



Fit for 55

EED recast Article 7: energy efficient public procurement

*Margareta Djordjevic, European Commission, DG.ENER.B2
CA EED plenary meeting, 23/10/2025*

Provisions in a nutshell

Who is concerned?

All contracting authorities and contracting entities

What is concerned?

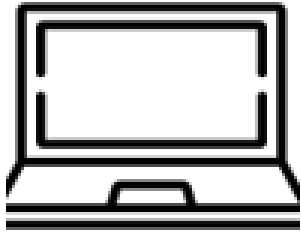
- contracts and concessions
- for products, services, works and buildings
- exceeding values in Public Procurement Directives
- unless technically feasible
- exempt: military equipment, aim of armed forces, undermining public security and impeding response to public health emergencies

What to do?

- Apply EE1st principle
- Procure high ee performance
- Assess feasibility of EPC
- Publish impact on energy efficiency
- support authorities and entities
- Establish supportive provisions and remove barriers
- Report on measures to remove barriers

Which performance is highly energy efficient?

Products



1. the highest two significantly populated **ee labelling** classes **OR**
2. complying with **Ecodesign ee benchmarks AND**
3. respecting GPP criteria or available equivalent national criteria
4. the highest fuel energy efficiency class for tyres

Services



Require service providers to use only products fulfilling criteria 1., 2. and 4. for products if new products are newly purchased for the purpose of the contract



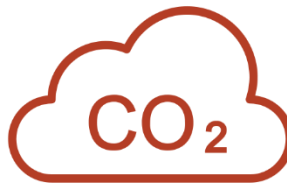
Nearly zero-energy **buildings**

Exceptions:

- deep renovation or demolition is planned
- re-sell the building without using
- preserve it as a building officially protected it

Options and „if appropriate“

- may require high energy-efficiency for a package instead for the individual products when covered by an Ecolabelling delegated act
- where appropriate consider Union green public procurement criteria or available equivalent national criteria
- may consider wider aspects to achieve the Union's decarbonisation and zero pollution objectives: these might be:
 - Sustainability aspects
 - Social aspects
 - Environmental aspects
 - Circular economy aspects
- may require suppliers to disclose information on wider aspects and make this information publicly available, in particular for new buildings larger than 2000 m²



Exemptions Art. 7(2)

- In the following cases the requirements do not apply:
- **Undermining public security** = the sphere of activity within which the State has primary responsibility to protect its territory and citizens
- **Impeding response to public health emergency** = occurrence or imminent threat of an illness or health condition that poses a substantial risk of a significant number of human fatalities or permanent or long-term disability.
- **Contracts of the armed forces and supply of military equipment** and if application of Article 7 causes any conflict with the nature and primary aim of the activities of the armed forces.

Ongoing work at EC and DG ENER

- Revision of Public Procurement Directives
- Industrial Accelerator Act
- Net Zero Industries Act
- ESPR and Energy Labelling
- [EPBD support package including guidance on GWP](#)
- [Open public consultation for delegated act on GWP](#)
- Guidance on CBA - Energy Efficiency First Principle



Reporting requirements

Reporting the energy efficiency impact

- energy **efficiency impact needs to be published** in the respective notices in [Tenders Electronic Daily \(TED\)](#)
- dedicated fields in the [eForms](#) to report on TED are available since November last year on a voluntary basis
- Since the transposition deadline those fields are mandatory to be filled in
- We see that [many Member States but not](#) all already adapted their eProcurement solutions towards the new EED fields!

Reporting barriers removed

- Member States report on **barriers removed for energy efficient procurement** in their National Energy Climate Progress Reports – the implementing Act and guidance will be revised to cover this reporting first in March 2027

Support for buyers is on it's way



- Providing Practical Support
- Community of Practices formation: [Homepage](#) | [Public Buyers Community](#)
- Enhancing Reporting Processes (eForms)

Thank you!