



EUROPEAN COMMISSION - PRESS RELEASE

Energy performance of buildings: Commission refers Spain to Court

Brussels, 24 November 2011 - Buildings are responsible for around 40% of energy consumption and 36% of the CO₂ emissions in the European Union. The European legislation aims to achieve a significant reduction in the energy consumption of buildings, thus helping to combat global warming and strengthen the EU's energy security. Large energy savings will also enable households to drastically reduce their bills. It is therefore essential that Member States fully apply this legislation.

The European Commission has thus decided today to refer Spain to the EU's Court of Justice for failure to fully comply with the Directive 2002/91/EC on the energy performance of buildings. Under Spanish law, the adopted methodology for calculating the energy performance of buildings and the requirements for handing over an energy performance certificate are applicable only to new buildings and existing buildings undergoing a major renovation. The Directive on the contrary requires establishing a methodology and certificates for all types of buildings. This is a key issue in the European legislation as the foreseen Energy Performance Certificate provides a clear view on the quality of the building in terms of energy savings and the associated costs. It is an important tool to give bargaining power in building purchase or rental agreements: some surveys show that purchasers can be ready to pay more for efficient buildings.

Furthermore, the Commission considers that Spain still has not put in place the necessary measures to establish a regular inspection regime for boilers. Bad functioning boilers can represent an important part of the heating costs.

Background

The infringement proceedings concern the [Directive 2002/91/EC](#) of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings (OJ L1, 4.1.2003). According to the Directive, Member States must establish a method for calculating the energy performance of all types of buildings and minimum energy performance standards for new buildings and for large existing buildings subject to major renovation. Member States have also to ensure the certification of the energy performance of buildings and require the regular inspection of boilers and air-conditioning systems.

In November 2010 the Commission had requested Spain by a reasoned opinion to fully comply with the EU requirements (see [IP/10/1561](#)). Although the Spanish authorities have informed that measures to align legislation would be taken, full compliance has not yet been achieved.

Further information

The Directive on the energy efficiency of buildings can be consulted on:

http://ec.europa.eu/energy/efficiency/buildings/buildings_en.htm

Information on infringement procedures in the field of energy efficiency is available at: http://ec.europa.eu/energy/infringements/proceedings/efficiency_en.htm

General information on infringements can be found at:

http://ec.europa.eu/eu_law/infringements/infringements_en.htm

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