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COMMISSION IMPLEMENTING REGULATION (EU) .../...

of 15.11.2022

laying down rules for the application of Regulation (EU) 2018/1999 of the European Parliament and of the Council as regards the structure, format, technical details and process for the integrated national energy and climate progress reports

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council¹, and in particular Article 17(4) thereof,

Whereas:

- (1) Regulation (EU) 2018/1999 requires Member States to submit to the Commission integrated national energy and climate plans covering a ten-year period and to rely on a two-step approach by, first, setting national objectives, targets and contributions for all the five dimensions of the Energy Union and, second, planning the relevant policies and measures to achieve those. Member States were required to submit their first final integrated national energy and climate plans for the period 2021-2030 by 31 December 2019.
- (2) Pursuant to Article 17(1) of Regulation (EU) 2018/1999, each Member State is to report to the Commission every two years on the status of implementation of its national energy and climate plan by means of an integrated national energy and climate progress report covering all five dimensions of the Energy Union.
- (3) Those biennial progress reports represent a key source for the Commission's assessment under Article 29 of Regulation (EU) 2018/1999 of the progress made both at Union level towards the Energy Union's targets and objectives, and by each Member State towards meeting its objectives, targets and contributions and implementing the policies and measures set out in their integrated national energy and climate plans.
- (4) Pursuant to Article 14 of Regulation (EU) 2018/1999, Member States are to submit updated integrated national energy and climate plans every ten years, at the midterm of the implementation of their national energy and climate plans. For the period 2021-2030, Member States are to submit draft updated integrated national energy and climate plans by 30 June 2023 and final ones by 30 June 2024.
- (5) The structure, format, technical details and process for the biennial progress reports set out by this Regulation should ensure complete reporting in a structured manner, by reflecting the elements set out in this Regulation for integrated national energy and

¹ OJ L 328, 21.12.2018, p. 1.

climate plans, and the information referred to in Article 17 and 20 to 25 of Regulation (EU) 2018/1999, while avoiding unnecessary administrative burden.

- (6) Member States are required to report progress as regards mandatory information included in their integrated national energy and climate plans, taking due account of any exemption or derogation granted pursuant to Article 5(4) of Regulation (EC) No 1099/2008 of the European Parliament and of the Council². They are also required to report progress as regards information if the relevant national objectives, targets and contributions, and policies and measures are included in their national energy and climate plans. Because of possibly incomplete collection of data at the time of the first reporting by 15 March 2023, and every two years thereafter, certain information should only be reported if it is available at the time of the reporting. Member States should be able to provide voluntary information to supplement the mandatory elements.
- (7) Member States should report progress towards the national objectives, targets and contributions separately in respect to the five dimensions of the Energy Union.
- (8) Because of the interrelations of all the dimensions of the Energy Union, policies and measures may be relevant to more than one of the national objectives, targets and contributions set out in the integrated national energy and climate plans. In order to ensure consistency, when reporting on financing and implementation of those policies and measures, as well as the quantitative impact of such policies and measures on air quality and on emissions of air pollutants, Member States should report on individual policies and measures or groups of policies and measures as appropriate.
- (9) In accordance with the content of the integrated national energy and climate plans as set out in Annex I to Regulation (EU) 2018/1999, Member States should also be required to report on other relevant information included in their national plans in the matter of renewable energy and energy efficiency.
- (10) Pursuant to Article 18 of Regulation (EU) 2018/1999, Member States are to submit to the Commission integrated reports on greenhouse gas policies and measures and on projections by 15 March 2021 and every two years thereafter. By submitting those reports, Member States comply with the relevant obligation under Article 17(3) of Regulation (EU) 2018/1999. In addition, Member States should report on progress towards financing those policies and measures and, where possible, should quantify the impact of those policies and measures on air quality and on emissions of air pollutants.
- (11) Pursuant to Article 26(3) of Regulation (EU) 2018/1999, Member States are required to report to the Commission the final greenhouse gas inventory data together with national inventory reports by 15 March 2023 and every year thereafter. By the submission of the final greenhouse gas inventory data together with national inventory reports, within the respective reporting date, Member States comply with the relevant obligation under Article 17(3) of Regulation (EU) 2018/1999. The final reports submitted pursuant to Article 26(3) of Regulation (EU) 2018/1999 are also considered for the purposes of the reporting on the progress accomplished towards reaching the climate mitigation objectives, taking into account the outcomes of the initial checks as referred to in Article 37(4) of Regulation (EU) 2018/1999.

² Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1).

