Labelling Directive)
2.2.1	Extension, strengthening and review of the labelling system for electrical equipment	Buildings	2.2	Energy labelling (EU Labelling Directive)
3.2.3 + 3.2.3.1	Reducing personal taxes for energy-saving expenditure in private dwellings	Buildings	3.2	Tax relief and other tax-related measures
3.2.3.2	Reducing personal taxes for the construction or restoration of a low-energy dwelling, a “passive dwelling” or zero-energy dwelling and for the full or partial conversion of immovable property into a low-energy dwelling, a “passive dwelling” or zero-energy dwelling	Buildings	3.2	Tax relief and other tax-related measures
3.3.1	Global Energy Cost Reduction Fund (FRGE)	Buildings	3.3	Loans (soft loans and/or subsidies)

3.2.6	Promotion of combined transport by rail	Industry	3.2	Tax relief and other tax-related measures
3.2.7	Tax deduction for energy-saving investments in businesses	Industry	3.2	Tax relief and other tax-related measures
3.2.2	Reducing personal taxes for the purchase of an electric vehicle	Transport	3.2	Tax relief and other tax-related measures
3.2.4	Free travel to work	Transport	3.2	Tax relief and other tax-related measures
3.2.5	Encouraging the use of bicycles for travel to work	Transport	3.2	Tax relief and other tax-related measures
4.2.2	Promoting employee commuter plans	Transport	4.2	Commercial or institutional organisations

3.2.2.1 Measures in the building sector

Title of energy-saving measure		Banning access to the Belgian market for household appliances B, C and D (dishwashers, refrigerators, freezers and dryers)
Index of the measure		1.2.1
Description	Category	Minimum energy performance standards for equipment (EU Labelling Directive)
	Timeframe	The planned measure was never implemented as it was rejected by the European Commission. 27/04/2007, Press Release of the Cabinet concerning the approval of the draft letter of 18-09-2007 addressed to the European Commission concerning household electrical equipment with energy-efficiency labels (proposal to ban categories B, C and D). The proposal was rejected as a "market-distorting measure"
	Aim/brief description	Bruno Toubback, Minister for the Environment asked for authorisation to ban access to the Belgian market for household appliance with high energy consumption of categories B, C and D. This measure was considered by many stakeholders as market-distorting (restriction of competition). The European Commission indicated that, in the context of the European Energy-Efficiency Action

		<p>Plan, it was preparing to recast the Eco-design Directive 2005/32/EC (replacing it with the new Directive 2009/125/EC). This already included tightening the rules for a number of electrical appliances. The existing labelling system for electrical appliances was to be amended as part of the review of the Labelling Directive 95/75/EEC by the new Directive 2010/30/EU.</p> <p>Together with the Ecodesign Regulation No 643/2009, the Delegated Regulation No 1060/2010 on energy labelling has been drawn up. This prohibits refrigerators and freezers of energy categories lower than category A, combined with further requirements in the future.</p> <p>Together with the Ecodesign Regulation No 1015/2009, the Delegated Regulation No 1061/2010 has been drawn up. This prohibits washing machines of energy categories lower than category A, combined with further requirements in the future.</p> <p>Delegated regulations Nos 1059/2010 and 1062/2010 on energy labelling have been drawn up for dishwashers (together with the Ecodesign Regulation 1016/2010) and televisions (together with Ecodesign Regulation 642/2009) respectively.</p> <p>The Ecodesign Regulation and the Delegated Regulation on energy labelling for dryers are currently being drafted.</p>
	Target end-use	Electrical appliances of categories B, C and D
	Target group	Residential sector
	Regional application	Federal competence
Information on implementation	List and description of energy saving actions substantiating the measure	The measure has not been implemented. No description can be given.
	Implementing body	General Service Energy of the FPS Economy, SMEs, Self-employed and Energy (hereinafter referred to as AD Energie FPS Economy).
	Monitoring authority	GS Energy FPS Economy

Energy savings	Method for monitoring/measuring the resulting savings	Products are tested for compliance with the energy-labelling requirements by the market-monitoring bodies of FPS Economy. Energy efficiency measures are also evaluated according to the minimum requirements of the relevant Ecodesign Regulation given that the methods and calculations are the same.
	Overlaps, multiplication effect, synergy	At European level, energy-labelling is based on a top-down approach (in order to encourage consumers), while ecodesign follows a bottom-up approach (minimum requirements) with the same objective: reducing the energy consumption of energy-related products (ErP).

Title of energy-saving measure		Strengthening of energy efficiency standards for household appliances and for equipment in stand-by and off mode
Index of the measure		1.2.2 + 1.2.3
Description	Category	Minimum energy performance standards for equipment
	Timeframe	Launch: January 2009
	Aim/brief description	<p>The Ecodesign Directive 2005/32/EC (now revised as 2009/125/EC) was transposed into Belgian law by the Law of 11 May 2007 amending the Law of 31 December 1998 on product standards.</p> <p>The Ecodesign Directive lays down rules to improve the environmental efficiency standards (in terms of minimum energy efficiency) of energy-using products (EuP) and energy-relating products (ErP) on the basis of ecodesign.</p> <p>The horizontal Ecodesign Directive No 1275/2008 lays down the minimum energy-efficiency requirements for various equipment in stand-by and off mode.</p> <p>The vertical Ecodesign Regulations Nos 643/2009, 1015/2010, 1016/2010, 244/2009 lay down the minimum energy-efficiency requirements for refrigerators, washing machines, dishwashers and non-directional household lamps respectively.</p>
	End-use target	The ultimate aim of the Ecodesign Directive is to oblige manufacturers to reduce the energy consumption of

