

EED implementation in Latvia

Introduction

In Latvia implementation of the EED is the responsibility of the Ministry of Economic Affairs of the Republic of Latvia. The Ministry of Environmental Protection and Regional Development is involved into implementation of energy efficiency measures in households and municipalities. Other ministries are obliged to report on energy savings in projects where energy efficiency is not the main target but energy savings are possible.

1. Legal context

The requirements of the EED still are not fully transposed into national legislation but the main legal document “Energy Efficiency Law” has entered into force from March 29, 2016. Amendments to several other laws (Energy Law, Law on Energy Performance of Buildings, Energy Law) has been adopted to transpose the requirements of the EED and some other amendments are in the process of adoption (Public Procurement Law, Electricity market Law).

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
Article 4	<p>Article 4 of the EED requires EU Member States to establish a long-term strategy for the renovation of buildings. The Long Term Building Renovation Strategy for Latvia has been elaborated in 2014 and submitted to the European Commission together with the Information report On the progress towards the indicative national energy efficiency targets in 2014 – 2016 according to Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (Energy Efficiency Plan).</p> <p>The Strategy envisages that in order to ensure economically sound and high-quality building renovation process must ensure the following preconditions must be in place:</p> <ol style="list-style-type: none"> 1) availability of finance for economically justified projects in all regions of Latvia; 2) high-quality project management and supervision; 3) when monitoring the implemented activities the focus should be on the result, including the energy savings achieved; 4) high-efficiency and high-quality construction assurance; 5) improvement of the procedures of the selection of construction companies for building renovation; 6) reduction of construction costs.
Article 5	<p>Article 5 of the EED requires EU Member States to ensure that as from 1 January 2014, 3% of the total floor area of heated and/or cooled buildings owned and occupied by its central government is renovated each year to meet at least the minimum energy performance</p>

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	<p>requirements. Latvia has chosen proposed approach and Ministry of Economic Affairs is elaborating regulations for the renovation program of the buildings owned and occupied by central government. The program will be financed from the EU Structural funds.</p>
Article 6	<p>To ensure the transposition of the requirements of Article 6 of the EED amendments to the Public Procurement Law¹ entered into force on 29 March, 2016. These amendments ensure that public authorities purchase only products and services with high energy efficiency performance. Amendments to the Law on Energy Performance of Buildings² entered into force on April 5, 2016 and ensure that the State buys or leases only buildings that comply with the minimum energy efficiency requirements, which are certified by the energy performance certificate of the building.</p>
Article 8	<p>Article 5 of the EED requires EU Member States to promote the availability to all final customers high quality and cost effective energy audits carried out in an independent way by qualified or accredited experts. In Latvia these obligations are implemented by:</p> <ol style="list-style-type: none"> 1) Law on Energy performance of Buildings³. The Law defines that a person with an appropriate competence – an independent expert – is entitled to perform the certification of the energy performance of buildings and the inspection of heating systems and air conditioning systems. 2) Regulations of Cabinet of Ministers No.382 “Regulation on Independent Experts of Energy Performance of Buildings”⁴. This Regulation prescribes the competence requirements of an independent expert and the procedures for certifying this competence, the procedures for registering and monitoring an independent expert, as well as the data content of the independent expert register and the usage procedures of such data. 3) Energy Efficiency Law⁵. The Law sets out the requirements for energy audits in large enterprises and SMEs and energy management system implementation. 4) Regulations of Cabinet of Ministers “Regulations on Energy Audits in Enterprises” under development. These regulations define that energy audit in enterprises is a procedure carried out by energy auditor to gather information on all the company's energy consumption, which identify and quantify cost-effective energy savings opportunities, and the results are compiled by enterprise energy auditor in the energy audit report. According to the new regulations Energy auditor of enterprise is legal entity who fulfil certain competence requirements and is accredited by National accreditation institution.
Article 9-10	<p>The requirements of the EED Article 9 and 10 regarding individual individual meters, smart metering, installation of individual heat meters or heat cost allocators in multifamily buildings and billing information are transposed into the National legislation by different articles of the:</p> <ol style="list-style-type: none"> 1) Regulations of Cabinet of Ministers No. 85 "Natural Gas Supply and

