

National EED Implementation Report (NIR) 2021

EED implementation in Austria

Introduction

The implementation of the Energy Efficiency Directive (EED) is the responsibility of the Federal Ministry of Climate Action, Environment, Energy, Mobility, Innovation and Technology. Other important public authorities in the implementation of the EED are the nine Austrian Federal Provinces who have many legal competences as regards energy efficiency policy.

The Austrian Energy Agency was appointed as the National Energy Efficiency Monitoring Agency observing and evaluating the progress of Austria in the implementation of the EED.

1. Legal context

The Federal Energy Efficiency Act, which was enacted in 2014, is the main instrument to transpose the EED. The Energy Efficiency Act introduces an EEO for energy retail sales companies and defines, among others, requirements for public buildings and non-SMEs. The legal text can be found here: <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20008914>

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
<p>Article 4</p>	<p>An evidence-based estimate was carried out on the basis of the national building stock and the ongoing activities of the federal states and the federal government, particularly in the context of residential building subsidies. This estimate (not taking into account any additional, as yet undefined future measures) produced an annual renovation rate relevant to energy savings of approximately 1% of the total old building stock. It should be expressly noted that this is merely the first version of an estimate of expected energy savings, which in subsequent years will be supplemented and refined by additional information on current developments in the building sector, at least with regard to:</p> <ul style="list-style-type: none"> • the development of the provisions in building law for major renovations • new financing models • changes in the energy mix • rebound effects • changing rates of increase in the use of solar thermal systems and heat pumps in the building stock. <p>This estimate indicates a potential of 2,185 GWh/a for residential buildings and 1,130 GWh/a for non-residential buildings after 2020.</p>

EED Article	Implementation status
Article 5	<p>In relation to Article 5 of the EED, Austria chose the alternative approach. The determination of savings to be achieved started with an analysis of the building stock owned and occupied by the central government. This analysis eventually resulted in the creation of a building inventory. Public bodies are starting to enter data into this centralised database. It was decided to start with buildings over 250m² from the beginning. The analysis resulted in a cumulative energy savings target of 48.2 GWh until 2020. In the year 2014, 4.018 GWh of energy savings mainly coming from contracting projects could be reported.</p>
Article 6	<p>The obligation contained in Article 6 EED requiring certain contracting authorities to purchase only products and services with a high energy-efficiency performance was transposed into Austrian law with the amendment to the Federal Procurement Act (BVerG). Pursuant to paragraph 95, BVerG, the central contracting authorities, must, when awarding supply or service contracts in the upper threshold region, ensure that the purchased goods or services comply with certain requirements on energy efficiency, insofar as this is consistent with the basic principles of the procurement procedure (in particular the principles of free and fair competition and cost-effectiveness). The requirements on energy efficiency contained in Annex III of the Directive were transposed into Austrian law in Annex XIV of the Federal Procurement Act.</p> <p>https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20010295</p> <p>In addition the Federal Energy Efficiency Act foresees in §16 that the Federal Government, when purchasing or leasing immovable property, must pay increased attention to the impact on energy efficiency and include energy consumption values in the purchasing or leasing decision.</p>
Article 7	<p>Austria implements Article 7 with a mix of an EEO and alternative measures.</p> <p>The EEO</p> <p>Each energy retail sales company with energy sales of more than 25 GWh has to achieve savings at final customers in Austria that amount to 0.6% of energy sales of the preceding year between 2015 and 2020. 40% of these savings have to be achieved in households. The EEO was introduced with the enactment of the Federal Energy Efficiency Act and is formulated in §10.</p> <p>Alternative measures</p> <p>The alternative measures comprise housing subsidies of the Federal State and Federal Provinces, energy taxes and investment subsidies for companies.</p>
Article 8	<p>The Federal Energy Efficiency Act foresees in §9 an obligation for non-SMEs to conclude a regular external energy audit or to implement an energy management system including a regular internal or external energy audit.</p> <p>The minimum criteria for external energy audits are defined in Annex III of the Federal Energy Efficiency Act.</p> <p>The Federal Energy Efficiency Act also defines quality criteria for energy auditors.</p>

