



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.05.1996  
COM(96) 195 final

95/0131 (SYN)

Amended proposal for a

COUNCIL DECISION

**concerning a multi-annual programme for the promotion  
of energy efficiency in the Community SAVE II**

(presented by the Commission pursuant to Article 189 a (2)  
of the EC-Treaty)

## EXPLANATORY MEMORANDUM

The Commission presented on 31 May 1995 a proposal for a Council Decision concerning a multi-annual programme for the promotion of energy efficiency in the Community - SAVE II.

The Parliament delivered its opinion on 16 April 1996.

The Parliament's main concerns meet those of the Commission and from the 35 proposed amendments the Commission accepted without reservation 5 (no 2,3,6,7 and 8) and after reformulation 13 (no 1,11,12,13,14,15,19,22,28,29,32,33 and 34).

Seventeen (17) amendments were not accepted by the Commission for the following reasons:

Am. no 5,10 and 16 because the Commission can propose legislative measures at any time independent of the adoption of the SAVE programme.

Am 17,18,20,21,23,24, and 25 because they concern activities out of the scope of the programme or are included already in the Commission proposal.

Am 26 and 27 because the respect of the Treaties and balanced repartition of the budget is self-evident.

Am 30 and 35 because they reduce the programme's flexibility.

Am. 31 because the Commission believes in the complementarity between SAVE II and the national programmes.

Am 4 because SAVE was evaluated as having contributed to the improvement of energy efficiency in the Community.

Am 9 because is not relevant to this proposal.

The Commission presents the attached modified proposal which takes into consideration 18 amendments adopted by the Parliament.

Amended proposal for a  
**COUNCIL DECISION**  
concerning a multi-annual programme for the promotion of energy efficiency  
in the Community - SAVE II

<b>Initial Commission proposal COM (95) 225 final</b>	<b>Amended text taking into account the amendments of the European Parliament, accepted by the Commission</b>
<p><b>THE COUNCIL OF THE EUROPEAN UNION</b></p> <p>Having regard to the Treaty establishing the European Union, and in particular Article 130s(1) thereof,</p> <p>Having regard to the proposal from the Commission<sup>(1)</sup>,</p> <p>In cooperation with the European Parliament<sup>(2)</sup>,</p> <p>Having regard to the opinion of the Economic and Social Committee<sup>(3)</sup>,</p> <p>Having regard to the opinion of the Committee of the Regions<sup>(4)</sup>,</p> <p>Whereas Article 130r of the Treaty states that one objective of the action of the Community relating to the environment shall be to ensure a prudent and rational utilization of natural resources;</p> <p>Whereas the Council of Environment and Energy Ministers at their meeting on 29 October 1990 set an objective of the stabilizing total CO<sub>2</sub> emissions by the year 2000 at the 1990 level in the Community as a whole;</p>	<p><b>THE COUNCIL OF THE EUROPEAN UNION,</b></p> <p>Having regard to the Treaty establishing the European Union, and in particular Article 130s(1) thereof,</p> <p>Having regard to the proposal from the Commission,<sup>(1)</sup></p> <p>In cooperation with the European Parliament,<sup>(2)</sup></p> <p>Having regard to the opinion of the Economic and Social Committee,<sup>(3)</sup></p> <p>Having regard to the opinion of the Committee of the Regions,<sup>(4)</sup></p> <p>Whereas Article 130r of the Treaty states that one objective of the action of the Community relating to the environment shall be to ensure a prudent and rational utilization of natural resources;</p> <p>Whereas the Council of Environment and Energy Ministers at their meeting on 29 October 1990 set an objective of the stabilizing total CO<sub>2</sub> emissions by the year 2000 at the 1990 level in the Community as a whole;</p>

- (1) COM 225, 31.05.1995  
(2) PE 216 441, 25.03.1996  
(3) CES 1450/95  
(4) CdR 21/96

**initial text**

**amended text**

Whereas Council Decision 93/389/EEC<sup>(5)</sup> established a monitoring mechanism for CO<sub>2</sub> emissions and other greenhouse gases;