		energy-using products and other negative environmental impacts of EuPs and ErPs at the design stage.
	Target group	All consumers (primarily household consumers) and the tertiary sector
	Regional application	Federal competence.
Information on implementation	List and description of energy saving actions substantiating the measure	<p>In consequence of the Ecodesign Directive, new directives have been drawn up for various product categories:</p> <p>Household refrigerators and freezers: Commission Regulation (EC) No 643/2009:</p> <ul style="list-style-type: none"> • 1 July 2010: refrigerators and freezers of energy categories lower than category A are banned (except absorption-type) • 1 July 2012: only refrigerators and freezers of an energy category higher than category A to remain allowed on the market (except absorption-type) • 1 July 2014: refrigerators and freezers lower than energy category A+ to be prohibited (except absorption-type) <p>Household washing machines: Commission Regulation (EU) No 1015/2010</p> <ul style="list-style-type: none"> • 1 July 2010: washing machines of energy categories below category A prohibited • 1 July 2013: washing machines of energy categories below category A+ to be prohibited (Minimum requirements also laid down for washing efficiency and water consumption). <p>Household dishwashers: Commission Regulation (EU) No 1016/2010 Minimum standards laid down for energy efficiency, washing and drying efficiency in respect of household dryers</p> <p>Non-directional household lamps : Commission Regulation (EC) No 244/2009; Regulation (EC) No 859/2009 amending Regulation (EC) No 244/2009</p> <ul style="list-style-type: none"> • 1 Sept. 2010: 75 Watt clear light bulbs prohibited.

		<ul style="list-style-type: none"> • 1 Sept. 2011: 60 Watt clear light bulbs prohibited. • 1 Sept. 2012: 25 and 40 Watt clear light bulbs to be prohibited. <p>Stand-by and off mode losses: Commission Regulation (EU) No 1275/2008. This Regulation lays down ecodesign requirements for stand-by and off-mode with regard to electricity consumption. It is applicable to electrical and electronic household equipment and office equipment:</p> <ul style="list-style-type: none"> • 7 January 2010: stand-by consumption for a wide range of products limited to 1 Watt (2 Watt with a status display) • 7 January 2013: stand-by consumption for a wide range of products limited to ½ Watt (1 Watt with a status display) <p>In future, measures will also be taken with regard to networked stand-by.</p>
	Implementing body	General Service Environment of the FPS Public Health, Food Chain Safety and Environment (hereinafter referred to as GS Environment FPS Environment) – in conjunction with GS Energy FPS Economy, which carried out the same tests in the context of the corresponding Delegated Regulations on energy labelling (for refrigerators, washing machines, dishwashers, etc.).
	Monitoring authority	GS Environment FPS Environment
Energy savings	Method for monitoring/measuring the resulting savings	<p>Products will be tested for compliance with the ecodesign requirements by the market-monitoring body of GS Environment (Inspection Service of FPS Public Health, Food Chain Safety and Environment).</p> <p>A study is being prepared on the impact (in terms of energy savings and CO₂ reduction) of ecodesign measures.</p> <p>With regard to GS Energy FPS Economy, market monitoring of electrical products is carried out in the context of the safety directives. The opportunity to collect and check products in electrical laboratories is then also used to check their energy consumption in stand-by and off mode. This has already happened for microwave ovens and tumble dryers.</p>

		The energy consumption of electrical equipment is also tested according to the corresponding Ecodesign Regulations. This has already happened for refrigerators (under Regulation No 643/09).
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Title of energy-saving measure		Extension, strengthening and review of the labelling system for electrical equipment.
Index of the measure		2.2.1
Description	Category	Energy labelling (EU Labelling Directive)
	Timeframe	Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances is being revised. The new EU Energy-Labelling Directive 2010/30/EU of 19-05-2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast) must be applied by the Member States from 20-07-2011. A Royal Decree transposing the Directive is being drafted.
	Aim/brief description	The Energy-Labelling Directive creates a framework for determining requirements relating to the ecological design of ErPs on the basis of the classification of their efficiency (and other data), with the help of a standardised label addressed to the consumer. The new Directive replaces the previous Directive 92/75/EEC, which was limited to 8 EuP categories of household appliances: refrigerators and freezers, washing machines, tumble dryers, combined washer/dryers, dishwashers, lamps, ovens and air conditioners. The new Directive extends the scope to ErPs and to double and treble glazing and introduces new requirements relating to increased efficiency. Market monitoring is laid down on the basis of testing the compliance of products. This is done in conjunction with the new Ecodesign Directive 2009/125/EG. The labelling system is also revised. The strengthening of energy-efficiency standards and

