

EED implementation in Finland

In Finland the overall responsibility for the implementation of the Directive on Energy Efficiency (EED) (2012/27/EU) is in the Ministry of Employment and the Economy (MEE). Most of the MEE's responsibilities coming from the EED were given to the Energy Authority in 2014. Also Ministry of the Environment, Ministry of Transport and Communications, Ministry of Agriculture and Forestry, Ministry of Education and Culture and Ministry of Finance are involved in the implementation of the EED. In addition Motiva Oy, in assignment of the Energy Authority and the ministries, operates several instruments and programmes related to energy efficiency. Motiva Oy is also responsible for monitoring and verification activities on energy efficiency measures as well as for calculating the energy savings.

1. Legal context

Based on the Standing Order of the Government, the overall responsibility for energy efficiency in Finland is with the Ministry of Employment and the Economy (MEE). The Energy Authority, a special agency and regulator operating under MEE, was authorized by the Law on the Energy Authority (870/2013) to implement and/or supervise the implementation of several obligations of the EED. There are also five other ministries that have either direct responsibilities coming from the EED or are responsible for certain energy efficiency measures that are necessary to achieve full compliance.

To implement the EED, in 2014 three national laws were amended, one new law came into force and one existing law was repealed. The three laws amended former electricity and gas market legislation. The content of the repealed Law for Energy Services Offered by Companies in Energy Sector was incorporated to the new Energy Efficiency Law (1429/2014) which was needed due to the several new obligations for which there was no existing legal framework available.

The Energy Efficiency Law is in the process to be amended as a result to Reasoned Opinion received in October 2015. The focus in the amendments is in Article 2 and in Article 6.1 and Annex III.

2. Status of the implementation

2.1. Legislative provisions

EED Article	Implementation status
Article 2	Definitions defined in several national laws and notified 21.12.2015 (UM2015-01690). Full compliance requires amending the Energy Efficiency Law. This work is in process and amendments are expected to be in force 1.1.2017.
Article 3	Annual Report 2013, where the target was set, was submitted 26.4.2013.

EED Article	Implementation status
Article 4	<p>Article 4 of the EED requires Member States to establish a long-term strategy for the renovation of buildings. Article 4 Strategy was submitted as Annex 5 in the NEEAP-3 (the 1st EED NEEAP) 29th April 2014. https://ec.europa.eu/energy/sites/ener/files/documents/2014_neeap_fi_finland.pdf (Unofficial unchecked translation by the COM http://ec.europa.eu/energy/sites/ener/files/documents/NEEAPFinland_en2014.pdf)</p> <p>In the <i>JRC - Synthesis report on the assessment of MS's building renovation strategies</i> the FI strategy was assessed almost fully compliant with the requirements a) to e). Only regarding the part "Cost-effectiveness approaches of renovations - Art 4 (b)" some more details to which type of buildings these requirements are addressed were proposed.</p> <p>Finland already, based on the implementation of the EPBD, has tight and extensive energy EE requirements for building renovations subject to construction licence. The aim of the renovation strategy is thus especially instead of new requirements to find out means to activate and include systematically EE improvements in residential and service sector building renovations both in public and private service sector.</p>
Article 5	<p>Finland has opted for an alternative approach 5(6) for implementation. Notification submitted 18.12.2013 http://ec.europa.eu/energy/sites/ener/files/documents/2013_fi_ee_article5_fi.pdf . (Unofficial unchecked translation by the COM) http://ec.europa.eu/energy/sites/ener/files/documents/2013_fi_ee_article5_en.pdf)</p> <p>Eight alternative measures are listed. No legislation.</p>
Article 6	<p>Government Decision-in-Principle on the promotion of sustainable environmental and energy solutions (Cleantech solutions) in public procurement (13.6.2013) cover some of Article 6 obligations. Voluntary Energy Efficiency Agreements comply fully with 6(3). Full compliance requires amendments to the Energy Efficiency Law. This work is in process and amendments are expected to be in force 1.1.2017.</p>
Article 7	<p>Finland has opted alternative measures for implementation. National Energy Efficiency Programme was submitted 5.12.2013 and complemented 31.1.2014 https://ec.europa.eu/energy/sites/ener/files/documents/FI_Updated%20Art.%207%20notification%20140605_2.pdf . (Unofficial unchecked translation by the COM regarding the original 5.12.2013 version http://ec.europa.eu/energy/sites/ener/files/documents/article7_en_finland.pdf). An updated Article 7 notification (mainly complements and corrections to the Annexes) was delivered as an Annex in 5.6.2014 EED notification. National Energy Efficiency Programme includes eight policy measures. No legislation.</p>
Article 8	<p>Finland's ongoing Energy Audit Program complies with Article 8(1). National minimum requirements based on Annex VI and implementation of mandatory energy audits were transposed by the new Energy Efficiency Law http://www.finlex.fi/fi/laki/alkup/2014/20141429 and its two accompanying decrees https://www.energiavirasto.fi/documents/10191/0/Energiakatselmukset/62235779-65c1-43c1-8225-6dcae2a12d81 and https://www.energiavirasto.fi/documents/10191/0/Energiakatselmukset/_b4a3024c-aeaa-4a87-a97f-825b33da8ff2 . The Energy Authority has a web page related to both voluntary and mandatory energy audits https://www.energiavirasto.fi/energiakatselmustoiminta. Energy Authority has commissioned Motiva to operate the Energy Audit Programme for SMEs and municipalities. http://www.motiva.fi/toimialueet/energiakatselmustoiminta.</p>
Article 9	<p>Some amendments were conducted to existing legislation http://www.finlex.fi/fi/laki/alkup/2009/20091211, http://www.finlex.fi/fi/laki/alkup/2013/20130590, http://www.finlex.fi/fi/laki/alkup/2009/20090066, http://www.finlex.fi/fi/laki/ajantasa/1999/19990132 with revision in http://www.finlex.fi/fi/laki/alkup/2008/20081129. In addition some new provisions were included in the new Energy Efficiency Law http://www.finlex.fi/fi/laki/alkup/2014/20141429 to reach full compliance with EED. A study on the cost-effectiveness of individual metering in multi-purpose/multi-apartment buildings was been carried out in 2013, as requested by 9(3). https://www.tem.fi/files/38260/EED_lammonkulutuksen_mittaus_19_11_2013_netiversio.pdf.</p>
Article 10 and 11	<p>Provisions regarding billing and billing information were moved from existing legislation (Law for Energy Services Offered by Companies in Energy Sector). Provisions regarding district heating were included into the Energy Efficiency Law http://www.finlex.fi/fi/laki/alkup/2014/20141429 to achieve full compliance with EED.</p>