Whereas nonetheless, despite efforts made, the CO<sub>2</sub> emissions in the Community generated by energy consumption are expected to increase by 5 to 8% between 1995 and 2000, assuming normal economical growth;

Whereas the Commission in its communication of 8 February 1990 on energy and the environment highlighted energy efficiency as the cornerstone of future efforts to reduce the negative impact of energy on the environment;

Whereas the improvement in the management of energy will have a positive effect on the environment, the security of energy supply and sustainable development;

Whereas the Commission has communicated to the Council by means of the Green Paper of 11 January 1995 its views on the future of energy policy in the Community, and the role of energy-saving and energy efficiency measures;

Whereas Article 130a of the Treaty provides that the Community should develop and pursue its actions leading to the strengthening of its economic and social cohesion, and that it should, in particular, reduce disparities between the various regions and the backwardness of the least-favoured regions; whereas energy should be integrated into that effort;

Whereas Council Decision 93/389/EEC<sup>(5)</sup> established a monitoring mechanism for CO<sub>2</sub> emissions and other greenhouse gases;

Whereas nonetheless, despite efforts made, the CO<sub>2</sub> emissions in the Community generated by energy consumption are expected to increase by 5 to 8% between 1995 and 2000, assuming normal economical growth; whereas therefore additional measures at European level and at the level of the Member States are indispensable;

Whereas the Commission in its communication of 8 February 1990 on energy and the environment highlighted energy efficiency as the cornerstone of future efforts to reduce the negative impact of energy on the environment;

Whereas the improvement in the management of energy is urgently needed in order to contribute to the protection of the environment, to a better security of energy supply and to sustainable development;

Whereas the Commission has communicated to the Council and the European Parliament by means of the Green Paper of 11 January 1995 and the White Paper of 13 December 1995 its views on the future of energy policy in the Community, and the role of energy-saving and energy efficiency measures;

Whereas Article 130a of the Treaty provides that the Community should develop and pursue its actions leading to the strengthening of its economic and social cohesion, and that it should, in particular, reduce disparities between the various regions and the backwardness of the least-favoured regions; whereas energy should be integrated into that effort;

<sup>(5)</sup> OJ No L 167, 9.7.1993, p. 31.

**initial text****amended text**

Whereas by Council Decision 91/565/EEC<sup>(6)</sup> a Community energy efficiency programme (SAVE), aimed at strengthening energy efficiency infrastructures within the Community, was adopted; whereas that programme will expire on 31 December 1995;

Whereas the Community recognized the SAVE programme as an important element of the Community's CO<sub>2</sub> reduction strategy; whereas the communication of the Commission of 8 May 1991 on the European Community's energy programming activities at regional level, the conclusion of the Energy Council on this communication, and the Resolution of the European Parliament of 16 July 1993<sup>(7)</sup> stated that those actions should be pursued, amplified and utilized as a support to the energy strategy of the Community; whereas this initiative for regional actions should now be totally incorporated into a new SAVE II programme;

Whereas by Decision No 1110/94/EC of the European Parliament and of the Council<sup>(8)</sup> a Fourth Framework Programme for actions in technological research, development and demonstration was established; whereas energy efficiency policy constitutes an important instrument for the use and promotion of the new energy technologies that the Framework Programme will establish; and whereas the SAVE II programme represents a policy instrument which complements this programme,

Whereas by Council Decision 91/565/EEC<sup>(6)</sup> a Community energy efficiency programme (SAVE), aimed at strengthening energy efficiency infrastructures within the Community, was adopted; whereas that programme expired on 31 December 1995;

Whereas the Community recognized the SAVE programme as an important element of the Community's CO<sub>2</sub> reduction strategy; whereas the communication of the Commission of 8 May 1991 on the European Community's energy programming activities at regional level, the conclusion of the Energy Council on this communication, and the Resolution of the European Parliament of 16 July 1993<sup>(7)</sup> stated that those actions should be pursued, amplified and utilized as a support to the energy strategy of the Community; whereas this initiative for regional actions should now be totally incorporated into a new SAVE II programme;

Whereas by Decision No 1110/94/EC of the European Parliament and of the Council<sup>(8)</sup> a Fourth Framework Programme for actions in technological research, development and demonstration was established; whereas energy efficiency policy constitutes an important instrument for the use and promotion of the new energy technologies that the Framework Programme will establish; and whereas the SAVE II programme represents a policy instrument which complements this programme,

<sup>(6)</sup> OJ No L 307, 8.11.1991, p. 34.