		calculations concerning domestic appliances must be seen in the context of both Directives. Four Delegated Regulations have already been published in the context of the new Energy-Labeling Directive: 1059/2010 dishwashers, 1060/2010 refrigerators, 1061/2010 washing machines and 1062/2010 televisions. Other delegated regulations are being drawn up for tumble dryers, water heaters, boilers, air conditioners and ovens. Some 15 product categories will be dealt with.
	Target group	Residential and industrial
	Regional application	Federal competence
Information on implementation	List and description of energy saving actions substantiating the measure	<p>These Directives have been transposed into Belgian law :</p> <ul style="list-style-type: none"> • Directive 92/75/EEC by means of a Royal Decree (of 10/11/1996) • the 8 directives by product category by 8 Ministerial Decrees (of 20/11/1996, 01/12/1998 (4), 01/12/1999, 07/02/2003 and 12/02/2003) • Directive 2003/66/EG with the A+ and A++ extension of the label for refrigerators by a Ministerial Decree (of 01/07/2004) <p>Moreover, as indicated above, 4 delegated regulations were also adopted in 2010 under Directive 2010/30/EU: 1059, 1060, 1061 and 1062.</p>
	Implementing body	GS Energy FPS Economy
	Monitoring authority	GS Energy FPS Economy
Energy savings	Method for monitoring/measuring the resulting savings	<p>Products are tested to check their compliance with the energy-labelling requirements by the market monitoring bodies of GS Energy of FPS Economy.</p> <p>The energy consumption of electrical appliances will also be tested in accordance with the corresponding delegated energy-labelling regulations. This has already happened for refrigerators (in accordance with the Ministerial Decree of 1 July 2004, which transposed Directive 2003/66/EC, and Delegated Regulation 1060/2010).</p> <p>Campaigns directed at importers and distributors concerning the presence and uniformity of labelling</p>

		are also carried out by General Service Control and Mediation of FPS Economy.
	Overlaps, multiplication effect, synergy	At European level, energy-labelling is based on a top-down approach (in order to encourage consumers), while ecodesign follows a bottom-up approach (minimum requirements) with the same objective: the energy consumption of ErPs. There are also overlaps, multiplication effects and synergies with the Energy Performance of Buildings Directive.

Title of energy-saving measure		Reducing personal taxes for energy-saving expenditure in private dwellings
Index of the measure		3.2.3 + 3.2.3.1
Description	Category	Tax relief and other tax-related measures
	Timeframe	Launch: from 1.01.2003 End: 31.12.2010 for expenditure on insulating walls and floors and 31.12.2009 for certain expenditure relating to works carried out on a dwelling put into services less than five years before the commencement of the works. 31.12.2012 – conversion of the tax reduction into a refundable tax credit (except for the transferred balance of tax reductions relating to energy-saving expenditure incurred in 2010, 2011, and 2012).
	Aim/brief description	By means of the Law of 10.08.2001 a tax reduction was introduced in Article 14524 of the Income Tax Code for energy-saving expenditure in private dwellings. This tax reduction is the subject of paragraph 1 of the said Article 14524 and applies in the 2010 income year (2011 assessment year) to : <ul style="list-style-type: none"> ■ expenditure on replacing old boilers or on maintaining a boiler; ■ expenditure on the installation of a solar-energy water heating system; ■ expenditure on the placing of solar panels for converting solar energy into electricity; ■ expenditure on the placing of all other equipment for the generation of geothermal energy; ■ expenditure on the installation of double glazing; ■ expenditure on insulating roofs, walls and floors; ■ expenditure on the placing of a heat-regulating device for a central heating installation using thermostatic valves or a room-

		thermostat with time control; ■ expenditure on an energy audit.
	Target group	Natural persons
	Regional application	Federal competence
Information on implementation	List and description of energy-saving actions substantiating the measure	<p>Information brochures are distributed by FPS Finance. The tax reduction is equal to 40 % of the expenditure actually incurred. The total of various tax reductions may not be more than €2 770 for the 2011 assessment year (expenditure in 2010). This amount is increased by € 830 in the case of the installation of a water-heating system using solar energy or for the placing of solar panels. The amount of the various tax reductions exceeding the said maximum may be carried forward to the three taxable periods following the one in which the expenditure was actually incurred without, for each taxable period, exceeding the said maximum amount, which is indexed each year, when combined with the expenditure incurred in the taxable period in question. For some expenditure, the tax reduction is converted into a refundable tax credit. The tax reduction does not apply to expenditure deemed to constitute actual professional costs or giving entitlement to the investment allowance referred to in Article 69 of the Income Tax Code.</p>
	Implementing body	FPS Finance
	Monitoring authority	FPS Finance
	Overlaps, multiplication effect, synergy	Overlap with regional premiums

Title of energy-saving measure	Reducing personal taxes for the construction or restoration of a low-energy dwelling, a “passive dwelling” or zero-energy dwelling and for the full or partial conversion of immovable property into a low-energy dwelling, a “passive dwelling” or zero-energy
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		dwelling.
Index of the measure		3.2.3.2.
Description	Category	Tax relief and other tax-related measures
	Timeframe	Launch: From 1.01.2007 for "passive dwellings". From 1.01.2010 for low-energy or zero-energy dwellings.
	Aim/brief description	By means of the Law of 27.04.2007 a tax reduction was introduced in Article 14524(2) of the Income Tax Code whereby personal income tax was reduced in respect of the construction of a "passive dwelling", purchase of a new "passive dwelling" or the full or partial conversion of immovable property into a "passive dwelling". By means of the Law of 23.12.2009 amendments were made to Article 14524(2) with the purpose of extending the tax reduction to the construction of a low-energy or zero-energy dwelling, the purchase of a new low-energy or zero-energy dwelling or the full or partial conversion of immovable property into a low-energy or zero-energy dwelling.
	Target group	Natural persons
	Regional application	Federal competence
Information on implementation	List and description of energy saving actions substantiating the measure	Information brochures are distributed by FPS Finance. A tax reduction is granted for 10 consecutive taxable periods from the taxable period in which it is established that the dwelling is a low-energy, passive or zero-energy dwelling. The tax reduction for the 2011 assessment year (2010 income year) is as follows: <ul style="list-style-type: none"> - € 420 per dwelling for a low-energy dwelling; - € 830 per dwelling for a "passive dwelling"; - € 1 660 per dwelling for a zero-energy dwelling.