EED Article	Implementation status
Articles 9-11	<p>The Electricity Act 2010 lays down the rules for smart meters. In principle, all information, promotional material and bills from energy suppliers must be transparent and customer-friendly. Bills must also show the meter readings used for the bill, as well as information on how the meter was read. It should therefore indicate whether the meter was read by the network operator, the customer supplied his/her own reading, the meter was read remotely or the meter reading was estimated. The information provided to the final consumer on the details of the roll-out of smart meters includes in particular technical aspects of the smart meter, the timing of the roll-out, consumer rights etc.</p> <p>In addition §22 of the Federal Energy Efficiency Act contains provisions on the installation of meters for heat and cooling.</p>
Articles 12, 17	<p>There is a comprehensive range of consumer information and education programmes available in Austria. These programmes are aimed at both private individuals and professionals. Measures relating to education, training, information and awareness-raising are in principle offered by the Austrian Government and the federal states.</p> <p>At federal level, klimaaktiv (the Austrian Climate Initiative) is one of the most important information and awareness-raising programmes. Under the umbrella of klimaaktiv, a large number of programmes have been launched to promote the topics of climate protection, energy efficiency and renewable energy sources, in the personal, commercial and public spheres, by means of information, advice, education, training, quality standards and networking. See www.klimaaktiv.at/.</p> <p>The energy agencies of the federal provinces offer a comprehensive range of information and services. This includes educational programmes for members of the public on a more efficient use of energy (evening events and excursions) as well as advanced training courses for professionals (ranging from one-day seminars to training courses). In addition, numerous activities are provided to inform the public about the careful use of energy. These activities include special events, appearances at trade shows, newspaper ads, brochures, website info etc.</p>
Article 13	<p>§31 of the Federal Energy Efficiency Act defines penalties for non-compliance with the EEO.</p>
Article 14	<p>For the comprehensive assessment, a scientific study by the Vienna University of Technology involving all relevant stakeholders was used. The study can be accessed here:</p> <p>https://ec.europa.eu/energy/sites/ener/files/documents/Austria_MNE%282016%2950514.pdf</p> <p>In 2021 an update of the study was carried out, which is available under the following link:</p> <p>http://www.austrian-heatmap.gv.at/fileadmin/user_upload/FW_KWK_Endbericht.pdf</p>

EED Article	Implementation status
Article 15	A study on energy efficiency potentials in energy transformation, transmission and distribution was performed but is currently not accessible online.
Article 16	<p>See also text on auditors in the section on Article 8. §17 of the Federal Energy Efficiency Act define quality criteria for energy service providers. A public list of qualified energy auditors is available here: www.monitoringstelle.at/index.php?id=708</p> <p>A list for other energy service providers is under development.</p>
Article 18	<p>In 2013 the association of 'Austrian Energy Efficiency and Performance Contractors – DECA' was established, which plays a networking function in the further dissemination of high-quality energy services. In addition, the federally funded klimaaktiv contracting portal provides interested parties with information on the topic of energy performance contracting.</p> <p>www.deca.at/view_site/site.php?nid=1&lang=de</p> <p>www.contracting-portal.at/show.php</p> <p>For the quality assurance of contracting projects, the Ministry of Agriculture, Forestry, Environment and Water offers the Energy Performance Contracting Eco-label in Austria. This certificate formulates the requirements on the contractor, the course of the project and the energy performance contract necessary for awarding of the 'Energy Performance Contracting' ecolabel.</p> <p>www.umweltzeichen.at/cms/de/produkte/gruene-energie/content.html?rl=33</p> <p>In the public sector, the market for energy services is supported by the comprehensive Federal Property Contracting programme for the renovation of more than 200 federal buildings since 2001. As part of this programme, more than 600 buildings have been optimised and modernised in terms of energy efficiency. This makes the Contracting programme one of Europe's largest contracting authorities for energy performance contracts.</p> <p>https://www.metrologie.at/energie-und-gebaeudemanagement/ergebnisse-und-jahresberichte/</p>
Articles 19-20	<p>With regard to the measures required by Article 19(1a) EED, the work programme of the Austrian Federal Government 2013–2018 includes a section on affordable housing. The two planned measures are:</p> <ul style="list-style-type: none"> • Changes in the rules to form funds to reserve which make it easier to carry out renovations. • Changes in the decision-making process in the residents meeting.

2.2. Non-legislative provisions

None.

2.3. Implementing bodies

Federal Ministry of Climate Action, Environment, Energy, Mobility, Innovation and Technology.

The Austrian Energy Agency was appointed as the National Energy Efficiency Monitoring Agency observing and evaluating the progress of Austria in the implementation of the EED.

3. Implementation of revised EED articles

A revision of the Energy Efficiency Act is currently in progress.

4. Relevant information

The energy efficiency section on the website of the Federal Ministry of Climate Action, Environment, Energy, Mobility, Innovation and Technology: [Energy efficiency \(bmk.gv.at\)](https://www.bmk.gv.at/energieeffizienz)