<sup>(7)</sup> OJ No C 255, 20.9.1993, p. 252.

<sup>(8)</sup> OJ No L 126, 18.5.1994, p. 1.

initial text

amended text

Whereas the Council of Environment Ministers at their meeting of 15 and 16 December 1994 stated that the target of stabilizing CO<sub>2</sub> emissions can only be achieved by a coordinated package of measures to improve energy efficiency and the rational use of energy which are based on supply and demand at all levels of energy production, conversion, transport and consumption and to exploit renewable energies, and that a local energy management programme could be one of these measures;

Whereas the Council of Environment Ministers at their meeting of 15 and 16 December 1994 stated that the target of stabilizing CO<sub>2</sub> emissions can only be achieved by a coordinated package of measures to improve energy efficiency and the rational use of energy which are based on supply and demand at all levels of energy production, conversion, transport and consumption and to exploit renewable energies, and that local energy management programmes are amongst these measures;

Whereas in its opinion on the Commission's Green Paper on energy policy <sup>(10)</sup>, on 10 October 1995 the European Parliament called for the formulation of objectives and a common programme for energy efficiency and savings compatible with the objectives concerning the emission of greenhouse gases, as agreed in Rio de Janeiro (1992) and Berlin (1995); called for a SAVE II programme which is considerably better funded than SAVE I and demanded that the Commission clarify the role which it intends to play in energy savings and efficiency by creating practical projects;

Whereas improved energy efficiency will have a positive impact on both the environment and the security of energy supplies which are global in nature; whereas a high level of international cooperation is desirable to produce the most positive results;

Whereas improved energy efficiency will have a positive impact on both the environment and the security of energy supplies which are global in nature; whereas a high level of international cooperation is needed to produce the most positive results;

Whereas all the elements of the Community action programme for improving the efficiency of electricity use set out in Council Decision 89/364/EEC<sup>(9)</sup> should be incorporated into the SAVE II programme; whereas therefore that Decision should be repealed;

Whereas all the elements of the Community action programme for improving the efficiency of electricity use set out in Council Decision 89/364/EEC<sup>(9)</sup> should be incorporated into the SAVE II programme; whereas therefore that Decision should be repealed;

<sup>(9)</sup> OJ N° L 157, 9.6.1989 p. 32- 34

<sup>(10)</sup> OJ N° C287, 30.10.1995, p. 34

**initial text**

**amended text**

Whereas between 180 and 200 MT of CO<sub>2</sub> emissions could be avoided by the year 2000 by an improvement of 5% in the energy intensity of final demand additional to the conventional expectations;

Whereas a strengthened SAVE II programme is an important and necessary instrument for promoting increased energy efficiency;

Whereas it is politically desirable to open the SAVE II programme to the associated Central and Eastern European Countries (CEECs) in accordance with the conclusions of the European Council meeting in Copenhagen in June 1994, and as outlined on the Commission communication to the Council on the subject in May 1994;

Whereas, since the budget for the SAVE II programme is reserved only for participants from the Member States, the appropriations required for the participation of the associated CEECs in the programme will be made available from other Community resources,

Whereas between 180 and 200 MT of CO<sub>2</sub> emissions could be avoided by the year 2000 by an improvement of 5% in the energy intensity of final demand additional to the conventional expectations;

Whereas a strengthened SAVE II programme is an important and necessary instrument for promoting increased energy efficiency;

Whereas in order to prevent duplication and to achieve synergy care should be taken in implementing the programme to ensure close coordination with other Community programmes linked directly with energy efficiency promotion;

Whereas it is politically and economically desirable to open the SAVE II programme to the associated Central and Eastern European Countries (CEECs) in accordance with the conclusions of the European Council meeting in Copenhagen in June 1994, and as outlined in the Commission communication to the Council on the subject in May 1994, as well as the associated Mediterranean Countries Cyprus and Malta;