¹ <http://likumi.lv/doc.php?id=133536>

² <http://likumi.lv/doc.php?id=253635>

³ <http://likumi.lv/doc.php?id=253635>

⁴ <http://likumi.lv/ta/id/258321-noteikumi-par-neatkarigiem-eksptiem-eku-energoefektivitates-joma>

⁵ <http://likumi.lv/doc.php?id=280932>

EED Article	Implementation status
	Use ⁶ ; 2)Regulations of Cabinet of Ministers No. 876 "Heat Supply and Use" ⁷ ; 3)Regulations of Cabinet of Ministers No. 50 " Regulations Regarding the Trade and Use of Electricity" ⁸ ; 4)Regulations of Cabinet of Ministers No. 1013 "Procedures by which an Apartment Owner in a Residential Apartment House shall Pay for Services, which are Related to Usage of the Residential Property" ⁹ ; 5) Energy Efficiency Law.
Article 11	The requirements of the EED Article 11 regarding cost of access to metering and billing information are transposed into the National legislation by different articles of the: 1)Law on Administration of Residential Houses ¹⁰ ; 2) Law On Privatisation of State and Local Government Residential Houses ¹¹ ; 3)Energy Efficiency Law.
Article 12 and 17	The requirements of the Article 12 regarding promotion of efficient energy use by small energy customers, including domestic customers are transposed into the National legislation by Article 4 part 6 of the Energy Efficiency Law. The responsible ministry shall establish measures to facilitate the efficient use of energy by households and other consumers, and its website provides information on energy efficiency improvement measures aimed to change their behaviour to improve energy efficiency and support programs and other fiscal incentives to improve energy efficiency. Since 2010 Ministry of Economic affairs together with stake holders has organized a communication campaign "Lets Live Warmer!" ¹² to promote energy efficiency of buildings in Latvia. The key objectives of the "Let's Live Warmer" campaign are to: <ul style="list-style-type: none"> - raise awareness about energy efficiency among the general public and decision makers; - activate apartment owners to renovate their homes using the aid from EU funds; - inform and advise building managers, apartment owner associations and trustees on the EU funding programmes, conditions, and benefits; - encourage construction companies, construction material manufacturers and traders to take the initiative of housing renovation.
Article 14	Article 14 (10) of the EED sets rules for guarantees of origin for high-efficiency cogeneration. These rules will be implemented by the Regulations of the Cabinet of Ministers which are now in the development process. Regulations of cabinet of Ministers No 243 "Regulations on Energy Efficiency Requirements for Registrated District Heating Companies and Compliance Procedures for their Examination" ¹² sets energy efficiency

