

SENATE OF THE REPUBLIC

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RESOLUTION OF STANDING COMMITTEE NO 10

(Industry, trade, tourism)

(Rapporteur Luigi Marino)

approved at the session of 8 October 2015

on the

**PROPOSAL FOR A REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL SETTING A FRAMEWORK
FOR ENERGY EFFICIENCY LABELLING AND REPEALING DIRECTIVE
2010/30/EU (COM(2015) 341 FINAL)**

Pursuant to Article 144(1) and (6) of the Rules of Procedure

Submitted to the President's Office on 14 October 2015

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The Committee, having examined the document in question,

noting that the proposal is one of the measures envisaged in the ‘Framework strategy for a resilient Energy Union with a forward-looking climate change policy’ presented by the European Commission on 25 February 2015 (COM(2015) 80) as part of the ‘Energy Union’ Package, and that the European Council of 23-24 October 2014 set a 27 % target for energy efficiency improvement to be achieved at EU level by 2030;

whereas the proposed Regulation, which is expected to enter into force on 1 January 2017, repeals Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on labelling and product information with respect to energy-related products, amending its content and converting it into a regulation in order to bring up to date and strengthen the European Union’s legislative framework on energy labelling;

whereas the purpose of energy labelling is to provide detailed information on the energy consumption of products, allowing consumers to make informed choices as to which products are the most cost-effective and environment-friendly based on their energy consumption;

noting that most products available on the market today fall within the highest energy classes, making it difficult to compare models; in order to encourage technological progress and allow the development and recognition of increasingly efficient products, the proposed Regulation therefore provides for updating labels and rescaling energy efficiency classes, for setting up a database of products covered by the legislation on energy labelling to help Member States reinforce monitoring of compliance with the rules, and for clarifying the obligations on the parties;

hereby issues a favourable opinion, highlighting the following points:

The legal basis has been correctly identified as Article 194(2) of the Treaty on the Functioning of the European Union, pursuant to which the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, are to establish the measures necessary to achieve the objectives set in the field of energy.

The subsidiarity principle is complied with as the aim is to complement measures taken by the Member States, which to date have not managed on their own to sufficiently implement the energy efficiency objectives.

The principle of proportionality is complied with since the planned measures do not go beyond what is necessary to achieve the objectives set.

We take the view that construction products should be excluded from the scope of the proposal for a regulation, since they are already regulated by Council Directive 89/106/EEC of 21 December 1988 and Regulation (EC) No 305/2011 of the European Parliament and of the Council of 9 March 2011, and are subject to specific labelling requirements for marketing, namely CE marking, which include energy assessment criteria where relevant (i.e. when such products are used for energy purposes), also taking into account that due to the large number of construction material combinations, energy labelling is effective only at building or system level, such as, for example, in the case of doors, windows and shutters.

In establishing the method for updating labels, account must be taken of the need not to penalise products which are currently not in the highest energy efficiency classes owing to the recent introduction of higher classes in certain sectors; this may require a gradual approach based on the period of validity of the labels to be rescaled and the market share of products in the highest efficiency classes, so as to avoid market distortions and the undesired effect of actually slowing down energy efficiency gains as a result of new, less favourable labelling.

Lastly, we question the need to grant the European Commission the power to adopt delegated acts with a broad scope, as outlined in Article 12, for an indefinite period of time from the date on which the act in question enters into force, subject to the Parliament's and the Council's power of revocation, whereas Directive 2010/30/EU conferred such power for a period of five years (renewable).

OPINION OF THE 14TH STANDING COMMITTEE
(EU POLICIES)

(rapporteur: GINETTI)

16 September 2015

The Committee, having examined the document,

noting that the aim of the proposed Regulation, which is expected to come into force on 1 January 2017, is to repeal and replace Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on labelling and information with respect to energy-related products, converting it into a regulation in order to bring up to date and strengthen the EU regulatory framework on energy labelling;

whereas energy labelling, by providing detailed information on the energy consumption of goods such as electrical household appliances, allows consumers to make informed purchasing decisions in terms of which products are the most cost-effective and environment-friendly;

recalling that the proposal is one of the measures envisaged in the ‘Framework strategy for a resilient Energy Union with a forward-looking climate change policy’ presented by the European Commission on 25 February 2015 (COM(2015) 80) in the context of the ‘Energy Union’ package, and that the EU objective, set by the European Council at its October 2014 meeting, is to improve energy efficiency by 27 per cent by 2030;

noting that the proposal is accompanied by a Commission Staff Working Document (SWD(2015) 143) on evaluation of the Energy Labelling and Ecodesign Directives and an impact assessment (SWD(2015) 139), where it is estimated that by 2020 the energy savings achieved annually (15 % of which is attributable to labelling measures) will amount to 175 Mtoe (million tonnes of oil equivalent), i.e. 19 % of current consumption, resulting in energy bill savings for end users of EUR 100 billion per year;

whereas, based on the evaluation referred to above, the cost of labelling and meeting specifications initially borne by manufacturers and by final users (households and businesses) alike, is largely offset by gains from savings generated through lower energy consumption; whereas, on the other

hand, the introduction of classes A+ and above provided for by Directive 2010/30/EU has not proved very effective in encouraging consumers to purchase more energy efficient products as compared to the original A-G scale. Moreover, due to weak enforcement by national surveillance authorities, 20 % of products have been found not to comply with the labelling requirements, resulting in lost energy savings of 10 %, and fragmentary national regulatory frameworks have created margins of inefficiency in the market for products subject to energy labelling;

noting that the proposed Regulation, unlike the current rules, therefore provides for the updating of labels and the rescaling of energy classes, for setting up a database of products covered by the legislation on energy labelling to help Member States reinforce monitoring of compliance with the rules, and for clarifying the obligations on the parties;

noting, in particular, as regards the updating and rescaling of energy efficiency classes, that most products available on the market today belong to the highest energy efficiency classes, making it difficult to compare models; in order to encourage technological progress and allow the development and recognition of increasingly efficient products, the new labelling scale should therefore include ‘empty’ higher classes (A-B) which it would take at least a decade to reach for most models;

hereby issues a favourable opinion, for matters within its remit, highlighting the following points:

The legal basis has been correctly identified as Article 194(2) of the Treaty on the Functioning of the European Union, pursuant to which the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, are to establish the measures necessary to achieve the objectives set in the field of energy.

The subsidiarity principle is complied with as the aim is to complement the action of the Member States, which to date have not managed on their own to sufficiently implement the energy efficiency objectives;

The principle of proportionality is complied with since the planned measures do not go beyond what is necessary to achieve the objectives set.

Lastly, adoption of the Regulation will implicitly entail the repeal of Legislative Decree No 104 of 28 June 2012 implementing Directive 2010/30/EU on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products, for those parts of the Decree that are incompatible with the new Regulation; in view of this the Committee would ask the Commission to consider whether an explicit repeal is called for.