Whereas, since the budget for the SAVE II programme is reserved only for participants from the Member States, the appropriations required for the participation of the associated CEECs and the associated Mediterranean Countries Cyprus and Malta in the programme will be made available in other ways, inter alia from other Community resources;

HAS ADOPTED THIS DECISION:

initial text	amended text
<p style="text-align: center;"><u>Article 1</u></p> <p>1. The Community shall support a five-year programme of measures and actions in order to promote energy efficiency within the Community. The general overall objectives of this programme are to stimulate energy efficiency measures and increased levels of investment for energy saving, and to contribute to improving the energy intensity of final demand by a further percentage point per annum over that which would have been otherwise attained.</p> <p>2. Community financing will be given under the "SAVE II programme to promote energy efficiency in the Community" hereafter referred to as "the programme", for actions which fall within the objectives of this Decision.</p>	<p style="text-align: center;"><u>Article 1</u></p> <p>1. The Community shall support a five-year programme <u>for the preparation and implementation</u> of measures and actions, <u>also of normative character</u>, in order to promote energy efficiency within the Community. The general overall objectives <u>of this programme are:</u></p> <p>a) <u>to stimulate energy efficiency measures in all sectors, transport sector included,</u></p> <p>b) <u>to encourage investments in energy conservation by private and public consumers and by industry,</u></p> <p>c) <u>to create the conditions for improving the energy intensity of final consumption</u> by a further percentage point per annum over that which would have been otherwise attained.</p> <p>2. Community financing will be given under the "SAVE II programme to promote energy efficiency in the Community" hereafter referred to as "the programme", for actions which fall within the objectives of this Decision.</p>
<p style="text-align: center;"><u>Article 2</u></p> <p>Under the programme, the following categories of actions and measures on energy efficiency policy shall be financed:</p> <p>(a) studies and other actions leading to the implementation and completion of Community legislation and performance standards governing energy efficiency;</p>	<p style="text-align: center;"><u>Article 2</u></p> <p>Under the programme, the following categories of actions and measures on energy efficiency policy, <u>which are described in Annex</u>, shall be financed:</p> <p>(a) studies and other actions leading to the implementation and completion of Community <u>energy efficiency legislation</u> and performance standards governing energy efficiency;</p>



**initial text****amended text**

- (b) sectoral pilot actions aimed at accelerating energy efficiency investment and/or improving consumer energy use patterns, to be carried out essentially by Community- wide networks;
- (c) targeted sectoral pilot actions aimed at accelerating energy efficiency investment and improving consumer energy use patterns, to be carried out essentially by public and private enterprises;
- (d) measures proposed by the Commission to foster the exchange of experience, mainly through information networks, aimed at promoting better coordination between Community, international, national, regional and local activities through the establishment of appropriate means for exchanging information;
- (e) measures proposed otherwise than by the Commission to foster the exchange of experience, mainly through information networks, aimed at promoting better coordination between Community, international, national, regional and local activities through the establishment of appropriate means for exchanging information;
- (f) an action relating to the detailed sectoral monitoring of energy efficiency progress in the Community, in individual Member States and including the programme itself;

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- (e) measures proposed otherwise than by the Commission to foster the exchange of experience, mainly through information networks, aimed at promoting better coordination between Community, international, national, regional and local activities through the establishment of appropriate means for exchanging information;
- (f) an action relating to the detailed sectoral monitoring of energy efficiency progress in the Community, in individual Member States and including the programme itself;

**initial text**

**amended text**

- g) specific actions in favour of greater cohesion between Member States and regions in the field of energy efficiency through support for the creation of energy efficiency infrastructures in those Member States and regions where energy efficiency policies are not yet sufficiently developed;
- h) specific actions in favour of energy management at the regional and urban level;
- i) studies and other actions in support of energy efficiency initiatives within other programmes, with a view to establishing energy efficiency as a criterion within Community strategic programmes;
- j) evaluation and monitoring of the actions and measures undertaken under points (a) to (i).