	Implementing body	FPS Finance
	Monitoring authority	FPS Finance
	Overlaps, multiplication effect, synergy	Overlap with regional premiums

Title of energy-saving measure		Global Energy Cost Reduction Fund (FRGE)
Index of the measure		3.3.1
Description	Category	Loans (soft loans and/or subsidies)
	Timeframe	The Programming Law of 27-12-2005/Royal Decree of 09-03-2006 establishing the statutes of the FRGE created the FRGE. After the first commitments, and thus investment funds, became available, the first measures could be launched from February 2007. The reference period is valid from 2007 to 2012 (given that the commitments have a term of 5 years and the money was obtained in 2007)
	Aim/brief description	The Federal Administration has targeted the FRGE at measures involving the study and realisation of projects through involvement in funding structural measures, in consultation with the regions, to promote a reduction in the global energy costs in private dwellings for the most needy target group, defined on the basis of a decision determined after consulting the Cabinet, and the granting of low-cost loans for structural measures to promote reductions in the global energy costs of private dwellings. This can be realised by, <i>inter alia</i> , making use of third-party investor mechanisms, without any restrictions as regards the technology used, the location of projects and the persons who commission these projects.
	Target group	Residential sector
	Regional application	Federal competence
Information on implementation	List and description of energy saving actions substantiating the measure	The FRGE makes the following support available to the relevant local entities (as identified by the authorised municipalities):

	<p>1. Investment funds</p> <p>A local entity each year has a credit line corresponding to the number of dwellings to be renovated on an annual basis multiplied by the maximum amount of a loan (€ 10 000). The FRGE lends the funds to the entity at an interest rate of 2%, after which the entity applies the same or a lower rate of interest to the private beneficiary.</p> <p>The FRGE may, subject to strict conditions, accept that the loan not be repaid by the beneficiary to the local entity and thus by that entity to the FRGE. The city acts as a guarantor in respect of the entity up to the amount of the remaining 95%.</p> <p>2. Operating funds</p> <p>This is intended to support personnel costs. The amount is determined by the number of target-group residents in the territory of the municipality or city in question.</p> <p>3. Practical support: credit management system, software, manuals, quality criteria for investments, model contracts, website, etc.</p>
<p>Budget and source of finance</p>	<p>The State has provided the FPIM with the financial resources it needs to fulfil its function and to cover the corresponding expenses. The FRGE has thus received a launch capital from FPIM of € 2 000 000. FPIM is thus the FRGE's only shareholder. For its operations, the Fund is counting on annual subsidies from the PODO budget (€ 1 million) and from the FPS Environment budget (€ 1 million). Of this structural grant, € 1.5 million will be used to support the members and € 0.5 million for the central operations of the FRGE itself. The investment funds come from a 2007 debenture loan of €50 000 000 (+€ 100 000 000 in 2011). The permanent level of debt is limited to € 250 million. Individual loans to private beneficiaries are limited to € 10 000. In 2007, this means expenditure of €200 000, in 2008 € 1 323 333 (via three local entities (LE): AG EOS (Ostend), Igemo (Mechelen region) and Regent (City of Ghent)), in 2009 € 9 169 409 (local entities:</p>

	<p>Recyclant (City of Antwerp), OCMW Charleroi, Duwolim (Province of Limburg) and Welzijnsconsortium (region of South-West Flanders), and in 2010 € 15 279 523 (local entities : EBW (region of Louvain-la-Neuve), IGO-Leuven (region of Louvain), Interwaas (region of Sint-Niklaas), OCMW La Louvière, OCMW Mons, Pendule (City of Louvain), Solva (region of Aalst).</p> <p>At the end of December 2010, 15 cooperation agreements had been concluded and 13 local entities were active.</p> <p>The accumulated total of individual loans granted to private beneficiaries was € 25 972 265, whereby a total of 4 294 loan applications had been submitted.</p> <p>A further six agreements were signed during the first quarter of 2011: IOK, Veneco, 3WPlus, 3WPlus Pajottenland, Liège and Pays de Famenne</p>
Implementing body	FRGE
Monitoring authority	PODDO

3.2.2.2 *Measures in industry*

Title of energy-saving measure		Tax deduction for energy-saving investments in businesses
Index of the measure		3.2.7.
Description	Category	Tax relief and other tax-related measures
	Timeframe	<p>Launch:</p> <ul style="list-style-type: none"> ■ From the 2004 assessment year as regards the application of Article 69(1), first subparagraph, 2°, c) of the 1992 Income Tax Code ■ From the 2011 assessment year as regards the application of Article 69(1), first subparagraph, 2°, e) of the 1992 Income Tax Code <p>End: From 2014 assessment year as regards the application of Article 69(1), first subparagraph, 2°,e) of the 1992 Income Tax Code</p>
	Aim/brief description	From the 2004 assessment year, the basis percentage of the deduction (determined according to Article 69(1), first subparagraph, 1°, of the 1992 Income Tax Code)