⁶ <http://likumi.lv/doc.php?id=280169>

⁷ <http://likumi.lv/doc.php?id=183035>

⁸ <http://likumi.lv/doc.php?id=263945>

⁹ <http://likumi.lv/doc.php?id=185342>

¹⁰ <http://likumi.lv/doc.php?id=193573>

¹¹ <http://likumi.lv/doc.php?id=35770>

¹² https://www.em.gov.lv/lv/es_fondi/dzivo_siltak/

EED Article	Implementation status
	requirements for licensed or registered district heating companies and compliance procedures for their examination.
Article 15	<p>The requirements of the Article 15 regarding the role of regulatory bodies in promotion of energy efficiency are transposed into the National legislation by different articles of:</p> <ol style="list-style-type: none"> 1) Law on Regulators of Public Utilities¹³; 2) Public Utilities Commission Council decision “Electricity transmission system service tariff calculation methodology” 3) Public Utilities Commission Council decision “Electricity distribution system service tariff calculation methodology” 4) Public Utilities Commission Council decision ‘Thermal energy supply service tariff calculation methodology’ 5) Public Utilities Commission Council decision “Electricity Network Code” <p>According to the requirements of the EED Article 15 (8) in order to facilitate the promotion of demand response providers of demand response services must be treated in a non-discriminatory way on the market for balancing and associated services. This requirement will be adopted by the amendments to the Energy Law.</p>
Article 16	<p>The level of competence, objectivity and reliability of energy auditors, energy managers and installers in Latvia is sufficient. Such situation has been secured by different articles of:</p> <ol style="list-style-type: none"> 1) Law on Conformity Assessment¹⁴; 2) Energy Efficiency Law; 3) Law on Energy Performance of Buildings; 4) Law on Administration of Residential Houses¹⁵ 5) Regulations of Cabinet of Ministers No 445” Regulations on National Accreditation Institution” 6) Regulations of Cabinet of Ministers No 1059 “Terms of Conformity Assessment, Accreditation and Supervision of Assessment Bodies”¹⁶; 7) Regulations of Cabinet of Ministers No 138 “Regulations on Energy Audits in Industry”¹⁷ <p>and more other regulations.</p>
Article 18	<p>The requirements of the Article 18 regarding promotion of energy services market and access for SMEs to this market are transposed into Energy Efficiency Law. In this Law provision that for state and municipal institutions now is possible to sign ESCO agreements not longer than for 20 years has been included. This provision will help mentioned above institutions to develop public procurement agreements on long term conditions.</p>
Article 19	<p>As about 90% of all flats in multifamily buildings are private properties rental sector is very small in Latvia and split incentives are not the priority. The main problem is to organize private flat owners in residential</p>

¹³ <http://likumi.lv/doc.php?id=12483>

¹⁴ <http://likumi.lv/doc.php?id=63836>

¹⁵ <http://likumi.lv/doc.php?id=193573>

¹⁶ <http://likumi.lv/doc.php?id=185789>

¹⁷ <http://likumi.lv/doc.php?id=255935>

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	<p>house management societies and to make the decision on multifamily building energy efficient renovation. Provisions regarding implementation of energy efficiency measures in multifamily buildings are included in these documents:</p> <p>1) Law on Administration of Residential Houses; 2) Law on Residential Properties 18.</p> <p>Provisions regarding implementation of energy efficiency measures in municipalities are included in these documents:</p> <p>1) Guidelines for energy sector planning in municipalities 19; 2) Green procurement Promotion Plan 2015-2017 20; 3) Guidelines for the promotion of environmentally friendly construction process 21.</p>
Article 20	<p>Article 7 of Energy Efficiency Law determines that state or municipality can establish Energy Efficiency fund. The Regulations of Cabinet of Ministers regarding structure, financing sources and operation of the Fund are under development.</p>

2.2. Non-legislative provisions

In addition to legal implementation, what other measures are taken, are there any additional instruments?

Are there any national co-operation mechanisms: working together with others in order to enhance EED implementation? Voluntary agreements?

In December 2, 2013 Cabinet of Ministers adopted “The Concept of transposition of the requirements of the Directive 2012/27 / EU on energy efficiency and amending Directive 2009/125 / EC and 2010/30 / EU and repealing Directives 2004/8 / EC and 2006/32 / EC in the national legislation”. According to the Concept Latvia will introduce Energy Efficiency obligation scheme in combination with alternative measures. Alternative measures action plan will include all energy efficiency measures implemented in different ministries or in co-operation with ministries and municipalities. The regulations are now in development.

3. Future activities

As Latvia has not implemented all the requirements of department of Renewable Energy and Energy Efficiency of the Ministry of Economic Affairs is still working on new regulations.

4. Relevant information

Ministry of Economic Affairs²² is responsible for the full implementation of the EED. National Energy Efficiency Action Plan²³ was submitted to European Commission. “Guidelines for Energy Sector Development 2016-2020”²⁴ was adopted in 2016.

¹⁸ <http://likumi.lv/doc.php?id=221382>

¹⁹ https://www.em.gov.lv/lv/nozares_politika/energoefektivitate_un_siltumapgade/energoefektivitate/pasvaldibu_energoplani/

²⁰ <http://likumi.lv/ta/id/272295-par-zala-iepirkuma-veicinanas-planu-2015-2017-gadam>

²¹ <http://www.iub.gov.lv/lv/node/63>

²² <https://em.gov.lv/>

²³ <https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficiency-directive/national-energy-efficiency-action-plans>

²⁴ <http://tap.mk.gov.lv/lv/mk/tap/?pid=40342629&mode=mk&date=2016-02-09>