- (g) specific actions in favour of greater cohesion between Member States and regions in the field of energy efficiency through support for the creation of energy efficiency infrastructures in those Member States and regions where energy efficiency policies are not yet sufficiently developed;
- (h) specific actions in favour of energy management at the regional and urban level;
- (i) studies and other actions in support of energy efficiency initiatives within other programmes, with a view to establishing energy efficiency as a criterion within Community strategic programmes and taking account of the environmental impact of the different energy sources.;
- (j) evaluation and monitoring of the actions and measures undertaken under points(a) to (i).

**Article 3**

**Article 3**

1. All the costs relating to the actions and measures referred to in Article 2(a), (d), (f), (i) and (j) shall be borne by the budget of the Community.
2. The level of funding for the actions and measures referred to in Article 2(b), (c), (e), (g) and (h) shall be set at a maximum of 50% of their total cost.
3. The balance of the funding of the actions and measures referred to in Article 2(b), (c), (e), (g) and (h) may be made up from either public or private sources or from a combination of the two.

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3. The balance of the funding of the actions and measures referred to in Article 2(b), (c), (e), (g) and (h) may be made up from either public or private sources or from a combination of the two.

**initial text**

**amended text**

Article 4

Article 4

1. The Commission will be responsible for the financial execution and implementation of the programme at Community level.
2. The conditions and guidelines to be applied for the support of all actions and measures referred to in Article 2 shall be defined each year in accordance with cost effectiveness criteria, the list of priorities referred to in the second paragraph of Article 6, the trends in energy efficiency identified by the action described in Article 2(f) and according to the procedure laid down in Article 5.

1. The Commission will be responsible for the financial execution and implementation of the programme at Community level.
2. The conditions and guidelines to be applied for the support of all actions and measures referred to in Article 2 shall be defined each year taking into account :
  - the cost effectiveness criteria, the savings potential and environment impact,
  - the list of priorities referred to in the second paragraph of Article 6,
  - the objectives of cohesion between Member States in the field of energy efficiency and
  - the trends in energy efficiency development indentified by the action described in Article 2(f).

The committee described in Article 5, assists the Commission in defining these conditions and guidelines.

Article 5

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The Commission shall be assisted by a committee of an advisory character composed of the representatives of the Member States and chaired by the representative of the Commission.

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The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time-limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

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The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to have its position recorded in the minutes.

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**initial text**

**amended version**

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

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**Article 6**

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The Member States shall report to the Commission annually on national energy efficiency programmes with a view to assisting the Commission in formulating appropriate flanking measures.

The Member States shall report to the Commission annually on national energy efficiency programmes with a view to assisting the Commission in formulating appropriate flanking measures.

The Commission shall formulate on an annual basis a list of priorities for funding under the programme which shall reflect an examination of the reports submitted under the first paragraph. This list shall take into account the complementarity between SAVE II programme and the national programmes. Priority shall be given to those areas where such complementarity is greatest.

The Commission shall formulate on an annual basis a list of priorities for funding under the programme which shall reflect an examination of the reports submitted under the first paragraph. This list shall take into account the complementarity between SAVE II programme and the national programmes. Priority shall be given to those areas where such complementarity is greatest.

**Article 7**

**Article 7**

1. After every year of the programme the Commission presents to the European Parliament and to the Council a progress report together with proposals concerning the modifications of the guidelines, adopted according to Article 4, paragraph 2, which may be necessary in the light of the results of the previous year.

**initial text**

**amended text**

1. After the third year of the programme, the Commission shall present a report to the European Parliament and to the Council on the energy efficiency measures undertaken at Community and Member State level and on the results achieved, with particular reference to the objective outlined under Article 1. The report shall be accompanied by proposals for any amendments which may be necessary to the programme in the light of these results.
2. On expiry of the programme, the Commission shall make an overall assessment of the results obtained through the application of this Decision, and of the consistency of national and Community actions. It shall present a report thereon to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, stating, in particular, how far the objective outlined under Article 1 has been achieved.

Article 8

Decision 89/364/EEC is hereby repealed.

