

# EED implementation in Germany

## Introduction

In addition to the German annual reports and National Energy Efficiency Action Plans in line with Article 24 of the Energy Efficiency Directive (EED) (2012/27/EU), this summary report provides brief information on the current status of the ongoing implementation of the EED in Germany and thereby meets the commitment of the CA EED participants to update the Commission on this issue. The national energy efficiency policy framework outlined in this summary report demonstrates and underlines Germany's commitment to energy efficiency policy in general and the national implementation of the EED in particular.

Key responsibility for the implementation of the EED lies with the German Federal Ministry for Economic Affairs and Energy (BMWi). Furthermore, the Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB) is involved in the implementation of selected areas of the directive. The Federal Energy Efficiency Center (BfEE) within the Federal Office for Economic Affairs and Export Control (BAFA) is mandated by national law to fulfil reporting and monitoring, as well as communication activities. The BfEE also selects and oversees institutions which conduct energy efficiency research for the ministries. Provisions in the EED concerning the energy market and grids lie within the responsibility of the Bundesnetzagentur (BNetzA). Several organisations, namely the BAFA, the KfW and different project executing bodies implement energy efficiency measures, initiatives and programs for the ministries.

## 1. Legal context

The EED was transposed through changes to several national laws. A key piece of legislation is the Act on Energy Services and Energy Efficiency Measures (Energiedienstleistungsgesetz, EDL-G), which was amended in April 2015 to transpose several aspects of the EED.

## 2. Status of the implementation

### 2.1. Legislative provisions

This table contains information on how the EED has been implemented by article, including any relevant web links.

EED Article	Implementation status
Article 4	The German National Building Renovation Strategy has been communicated to the Commission on 16 April 2014 and may be found at <a href="https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/buildings-under-eed">https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/buildings-under-eed</a> . The update of this Strategy will be part of the next National Energy Efficiency Action Plan (NEEAP) in 2017.
Article 5	In line with the EED, Germany has notified the Commission in line with Article 5 (6) EED in December 2013 that it opts for the alternative approach to the implementation of Article 5. The responsible BMWi and BMUB have adopted several measures in view of implementing Article 5 (7), namely information initiatives (dena), as well as federal support programs funding energy consulting for municipalities (BAFA), the development of energy efficiency contracting projects (BAFA), the development of municipal action plans, and renovation