- (12) Member States should submit their reports through the single entry point of the Commission via the relevant linked reporting systems established under the e-platform referred to in Article 28 of Regulation (EU) 2018/1999.
- (13) To strengthen the efficiency of the reporting by the Member States, information reported through other existing reporting streams in the field of energy, and in particular, pursuant to Regulation (EC) No 1099/2008 of the European Parliament and of the Council, will be prefilled by the Commission on the basis of the data available for the purposes of the integrated national energy and climate progress reports to the extent possible.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Energy Union Committee,

HAS ADOPTED THIS REGULATION:

CHAPTER I DEFINITIONS

Article 1

Definitions

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

- (1) “mandatory if applicable” means the following categories of information that Member States have to submit:
 - (a) information regarding national objectives, targets and contributions or national policies and measures, only if the Member States have set or adopted them;
 - (b) information regarding how the Member States address a recommendation issued pursuant to Article 32(1) or (2) of Regulation (EU) 2018/1999 only if the Commission have issued it;
- (2) “mandatory if available” means a category of information that Member States have to submit only if such information is available to them at the time of the submission of the biennial progress report.

CHAPTER II

REPORTING ON NATIONAL OBJECTIVES, TARGETS AND CONTRIBUTIONS

Article 2

Reporting on progress with respect to the decarbonisation dimension

1. Member States shall report the information on progress towards the objectives, including progress towards the Union’s climate-neutrality objective set out in Article 2(1) of Regulation (EU) 2021/1119, and towards the targets with respect to greenhouse gas emissions and removals referred to in Article 4, point (a)(1) of Regulation (EU) 2018/1999, in accordance with the formats set out in Annex I to this Regulation.

The Commission shall consider biennial reports by Member States submitted pursuant to Article 18(1), point (b) of Regulation (EU) 2018/1999 and annual reports submitted pursuant to Article 26(3) of that Regulation, taking into account the initial checks as referred to in Article 37(4) of that Regulation, as a submission for the purpose of biennial integrated national energy and climate progress reports pursuant to Article 17(1) of that Regulation with regard to the area of greenhouse gas emissions.

2. Member States shall report the information on progress towards the objectives, targets and contributions with respect to renewable energy referred to in Article 4, point (a)(2) and Article 20, point (a) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex II to this Regulation.

3. Member States shall report the information on adaptation referred to in Article 4, point (a)(1) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex III to this Regulation.

Article 3

Reporting on progress with respect to the energy efficiency dimension

Member States shall report the information on progress towards the objectives, targets and contributions with respect to the energy efficiency dimension referred to in Article 4, point (b) and Article 21, point (a) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex IV to this Regulation.

Article 4

Reporting on progress with respect to the energy security dimension

Member States shall report the information on progress towards the objectives, targets and contributions with respect to the energy security dimension referred to in Article 4, point (c) and Article 22, points (a) to (d) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex V to this Regulation.

Article 5

Reporting on progress with respect to the internal energy market dimension

Member States shall report the information on progress towards the objectives, targets and contributions with respect to internal energy market dimension referred to in Article 4, point (d) and Article 23(1), points (a) to (g) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex VI to this Regulation.

Article 6

Reporting on progress with respect to the research, innovation and competitiveness dimension

1. Member States shall report the information on progress towards the objectives, targets and contributions with respect to the research, innovation and competitiveness dimension referred to in Article 4, point (e) and Article 25, points (a) to (c) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex VII to this Regulation.

2. Member States shall report the information on progress towards the national objectives to phase out energy subsidies, in particular for fossil fuels, referred to in Article 25(d) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex VIII to this Regulation.

CHAPTER III REPORTING ON POLICIES AND MEASURES

Article 7

Reporting on national policies and measures

1. Member States shall report the information on progress towards implementing the national policies and measures, and where appropriate updated or new policies and measures, or groups of policies and measures, referred to in Article 17(2), points (a) and (c), and Articles 20 to 25 of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex IX to this Regulation.
2. The Commission shall consider biennial reports by Member States submitted pursuant to Article 18(1), point (a) of Regulation (EU) 2018/1999 as submissions for the purpose of biennial integrated national energy and climate progress reports pursuant to Article 17(1) of that Regulation with regard to the area of greenhouse gas emissions. Member States shall complement the reports pursuant to Article 18(1), point (a) with information referred to in Article 10 and Article 11 of this Regulation.
3. When reporting on the new policies and measures referred to in Article 21, point (b)(3) of Regulation (EU) 2018/1999, Member States shall, in addition, report the information in accordance with the formats set out in Annex X to this Regulation.

Article 8

Reporting on the amount of energy savings achieved under Article 7 of Directive 2012/27/EU

Member States shall report the information referred to in Part 2, points (b) to (d) of Annex IX to Regulation (EU) 2018/1999 in accordance with the formats set out in Annex XI to this Regulation.

Article 9

Reporting in accordance with Article 5 of Directive 2012/27/EU

1. Member States shall report the total renovated building floor area of heated and cooled buildings owned and occupied by their central government referred to in Part 2, point (g) of Annex IX to Regulation (EU) 2018/1999 in accordance with the formats set out in Table 1 of Annex XII to this Regulation.
2. Member States shall report the amount of energy savings in eligible buildings owned and occupied by their central government referred to in Part 2, point (g) of Annex IX to Regulation (EU) 2018/1999 in accordance with the formats set out in Table 2 of Annex XII to this Regulation.

