



SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC

13TH TERM

392nd

RESOLUTION OF THE SENATE

Delivered on the 21st session held on 2nd March 2022

on Proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings (recast) /Senate Print no. N 145/13, COM(2021) 802/

The Senate

- I.
1. **Perceives**
the European Commission's effort to achieve a fully decarbonised building stock by 2050 in the context of implementing the 'Fit for 55' package and achieving the EU's climate neutrality targets;
 2. **Agrees**
with the opinion that there is great potential for reducing greenhouse gas emissions in the building sector, particularly in the worst performing buildings, and recognises that the way to realize this potential may include stricter standards for new buildings, renovations, insulation and the installation of intelligent heating and cooling control systems;
 3. **Considers, however,**
the submission of a recast Proposal for a Directive on the energy performance of buildings as premature, as the last revision of Directive 2010/31/EU took place in May 2018, and as frequent changes in legislation create an unstable legal environment which has negative effects on other sectors (e.g. energy);
 4. **Is of the opinion**
that increasing the speed and scale of building renovation, as well as creating a fully decarbonised building stock by 2050, is, as for time, unrealistic within the conditions of the Czech Republic, not only because of the limited availability of renewable energy sources, but also because of the lack of qualified personnel, building materials or financial resources;

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5. Also recalls

that the construction sector is characterised by long-term planning and that all projects are therefore implemented with great inertia;

6. Considers

the raising of standards for the construction of new buildings and the requirements for the renovation of existing buildings as a logical necessity, but deems it necessary to respect the actual possibilities and specific conditions of the Member States and regions, to take into account the cost-effectiveness, technical and practical feasibility of the proposed measures and to limit the negative impact on real estate prices and rents;

7. Does not agree

with the ban on the provision of financial support for the installation of boilers powered by fossil fuels from 2027 onwards, particularly with regard to short time horizon of this measure and the efficient, affordable gas alternatives being introduced in the Czech Republic;

8. Insists

that the decision to phase out using fossil fuels in buildings must be left to the individual Member States;

9. Does not agree

with the scope of the powers conferred on the Commission to adopt delegated acts under Article 29 of Proposal for a Directive, which would allow the Commission to set requirements for new and renovated buildings and for calculation of the life-cycle global warming potential, and emphasises that there must be no change of the essential elements of the legislative act as it is not permissible under Article 290 TFEU;

10. Has reservations

about the requirement for pre-cabling or direct cabling for electric vehicle charging points in residential buildings, which does not address the sufficient provision of the necessary electrical power (the electrical network dimensioning in the building to ensure that the building is operational and that all the sites are charged at the same time), completely negates technological neutrality and may affect property or tenancy rights; it also has reservations about the obligation to build bicycle parking spaces;

11. Has further reservations

about the requirement to use batteries in electric vehicles to manage the disparity between electricity generation and consumption (in particular through aggregation), which, without prior contractual commitment, undermines private property principles and reduces the value of private property;

12. Is of the opinion

that the new rules promoting the use of information, communication and intelligent technologies, the creation of digital databases on the energy performance of buildings, the new energy performance certificate for buildings and its control and inclusion in all advertisements, the introduction of funds and financial instruments or mechanisms at national level, requirements for consultations and inspections of heating and air-

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conditioning systems, etc. will lead to an increase of the already disproportionate and inefficient administrative burden on the public and private sectors;

13. Reiterates

that such radical requirements will contribute to a significant increase of the number of EU citizens affected by energy poverty, which will reduce their decent standard of living and endanger their health, which cannot be prevented neither by direct financial support, social housing support nor by protection of tenants from disproportionate rent increases after renovation, and will ultimately lead to significant negative socio-economic impacts and a decline of confidence in the stated objectives of the 'Fit for 55' package;

14. Also recalls

- the 102nd Resolution of the Senate from 27th January 2021 on A Renovation Wave for Europe, in which it stated, inter alia, that owners of buildings cannot be forced to carry out energy renovations except for cases the building not meeting for example elementary hygienic or safety standards, and that renovations of buildings cannot be limited only to energy renovations;
- the 337th Resolution of the Senate from 5th November 2021 on Proposal for a Directive on energy efficiency, including a Reasoned Opinion on the incompatibility of the Proposal for a Directive on energy efficiency with the principle of subsidiarity, where one of the reasons was also the exclusion of the possibility to count energy savings related to the replacement of solid fuel boilers by gas boilers or the introduction of a definition of efficient district heating, which is not technology-neutral, as it ignores the possibility of producing heat from fossil fuels by carbon storage or producing heat from nuclear energy, and in which it considered it important that the revised definition of an efficient district heating and cooling system does not apply to the already existing systems, but only to new or fundamentally reconstructed systems;
- the 340th Resolution of the Senate from 5th November 2021 on EU ETS system revision, also including a Reasoned Opinion on the incompatibility with the principle of subsidiarity, inter alia due to the insufficient consideration of the different negative economic and social impacts of the proposed measures, in particular as regards the proposed introduction of separate emissions trading system for the buildings sector;

15. Asks the Government,

before the actual implementation of the revised Directive on the energy performance of buildings, to draw up an impact study for the Czech Republic which will specifically describe the feasibility of the proposed measures and quantify the impact on the state budget and the budgets of regions and municipalities;

II.

1. Requests

the Government to inform the Senate no later than on 30th June 2022 about the way this Resolution was taken into account;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Courtesy translation

Miloš Vystrčil
sign manual
President of the Senate

Adéla Šípová
sign manual
Senate Verifier