EED Article	Implementation status
Article 12 and 17	Existing measures fulfil all requirements. Existing situation is satisfactory. The Energy Authority will be responsible for monitoring the situation and taking actions when necessary. Several examples of the measures in this area are described in the 2 nd NEEAP in the Annex 3 starting on page 154 (e.g. HO-07/...HO-12/). (Unofficial unchecked translation by the COM can be found https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficiency-directive/national-energy-efficiency-action-plans under the heading Previous energy efficiency action plans behind the link “Second NEEAPs translated into English”). No legislation.
Article 13	Provisions are included in the Energy Efficiency Law http://www.finlex.fi/fi/laki/alkup/2014/20141429
Article 14	Provisions regarding Article 14 are included both in existing legislation (http://www.finlex.fi/fi/laki/alkup/1996/19961260 with its revision http://www.finlex.fi/fi/laki/alkup/2010/20101400 , http://www.finlex.fi/fi/laki/ajantasa/1994/19941472 with its revision http://www.finlex.fi/fi/laki/alkup/2010/20101399 , http://www.finlex.fi/fi/laki/ajantasa/1999/19990132 and its revision http://www.finlex.fi/fi/laki/alkup/2008/20081129 , http://www.finlex.fi/fi/laki/alkup/2010/20101396 with its revision http://www.finlex.fi/fi/laki/alkup/2012/20120687 , http://www.finlex.fi/fi/laki/alkup/2003/20031129 with its revision http://www.finlex.fi/fi/laki/alkup/2013/20130445 and decree http://www.finlex.fi/fi/laki/alkup/2013/20130009 as well as in the new Energy Efficiency Law http://www.finlex.fi/fi/laki/alkup/2014/20141429 . Notification on exemptions 14(6) was submitted 17.12.2013.
Article 15	Most requirements were already in the existing legislation http://www.finlex.fi/fi/laki/alkup/2013/20130588 with its revision http://www.finlex.fi/fi/laki/alkup/2013/20130445 , http://www.finlex.fi/fi/laki/alkup/2013/20130590 with its revision http://www.finlex.fi/fi/laki/alkup/2014/20141432 and in decrees http://www.finlex.fi/fi/laki/alkup/2013/20130635 , http://www.finlex.fi/fi/laki/alkup/2009/20090066 and http://www.finlex.fi/fi/laki/smur/2013/20130417 . Some new provisions and amendments regarding Article 15 implementation were included to fulfil all EED requirements. Provisions related to Art 15(3) are not included while in Finland the social policy is not implemented via the energy policy.
Article 16	Existing situation in Finland is satisfactory. No need for supplementary actions. There are approx. 2000 trained and authorised energy auditors, 400 trained and authorised lead assessors for mandatory energy audits http://www.finlex.fi/fi/laki/alkup/2014/20141429 , 2000 trained and certified Building Energy Certificate providers http://www.finlex.fi/fi/laki/alkup/2013/20130050 , roughly 100 certified RES installers http://www.finlex.fi/fi/laki/alkup/2015/20150038 and 40 authorized farm energy advisers, just to list the most relevant.
Article 18	Existing situation is satisfactory. Requires continuous work, which is being carried out. No legislation.
Article 19	Existing situation is satisfactory. Requires continuous work and follow up. Implementation is described in the NEEAP-3 (Unofficial unchecked translation by the COM https://ec.europa.eu/energy/sites/ener/files/documents/2014_neeap_en_finland.pdf chapter 4.4). No legislation.
Article 20	Constitution limits the possibility to establish funds in Finland.

2.2. Non-legislative provisions

Finland does not implement every article of the EED via legislation and mandatory measures. Since the table in chapter 2.2 covers all articles a brief answer has been given there. The following non-legislative provisions are those with significance in relation to the national transposition of the EED.

The broad Voluntary Agreement Scheme (2008-2016) <http://www.energiatehokkuussopimukset.fi/en/> is the main instrument in Finland to implement Article 7. Negotiations regarding the New Energy Efficiency Agreement period 2017–2025 were successfully conducted and new scheme will start in

the beginning of 2017 immediately after the ongoing Agreement scheme will end by the end of 2016
https://www.tem.fi/en/energy/press_releases_energy?89521_m=12044.
<http://www.energiatehokkuussopimukset2017-2025.fi/>

3. Future activities

Finland's new Energy and Climate Strategy is being prepared. Based on the official schedule the new strategy will be submitted to the Parliament before the end of 2016. What new future activities there possibly will be is not yet known.

4. Relevant information

Ministry of Employment and the Economy www.tem.fi

The Energy Authority/Energy Efficiency Group <https://www.energiavirasto.fi/fi/energiatehokkuus>

Motiva Oy www.motiva.fi