	plans as well as the construction and renovation of municipal buildings and infrastructure / blocks (KfW) via grants and loans. In addition, the BMUB is supporting public bodies in getting EMAS certified. For further information on the subject please refer to the latest notifications which may be found at <a href="https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures">https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures</a> .
Article 6	All provisions regarding energy efficiency in procurement have been transposed to national law. Furthermore, the Federal Government, the German Länder and municipalities are cooperating in the "Alliance on Sustainable Procurement" (Allianz für Nachhaltige Beschaffung) in view of supporting public bodies at sub-federal level in procuring energy efficient products and services. For more information in German language on the initiative please see the website of the competence centre on sustainable procurement, which is supporting the alliance, at <a href="http://www.nachhaltige-beschaffung.info/DE/Allgemeines/allgemeines_node.html">http://www.nachhaltige-beschaffung.info/DE/Allgemeines/allgemeines_node.html</a> .
Article 7	The German Federal Government launched the National Action Plan on Energy Efficiency (NAPE), a comprehensive strategy to further increase Germany's energy efficiency, on 3 December 2014. The strategy comprises several new instruments and working processes. The Climate Action Programme 2020, also adopted on 3 December 2014, contains additional measures to increase Germany's energy efficiency and to reach the 2020 climate target.  Please refer to the latest notifications which may be found at <a href="https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures">https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures</a> .
Article 8	Several programs and lists have been established to further the availability and affordability of high-quality energy audits for SMEs and private households. For further information regarding those programs please see the latest notifications which may be found at <a href="https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures">https://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures</a> . Mandatory Audits for large companies in line with Article 8 (4ff) are defined in the EDL-G (mentioned above). For further information please see for instance <a href="http://www.bafa.de/bafa/en/energy/energy_audits/index.html">http://www.bafa.de/bafa/en/energy/energy_audits/index.html</a> .
Article 9 – 11	While the provisions are implemented through several acts and regulations, it is especially worth mentioning that the government has passed its proposal for the Act on the Digitalisation of the Energy Transformation (Gesetz zur Digitalisierung der Energiewende GDEW), which sets the regulatory framework for inter alia the German smart meter roll-out, to Parliament on 17. February 2016.
Article 12	Several initiatives supported by the BMWi and implemented inter alia by dena serve the purpose of implementing Article 12 a). Article 12 b) is transposed en passant as utilities are obliged by the EDL-G to provide information regarding energy efficiency measures to consumers with every bill. In addition, the BMWi is funding several initiatives by consumer organizations to increase energy efficiency. For more information in German language please see <a href="https://www.verbraucherzentrale-energieberatung.de/aktion_Heiz-Check.php">https://www.verbraucherzentrale-energieberatung.de/aktion_Heiz-Check.php</a> .
Article 14	The comprehensive assessment of the national potential of cogeneration and district heating and cooling as well as the evaluation of the Act on Combined Heat and Power (CHP) has been communicated to the Commission on time and may be viewed at <a href="https://ec.europa.eu/energy/sites/ener/files/documents/151221%20Mitteilung%20an%20KOM%20EED%20KWK%20Anlage%20Analyse.pdf">https://ec.europa.eu/energy/sites/ener/files/documents/151221%20Mitteilung%20an%20KOM%20EED%20KWK%20Anlage%20Analyse.pdf</a> in German language. The Act on Combined Heat and Power, which supports efficient heating and cooling systems, has been amended and is in effect since 1. January 2016. In addition, several support programs by the BMWi and the BMUB fund the establishment of heating grids and the set-up of small CHP-units.
Article 15	Further information on the German incentive regulation may be accessed at <a href="http://www.bundesnetzagentur.de/cln_1431/EN/Areas/Energy/Companies/GeneralInformationOnEnergyRegulation/IncentiveRegulation/IncentiveRegulation_node.html;jsessionid=313DFFC3480CD26934B404044C8B107E">http://www.bundesnetzagentur.de/cln_1431/EN/Areas/Energy/Companies/GeneralInformationOnEnergyRegulation/IncentiveRegulation/IncentiveRegulation_node.html;jsessionid=313DFFC3480CD26934B404044C8B107E</a> . Germany has communicated its assessment of the energy efficiency potentials of the gas and electricity infrastructure to the Commission on time in line with Article 15 (2). As far as Article 15 concerns the development of CHP, the Act on the Energy Economy (Energiewirtschaftsgesetz, EnWG) and the Power Grid Access

	regulation (Stromnetzzugangsverordnung, StromNZV) are particularly relevant.
Article 16	The national level of technical competence, objectivity and reliability of providers of energy services, energy audits, energy managers and installers of energy-related building elements is considered to be, in principle, sufficient. Ongoing efforts by the German Confederation of Skilled Crafts and by actors involved in supporting various energy efficiency related services aim to ensure that the competence, objectivity and reliability of service providers remains adequate in view of constant technological and methodological development.
Article 17	The government conducts a wide variety of information campaigns regarding energy efficiency. In particular, a comprehensive communication campaign on energy efficiency has been launched on May 12 <sup>th</sup> , 2016 (for further information see <a href="http://www.deutschland-machts-effizient.de/KAENEF/Navigation/DE/Home/home.html">http://www.deutschland-machts-effizient.de/KAENEF/Navigation/DE/Home/home.html</a> ). Information to banks and other financial institutions is provided through the KfW as it cooperates with banks and other financial institution to distribute its loans in support of energy efficiency and to aid other organisations set up their own energy efficiency support programs.
Article 18	The BfEE is according to EDL-G §9 responsible for supporting the further development of the energy services market which includes proposing measures to ensure the proper functioning of this market in line with Article 18. For detailed information in German language please see the website of the BfEE <a href="http://www.bfee-online.de/bfee/">http://www.bfee-online.de/bfee/</a> .
Article 19	The BMWi has established the Energy Efficiency Platform to develop solutions for persisting barriers to increasing energy efficiency, which have been identified in the first NEEAP, together with the relevant stakeholders from business, civil society, science, the affected public departments and the federal states. Legal issues are discussed in the framework of the "Legal Framework for Energy Efficiency Services" Working Group. More information can be found at <a href="http://www.bmwi.de/EN/Topics/Energy/Energy-Efficiency/energy-efficiency-platform.html">http://www.bmwi.de/EN/Topics/Energy/Energy-Efficiency/energy-efficiency-platform.html</a> .
Article 20	Germany has set up a fund to finance national energy efficiency initiatives and measures. For latest figures see the Act on the Federal Budget 2016 (Haushaltsgesetz 2016, Einzelplan 60) at <a href="https://www.bundeshaushalt-info.de/fileadmin/de.bundeshaushalt/content_de/dokumente/2016/soll/Haushaltsplan-2016.pdf">https://www.bundeshaushalt-info.de/fileadmin/de.bundeshaushalt/content_de/dokumente/2016/soll/Haushaltsplan-2016.pdf</a> .