		<p>was increased by 10 percentage points in respect of fixed assets which serve the purposes of rational energy consumption, improving industrial processes as regards energy considerations and, in particular, energy recovery in industry (the said Article 69(1), 2°, was amended by the Law of 08.04.2003 – Programming law : point c)).</p> <p>The increase in the said basis percentage of the deduction by ten percentage points is also applicable in the 2011-2013 assessment years to investments carried out in the years 2010-2012 relating to the installation of charging stations for electric vehicles (Law of 23.12.2009).</p> <p>Subject to certain conditions, it is possible to opt for a spread deduction (cf. Article 70 of the 1992 Income Tax Code).</p> <p>Subject to certain conditions, the deduction may be carried forward to the profits or losses of the following taxable period (cf. Article 72 of the 1992 Income Tax Code).</p> <p>In certain circumstances, the investment deduction does not apply, e.g. to fixed assets not used exclusively to exercise a professional activity, fixed assets that are not amortizable and fixed assets the amortisation of which is spread over less than 3 taxable periods, etc. (cf. Article 75 of the 1992 Income Tax Code).</p>
	Target group	Taxable persons subject to personal taxation, corporate taxation and non-residents' taxation
	Regional application	Federal competence
Information on implementation	List and description of energy-saving actions substantiating the measure	Information brochures distributed by FPS Finance.
	Implementing body	FPS Finance
	Monitoring authority	FPS Finance
	Overlaps, multiplication effects, synergy	Overlap with regional measures

3.2.2.3 *Measures in the transport sector*

Title of energy-saving measure		Reducing personal taxes for the purchase of an electric vehicle
Index of the measure		3.2.2.
Description	Category	Tax relief and other tax-related measures
	Timeframe	Launch: From 01.01.2010 End: 31.12.2012
	Aim/brief description	By the Law of 22 and 23.12.2009, an Article 14528 was introduced into the Income Tax Code under which reduced personal tax is applicable to the purchase of an electric car and the installation of a charging station for electric cars in order to encourage the purchase of electric cars in the years 2010, 2011 and 2012.
	Target group	Natural persons
	Regional application	Federal competence
Information on implementation	List and description of energy saving measures substantiating the measure	<p>Information brochures distributed by FPS Finance.</p> <p>For a motor bike and three-wheeled vehicle, the tax reduction is as follows:</p> <ul style="list-style-type: none"> ■ 15 % of the purchase value of the electric vehicle, but limited to ■ € 2 770 for the 2011 assessment year (2010 income) ■ € 2 830 for the 2012 assessment year (2011 income) <p>For a four-wheeled vehicle, the tax reduction is as follows:</p> <ul style="list-style-type: none"> ■ 15 % of the purchase value of the electric vehicle, but limited to ■ € 4 540 for the 2011 assessment year (2010 income) ■ € 4 640 for the 2012 assessment year (2011 income)

		<p>For a passenger vehicle, a dual-use vehicle and a minibus, the tax reduction is as follows:</p> <ul style="list-style-type: none"> ■ 30 % of the purchase value of the electric vehicle, but limited to ■ € 9 000 for the 2011 assessment year (2010 income) ■ € 9 190 for the 2012 assessment year (2011 income) <p>The tax reduction for a charging station installed outside a dwelling is as follows:</p> <ul style="list-style-type: none"> ■ 40 % of the cost of installation, but limited to ■ € 250 Euro for the 2011 and 2012 assessment years (2010 and 2011 income)
	Implementing body	FPS Finance
	Monitoring authority	FPS Finance

Title of energy-saving measure		Free travel to work
Index of the measure		3.2.4
Description	Category	Tax relief and other tax-related measures
	Timeframe	<p>Launch:</p> <ul style="list-style-type: none"> ■ From the 2001 assessment year (for income in the 2000 taxable period) as regards the application of Article 38(1), first subparagraph, 9°, a), of the 1992 Income Tax Code ■ From the 2002 assessment year (for income in the 2001 taxable period) as regards the application of Article 38(1), first subparagraph, 9°, b), of the 1992 Income Tax Code
	Aim/brief description	By the Law of 10.07.2001 amending Article 38 of the 1992 Income Tax Code concerning the employer contribution to travel-to-work costs, point 9° of paragraph 1 (then paragraph 1, first subparagraph) was

		amended in order to introduce exemption of the full amount of compensation granted by an employer in reimbursement of the travel-to-work costs of employees whose professional costs are not determined on a flat-rate basis, provided the employee in question travels to work by public transport. The said Article 38(1), first subparagraph, 9°, was further amended by the Law of 10 August 2001 reforming personal taxation by the extension of exemption of the amount of compensation granted by an employer up to a maximum amount equal to the cost of a train season ticket in first class from the place of residence to the place of work, where the travel is carried out by means of communal transport for employees organised by an employer or a group of employers (the point 9) b)).
	Target group	Natural persons
	Regional application	Federal competence
Information on implementation	List and description of energy-saving actions substantiating the measure	Information brochures distributed by the FPS Finance.
	Implementing body	FPS Finance
	Monitoring authority	FPS Finance

<i>Title of energy-saving measure</i>		Encouraging the use of bicycles for travel to work
<i>Index of the measure</i>		3.2.5.
Description	Category	Tax relief and other tax-related measures
	Timeframe	Launch: <ul style="list-style-type: none"> ■ From the 1998 assessment year (for income in the 1997 taxable period) as regards the application of Article 38(1), first subparagraph, 14°, a), of the 1992 Income Tax Code ■ From the 2010 assessment year (for income in the 2009 taxable period) as regards the application of Article 38(1), first subparagraph, 14°, b), of the 1992 Income Tax Code