2. After the third year of the programme, the Commission shall present a report to the European Parliament and to the Council on the energy efficiency measures undertaken at Community and Member State level and on the results achieved, with particular reference to the objectives outlined under Article 1. The report shall be accompanied by proposals for any amendments which may be necessary to the programme in the light of these results.
3. On expiry of the programme, the Commission shall make an overall assessment of the results obtained through the application of this Decision, and of the consistency of national and Community actions. It shall present a report thereon to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, stating, in particular, how far the objectives outlined under Article 1 have been achieved.

Article 8

Decision 89/364/EEC is hereby repealed.

**initial text**

**amended version**

Article 9

Article 9

The programme shall be open to the associated Central and Eastern European countries (CEECs) in accordance with the conditions contained in the additional protocols to the association agreements concerning their participation in Community programmes.

The programme shall be open to the associated Central and Eastern European countries (CEECs) in accordance with the conditions, including financial arrangements, contained in the additional protocols to the association agreements concerning their participation in Community programmes.

The programme shall also be open to the participation of the associated Mediterranean Countries Cyprus and Malta on the basis of additional appropriations in accordance with the same rules as apply to the EFTA Countries.

Article 10

Article 10

This Decision shall apply from 1 January 1996 to 31 December 2000.

This Decision shall apply from 1 January 1996 to 31 December 2000.

Article 11

Article 11

This Decision is addressed to the Member States.

This Decision is addressed to the Member States.

Done at Brussels,

For the Council  
The President

Encl.

AnnexDescription of the actions listed in Article 2:Article 2(a):

These shall include, in particular, studies concerning the introduction of EC measures in the following areas:

- building energy certification,
- insulation for new buildings,
- the promotion of third-party funding of energy-saving investments,
- regular checks on boilers,
- minimum standards for electrically-operated office machinery (in particular computers/monitors) and household appliances,
- cogeneration,
- minimum standards for motor vehicles.

Furthermore, plans will be drawn up, inter alia, for assessing the effects of EC energy legislation and other measures, for the commissioning of CEN/CENELEC in respect of standards for energy consumption applications and for studies for the development of voluntary agreements on energy efficiency objectives and the monitoring thereof and involvement in internationally coordinated activities.

Article 2(b):

These concern in particular ad hoc actions through closer cooperation between the key players by means of Community-wide networks; for example, projects by associations in the building sector (for instance, associations of architects), by undertakings /associations in the electricity and/or gas sectors (for example, integrated resource planning) and by municipal associations (for example, projects to increase energy efficiency in urban transport).

Article 2(c):

This is particularly aimed at promoting projects addressing the relevant problems on the basis of one particular theme, for example obstacles to cogeneration or problems involving municipal transport systems. Furthermore, projects concerned with electricity consumption and the development and more widespread use of new financial mechanisms and training and education could be promoted in this context.

Article 2(d) and (e):

As regards the dissemination of information via networks, specific groups and addressees, or consumers in general, should be reached by all the available media (publications, videos, workshops, conferences and seminars and databases).

Article 2(f):

A group of experts should be set up in this context to monitor the utilization of the instruments developed under SAVE I and to assess progress as regards energy efficiency.



Article 2(g):

This action is designed to promote ties between the various Member States or the regions of various Member States with a view to exchanging information. Furthermore, the requisite sources of information (including databases) should be established to allow access to information via local initiatives. Finally, regional centres of excellence should be set up to act as centres for local energy management research and training activities and to contribute to the development of solutions as regards the use of regional sources of energy.

Article 2(h):

This concerns actions to complement the actions listed under Article 2(g), the emphasis being on the establishment of regional and local energy management agencies. These could play a major role for example, in the establishment of educational programmes for end users or in the development of local energy management initiatives.

Article 2(i):

The purpose here is, by using SAVE as a catalyst in other Community programmes such as the European Regional Development Fund, to identify potential energy efficiency projects which can be supported by these programmes.

Article 2(j):

It is important that all the actions taken under SAVE should be fully evaluated and that the contribution of each action to the improvement of energy efficiency should be continually assessed. Projects with a high dissemination potential should be identified and transmitted to the promotional activities of the programme so that comprehensive dissemination strategies can be developed.

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