## 2.2. Non-legislative provisions

The German Federal Government launched a comprehensive efficiency strategy on December 3<sup>rd</sup>, 2014: the National Action Plan on Energy Efficiency (NAPE). The strategy stipulates several new measures and strengthens Germany's efforts in implementing Article 7 through alternative measures. For more information please refer to our annual Article 24 reports which may be found at <https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficiency-directive/national-energy-efficiency-action-plans>. In addition, on December 3<sup>rd</sup>, 2014, the German cabinet adopted the Climate Action Programme 2020 (see [www.bmub.bund.de/P3616-1/](http://www.bmub.bund.de/P3616-1/)).

As part of the NAPE and equally on December 3<sup>rd</sup>, 2014, the Federal Government signed an agreement with business associations and organisations on the nationwide introduction of energy-efficiency networks. The alliance aims to set up approx. 500 new networks by 2020, thereby making an important contribution towards boosting energy efficiency in industry, the crafts, trade and commerce. More information in German language is available at <http://www.effizienznetzwerke.org/>.

On January 1<sup>st</sup>, 2016, the Federal Ministry of Food and Agriculture (BMEL) started the federal program for the promotion of activities to increase energy efficiency in agriculture and horticulture as part of the NAPE.

On July 1<sup>st</sup>, 2015, as part of a broader policy package, additional energy efficiency measures were agreed upon, which will save 5.5 mio. tonnes of CO<sub>2</sub> by 2020 (see <http://bmwi.de/BMWi/Redaktion/PDF/E/eckpunkte->

[energiewende.property=pdf,bereich=bmwi2012,sprache=en,rwb=true.pdf](#)). The measures, which are currently being implemented, include: financial incentives for the installation of highly efficient pumps in buildings and industry, as well as the optimisation of heating systems; financial incentives for measures aiming to prevent or recuperate waste heat (start: May 1<sup>st</sup>, 2016); programmes to increase energy efficiency in municipalities; as well as energy efficiency measures to be carried out in the railroad sector.

Furthermore, in 2015, Germany developed a comprehensive national “Energy Efficiency Strategy for Buildings” (ESG). The Strategy is based on the goal of achieving a virtually climate-neutral building stock by 2050, in line with the German Federal Government’s energy concept. This means that by the year 2050 primary energy demand of buildings must be reduced by 80 percent against the 2008 level through a combination of energy savings and the use of renewable energy (see: <http://www.bmwi.de/EN/Topics/Energy/Buildings/energy-efficiency-strategy-for-buildings.html>). The strategy will be also used to update the long-term renovation strategies related to Article 4 EED.

### 3. Future activities

As described above, numerous measures have been decided in the recent past in order to increase energy efficiency. Implementing these measures remains a top priority. Future activities will also crucially depend on the outcome of the upcoming EED review.

### 4. Relevant information

Please see our 3<sup>rd</sup> NEEAP for comprehensive information on relevant issues at [https://ec.europa.eu/energy/sites/ener/files/documents/2014\\_neeap\\_en\\_germany.pdf](https://ec.europa.eu/energy/sites/ener/files/documents/2014_neeap_en_germany.pdf).  
Federal Ministry of Economic Affairs and Energy <http://bmwi.de/>  
Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety [www.bmub.bund.de/P2/](http://www.bmub.bund.de/P2/)  
Federal Energy Efficiency Center <http://www.bfee-online.de/bfee/>  
German Energy Agency <http://www.dena.de/>