	Aim/brief description	<p>By the Law of 08.08.1997 amending Article 38 of the 1992 Income Tax Code, a new point 14° (then point 14° a)) was added to paragraph 1 (then paragraph 1, first subparagraph) exempting the per kilometre compensation granted for travel actually carried out by bicycle between an employee's place of residence and his place of work up to a maximum amount of € 0.145 per kilometre.</p> <p>The said Article 38(1), first subparagraph, 14° was further amended by the Law of 27 March 2009 – the Economic Recover Law – with the extension of the exemption to the advantage stemming from the provision of a bicycle and accessories, including maintenance and parking costs, provided it is actually used for travel between the place of residence and place of work.</p> <p>The Royal Decree of 13 June 2010 amending the Royal Decree of 20 April 1999 on the granting of compensation for the use of a bicycle to the employees of some public administration increased the amount of compensation payable to Federal civil servants to € 0.20/km. Only the amount above € 0.20/km is counted for the purposes of remuneration and is thus taxed as salary. The amount up to € 0.20/km is tax-free.</p>
	Target group	Natural persons
	Regional application	Federal competence
Information on implementation	List and description of energy-saving actions substantiating the measure	Information brochures are distributed by FPS Finance.
	Implementing body	FPS Finance
	Monitoring authority	FPS Finance

Title of energy-saving measure		Promotion of combined transport by rail
Index of the measure		3.2.6.
Description	Category	Tax relief of other tax-related measure

	Timeframe	Launch: From 1 January 2009 End: 31 December 2012 (domestic rail transport) and 30 June 2015 (new international connections)
	Aim/brief description	The Programming Law of 22.12.2008 (Belgian State Gazette of 29.12.2008) provides for subsidies to promote combined transport by rail. Operators which use the railways may receive a subsidy from the State Budget if certain conditions are met. The subsidy of a single transport operation may not exceed 30 % transport costs. The Royal Decree of 15 July 2009 contains the full arrangements.
	Target group	Operators of combined goods transport by rail
	Regional application	Federal competence
Information on implementation	List and description of energy-saving actions substantiating the measure	This measure stimulates and supports the launch of new international connections. The extent of these services is particularly interesting from an economic, environmental and social point of view since they contribute to reducing transport by road on the Belgian territory. The modal shift brought about will, in the context of sustainable development and the Kyoto commitment, help reduce the extent of exclusive road use. The measure could result in a reduction of energy consumption and CO ₂ emissions.
	Budget and financial source	€ 100 000 000 (2009-2015) FPS Mobility and Transport
	Implementing body	FPS Mobility and Transport
	Monitoring authority	FPS Mobility and Transport

Title of energy-saving measure		Promoting employee commuter plans
Index of the measure		4.2.2
Description	Category	Commercial or institution organisations
	Timeframe	Law of 8 April 2003, as supplemented by the Law of 31/12/2003 and confirmed by the Royal Decree of

		16/05/2003
	Aim/brief description	<p>The Federal Government makes "diagnostic tools" available to businesses which serve as a basis for developing transport plans. This policy comprises two measures:</p> <ul style="list-style-type: none"> • free train travel for commuting civil servants, financed by the Federal Government • extension of the tax deductibility of travel-to-work costs involving the use of alternative means of transport (on foot, by bicycle, by public transport, etc.)(see also measure 3.2.4).
	Target group	Commuting civil servants
	Regional application	Federal competence.
Information on implementation	List and description of actions needed to implement the measure	<p>The Law of 8 April 2003 (Articles 161-170) stipulates that all businesses and public institutions which on average have more than 100 employees must submit a report every three years on travel-to-work arrangements. The businesses and public institutions in question are obliged to obtain an opinion from the works council or advisory panel or, failing that, another authorised trade union body. Other rules are also laid down by the Programming Law of 3 December 2003, the Royal Decrees of 16 May 2003 and 25 October 2004, and the Ministerial Decree of 29 October 2004. Measures aimed at encouraging employers to develop and apply company transport plans and to bear the cost of travel to work.</p> <p>Surveys relating to travel to work were launched on 30 June 2005, were repeated on 30 June 2008, and are planned for 30 June 2011. The reports on these surveys are published on the website of FPS Mobility and Transport (www.mobilit.fgov.be). They show that, in 2008, 6.9% more employees took part in the surveys than in 2005, with a total of 9 783 bodies (+11.5%) and 3 816 employees (+5.6%). The survey covered 32.2% of assets and one out of three employees (1 432 549 of</p>

		4 445 900) according to the data of the General Directorate for Economic Information and Statistics (ADEIS). The response rate was also higher in 2008 than in 2005, with 89% of employers against 80% in 2005. Energy could be saved through a modal shift to other means of transport: walking, cycling or taking public transport. Fewer cars on the roads could also have a positive impact on traffic jams.
	Implementing body	FPS Mobility and Transport
	Monitoring authority	FPS Mobility and Transport

3.3 Public sector

3.3.1 Exemplary role of public sector

The **Federal Holding and Investment Company (FPIM)** is a public-interest company wholly owned by the Belgian State. Its most important function is to coordinate the investment policy of the Belgian State and to strengthen it through a pro-active policy. The FPIM thus manages, *inter alia*, the Global Energy Cost Reduction Fund see section 3.2.2.1 concerning the FRGE) and Fedesco on behalf of the State.

Fedesco is the public Federal Energy Services Company (ESCO) that was set up in September 2005 at the initiative of the Federal Government as a public limited company. The Royal Decree of 9 January 2007 gives Fedesco an “exclusive” right to operate on behalf of the Federal Administration. Consequently, the Federal Public Institutions always call on this company to implement projects which contribute to achieving energy savings in Federal administrative buildings. Fedesco operates according to the principle of third-party funding. This involves advance financing with repayment on the basis of the annual saving achieved and spread over several years. Fedesco also play a very important role as the Federal knowledge centre for energy efficiency. Its expertise ranges from analysing needs and identifying and benchmarking potential buildings to full monitoring of the technical stages of a project.