Article 10

Reporting on progress towards financing

Member States shall report the information on progress towards financing the policies and measures, or groups of policies and measures, referred to in Article 17(2), point (a), Article 20, point (b)(3), Article 21, point (b)(7), Article 22, point (g), Article 23(1), point (j) and

Article 25, point (g) of Regulation (EU) 2018/1999 and reported in accordance with Article 7(1) of this Regulation, including a review of actual investment against initial investment assumptions, in accordance with the formats set out in Annex XIII to this Regulation.

Article 11

Reporting on impact on air quality and on emissions of air pollutants

When reporting on quantification of the impact of the policies and measures, or groups of policies and measures, on air quality and on emissions of air pollutants, that are covered by the reports submitted in accordance with Article 7(1) and (2), Member States shall do so in accordance with the formats set out in Annex XIV

Article 12

Reporting on policies and measures to phase out energy subsidies, in particular for fossil fuels

Member State shall report on the policies and measures referred to in Article 17(2), points (a) and (c) of Regulation (EU) 2018/1999 concerning the phasing out of energy subsidies, in particular for fossil fuels, in accordance with the formats set out in Annex XV to this Regulation.

CHAPTER IV OTHER REPORTING OBLIGATIONS

Article 13

Additional reporting obligations in the area of renewable energy

Member States shall report the additional information referred to in Part 1 of Annex IX to Regulation (EU) 2018/1999 in the area of renewable energy in accordance with the formats set out in Annex XVI to this Regulation.

Article 14

Additional reporting obligations in the area of energy efficiency

Member States shall report the additional information referred to in Part 2, points (e), (f) and (h) to (k) of Annex IX to Regulation (EU) 2018/1999 in accordance with the formats set out in Annex XVII to this Regulation.

Article 15

Reporting on energy poverty and just transition

1. Where Article 3(3), point (d), second subparagraph, of Regulation (EU) 2018/1999 applies, Member States shall report:

- (a) the information on progress towards the national indicative objectives to reduce the number of households in energy poverty, referred to in Article 24, point (a) of Regulation (EU) 2018/1999, in accordance with the formats set out in Annex XVIII to this Regulation;
- (b) the quantitative information on the number of households in energy poverty, referred to in Article 24, point (b) of Regulation (EU) 2018/1999, in accordance with the formats set out in Table 1 of Annex XIX to this Regulation.

2. Member States may report on the indicators in relation to energy poverty in accordance with the formats set out in Tables 2 and 3 of Annex XIX to this Regulation.

3. Member States may report the information on national definition of energy poverty in accordance with the formats set out in Table 4 of Annex XIX to this Regulation.

4. Member States may report the information on how the implementation of their integrated national energy and climate plans contribute to the just transition including through the promotion of both human rights and gender equality and address inequalities in energy poverty in accordance with the formats set out in Annex XX to this Regulation.

Article 16

Reporting on implementation of regional cooperation

Member States shall report the information on the implementation of regional cooperation referred to in Article 12, Article 20, point (b)(2), Article 21, point (b)(6), Article 22, point (f), Article 23(1), point (i), and Article 25, point (f) of Regulation (EU) 2018/1999 in the context of the implementation of the objectives, targets and contributions and policies and measures referred to in Chapters II and III of this Regulation in accordance with the formats set out in Annex XXI to this Regulation.

Article 17

Reporting on implementation of recommendations referred to in Article 32(1) or (2) of Regulation (EU) 2018/1999

Where the Commission has issued recommendations pursuant to Article 32(1) or (2) of Regulation (EU) 2018/1999, Member States shall report the information on the policies and measures adopted, or intended to be adopted and implemented, to address those recommendations as referred to in Article 17(6) of Regulation (EU) 2018/1999 in accordance with the formats set out in Annex XXII to this Regulation.

Where the Member States concerned decide not to address a recommendation or a substantial part thereof, they shall provide their reasoning in accordance with the formats set out in Annex XXII to this Regulation.

Article 18

Reporting on multilevel climate and energy dialogue referred to in Article 11 of Regulation (EU) 2018/1999

Member States shall report the information on progress in establishing the dialogue referred to in Article 11 of Regulation (EU) 2018/1999, in accordance with the formats set out in Annex XXIII to this Regulation.

CHAPTER V SUBMISSION PROCESSES

Article 19

Submission of reports

Member States shall use the e-platform referred to in Article 28 of Regulation (EU) 2018/1999 and the tools and templates linked to it for the submission of their integrated national energy and climate progress reports pursuant to this Regulation.

CHAPTER VI FINAL PROVISIONS

Article 20

Entry into force

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, 15.11.2022

*For the Commission
The President
Ursula VON DER LEYEN*