The following specific tasks are performed by Fedesco:

- information campaigns on saving energy: 20 campaigns (target group: public departments) were launched in 2008 and completed in 2009;
- re-exposure: 18 studies carried out in 2009, including 12 which were profitable (€ 642 700 of the total investment budget);

- window films: approximately 4 794.86 m² placed in 2009;
- Energy Care: (“quick win” measures in public administrative buildings) 20 buildings in 2009;
- Energy register: 305 inventories produced in 2009, for a total investment potential of € 47 586 483;
- HVAC projects: in the 36 buildings examined, there are some 30 HVAC systems which need to be upgraded and/or replaced in 2010;
- cogeneration projects (WKK): 24 buildings were examined for further potential investment;
- insulation of roofs and heating pipes: 1 project completed in 2009 and 5 new projects to be executed in 2010.

Fedesco works together with the **Federal Buildings Agency** in identifying buildings and projects, carrying out studies and drawing up specifications, putting public contracts to tender, monitoring works and performing general project coordination. The Buildings Agency [Regie der Gebouwen] is an autonomous public-interest institution which may be regarded as the real-estate expert of the Federal Administration. When buying, hiring or maintaining buildings, great importance is attached to their efficiency. One of the factors used to determine the quality of a building is sustainable energy use.

Belesco is an initiative of Fedesco and Energy Magazine and was set up by 20 Belgian public and private organisations. It is a non-profit association grouping together the main players on the still new energy services market. One of its important functions is to stimulate the public sector to promote pre-financing and to disseminate information on that subject to, *inter alia*, principals and bankers (better understanding of risk criteria). It thus provides a platform for the exchange of experiences and for promoting the development of energy-efficiency solutions with the help of energy services contracts and third-party funding.

The **EMAS Label** recognised by the European stands for Eco-Management and Audit Scheme. It is an environmental management system in which the Federal Administration is able to perform its exemplary function. This is because public administrations must take account of the environment in a systematic and coordinated fashion. Consequently, ever more Federal institutions are seeking to obtain the recognised EMAS Label. The credibility of this system is strengthened by subjecting environmental management within public administrations to external control on the basis of European standards.

A large number of **journeys** travelled are related to the **commute to work**. By promoting public transport among employees, they can be encouraged to use more sustainable and energy-efficient means of transport for travelling to work. The public sector plays an exemplary role in that respect. 70 000 Federal civil servants thus receive a free rail season ticket for travelling to work. The use of bicycles by employees in the public sector is also promoted, for example by means of tax-related measures. Since 1 January 1998, the compensation paid by an employer to its employees for travelling to work by bicycle has been exempt from tax and social contributions (€ 0.15/km). Under the Royal Decree of 13 June 2010 amending the Royal Decree of

20 April 1999 on the granting of compensation for the use of bicycles to the staff members of certain public administrations, the level of compensation for Federal officials was increased to (€ 0.20/km). The promotion of other means of transport is aimed at creating a modal shift. Between 2005 and 2008, there was a drop in the use of cars (-2.1%) and an increase in the use of the train (+1.0%), bicycle (+0.5%) and other means of transport (+0.5%). The promotion of public transport, carpooling, the use of bicycles, etc. might have contributed to this.

3.3.2 Specific measures for public procurement

Practical support for procurement at Federal level is provided by the Procurement Policy and Advice Unit [Cel Aankoopbeleid en Advies] of the FPS Personnel and Organisation. It is responsible for developing and advising and helping with the implementation of suitable techniques for the efficient and effective procurement of goods and services. To this end, it gives advice and provides training on public procurement to contracting authorities at Federal level. This unit has a website containing advice and specimen specifications. Access to the Unit's website is also available to other contracting authorities. For more information, visit: <http://www.publicprocurement.be/portal/page/portal/pubproc>.

The Belgian Federal Administration supports the objective of the European Council and the European Commission for 50% of procurement procedures for all Federal public contracts to be sustainable. Sustainable procurement procedures are consistent with the instructions given in Federal circulars, according to which all Federal departments must, when drawing up their specifications, take account of the following:

- With regard to various product and service categories:

Royal Decree (5 September 2001) on the correct representation of fuel consumption and CO₂ emissions in announcements.

Circular P&O/DO/1 (27 January 2005) – Implementation of the sustainable development policy in public supply contracts launched by contracting authorities of the Federal Administration belonging to traditional sectors (Belgian State Gazette, 4 February 2005, page 3689-91). This Circular expressly stipulates that the Federal Administration must perform an exemplary function. Thus, all contracting authorities of Federal public services, public planning services and public-interest institutions subject to the authority, control or supervision of the State are required to apply the ecological and ethical provisions set out on the website <http://www.gidsvoorduurzameaankopen.be>.

- With regard to vehicles:

Circular 307 n (13 July 2009) – Procurement of passenger vehicles intended for the State services and public-interest institutions (Belgian State Gazette, 3 August 2009). This defines the rules to be followed by Federal agencies when purchasing or leasing vehicles and by persons using the guidelines laid down in terms of price and Ecoscore. The European standards must be met at the time of the acquisition of

vehicles. These standards determine the maximum permissible emissions of a vehicle based on its weight class (also known under the term 'Euro'). However, for new diesel vehicles, particulate emissions may not exceed 5 mg / km.

Royal Decree (20 December 2010) on the promotion of clean and energy-efficient road vehicles in the context of public contracts (Belgian State Gazette, 24 December 2010).

The Federal public services are planning a gradual shift in their fleet towards clean and energy-efficient vehicles. This is planned to take place by renewing the vehicle fleet on the basis of the voluntary agreements between Federal administrations.

A Federal Sustainable Procurement Action Plan (2009-2011) was also approved during the cabinet meeting of 3 July 2009 in order to offer businesses a consistent approach on the part of public authorities. An important measure in this content is the updating and revision of the "Guide Sustainable Procurement", and online tool intended to assist public authorities in making their procurement activities more sustainable.

With the sustainable development units in each Federal public service, the function of which is to make the service more aware of sustainable development and to ensure the sustainability of its procurement activities, and the EMAS obligation incumbent on the Federal public services, the Federal Administration has important mechanisms in place to speed up the integration of sustainable criteria in public contracts.

3.4 *Increasing availability of advice and information*

As already stated at point 3.3.1 concerning the exemplary role of the public sector, Fedesco and Belesco are jointly responsible for disseminating information on ESCOs and the efficient use of energy to other authorities and players on the energy services market. They do this by means of awareness-raising campaigns, a platform between Belgian public and private organisations and activities during events.

The Buildings Agency informs the public about projects implemented within buildings of the Federal Administration via the publication of brochures.

PODDO has implemented an information campaign together with FPS Environment with a view to increasing awareness of the Guide Sustainable Procurement.

FPS Environment has launched the 'www.energievreters.be (NL) en www.energivores.be (FR)' websites as an internet-based CO₂ calculator which promotes energy-efficient equipment and gives a number of tips on reducing energy consumption in buildings and by electronic devices and cars. The 'www.zuinigewagen.be' website promotes the purchase of energy-efficient cars. These websites are supported by information campaigns such as the "No energy guzzlers in your home" campaign concerning energy-efficient household electrical equipment, the "Think before you build" campaign concerning roof insulation and the "CO₂ guide to cars – driving efficiently ... a plus for you and nature". The latter is a brochure which gives the public objective and comparative information on energy consumption and CO₂ emissions and makes comparisons between the different models available on the Belgian market. The possible tax advantages are also indicated.

Under the Royal Decree of 5 September 2001, consumers must be given the necessary information concerning fuel consumption and CO₂ emissions when new passenger cars are introduced to the market. On 17 March 2011, a draft law amending this Royal Decree was presented to the Belgian Chamber of Representatives (the lower house of the Federal Parliament). This draft law stipulates that 20% of the space on an advertisement must be reserved for information on the car's energy consumption and CO₂ emissions. The numerical data must also be accompanied by a scale indicating the ecoscore as compared to the ecoscore of new vehicles sold in Belgium.

In the new management agreement (and also the business plans) of NMBS Holding, Infrabel and the NMBS, particular emphasis is placed on the use of bicycles. NMBS Holding has given an undertaking to increase the number of bicycle stands (78 000 in 2012, as compared to 59 000 at present) and to improve supervision of bicycle parks. NMBS Holding also support the expansion of "bicycle points" in stations, which would stimulate the use of bicycles in combination with public transport by providing bicycle services in the immediate vicinity of busy transport hubs (www.fietsenwerk.be). Social businesses are offered space for bike rental and bike repair services and a range of other bicycle-related activities. The NMBS has in turn undertaken to promote the transport of bicycles in adapted carriages by ordering new or renovating existing rolling stock, and also to make rental bicycles available at locations in areas popular with tourists. It is already possible to rent shared bicycles at 35 Belgian stations, whereby the stations form a point of interchange for cyclists (www.blue-bike.be). This principle is backed up by a promotion campaign. For its part, Infrabel guarantees better bicycle access to railway platforms and suitable arrangements for bicycles in the context of the project to eliminate level crossings.

3.5 *Stimulating the energy services market*

Belgium has taken a number of measures to stimulate the ESCO market. Various categories exist:

- Measures taken by the Federal authorities:
 - o the establishment in 2005 of Fedesco by the Federal Administration followed by the setting-up by Fedesco of its "Knowledge Centre for third-party funding and energy services" (Fedesco Knowledge Centre). Fedesco has the contract to stimulate the development of ESCOs on the basis of activities during a large number of conferences and seminars in Belgium and abroad;
 - o the organisation of the Environmental Spring in 2008 by the Federal Administration – with the help of the regions – enabled a number of issues to be addressed.

- Measures taken by the private and public players:
 - o the setting-up of Belesco, the Belgian Association of ESCOs;

- o the inclusion of Fedesco and Factor 4 within the Demand Side Management (DSM) expert group of the IEA;
- o the organisation of the 2008 ESCO Europe Conference in Brussels in November 2008.
- Measures taken by private players:
 - o the setting-up and/or development of ESCO business by some members of Belesco;
 - o articles/dossiers in EnergyMag;
 - o the organisation of the Energy Forum Conference, which every year is an important event for stakeholders on the ESCO market;
 - o the organisation of the first training in the International Performance Measurement Verification Protocol (IP MVP)/Certified Measurement Verification Professional Program (CMVP) for Belgian stakeholders (as a result of which a number of Belgian CMVPs obtained certification).

It is difficult to assess the concrete impact of these measures. Belesco does plan to set up and manage a databank for ESCO projects existing within Belgium, but this is a medium or long-term venture. It still has to be determined when a project can be regarded as an ESCO project. A clear and universal definition still has to be established.

Before Fedesco was set up in 2005, the number of ESCOs in Belgium was very limited. Fedesco and the growing interest in the Belgian market have helped increase the number of market players. At present, 3 public ESCOs are active and 4 are being set up. There are 5 or 6 large private ESCOs and 5 or 6 smaller or specialised ones. The overall value of energy services contracts is unknown. Fedesco has signed contracts worth € 26 million.