

D9: EED implementation in Austria

In Austria, under the constitutional division of powers, the implementation of the EED is the responsibility of the Federal Ministry of Economy, Family and Youth and the respective governments of the nine federal provinces.

Legal context

There is an obligation of the federal state and federal provinces to issue legislation that is required to implement the EED and achieve the national energy consumption goal in 2020.

A draft for a federal energy efficiency act implementing most Articles of the EED was finalised and processed by the ministerial council to the Austrian parliament for discussion and adoption in summer 2013. However the act was not discussed in the parliament before the federal elections in autumn 2013 (see also “Future planning”).

Concerning the 9 Austrian provinces legislation is in preparation that assigns the requirements of EED also to the provinces.

Status of the implementation

See legal context: legislation is mainly in preparation and not concluded yet. In the table below some aspects of implementation already in force are mentioned.

Table	
Article 3	Austria has reported an indicative national target expressed in final energy consumption in the year 2020 of 1,100 PJ. This roughly means stabilising final energy consumption on the 2005 level.
Article 4	The legal competence for this Article lies to a large extent with the federal provinces. The provinces will report to the federal state on the implementation of this Article by mid-March 2014.
Article 5	Austria opts for the alternative approach according to Article 5, paragraph 6.
Article 6	An obligation for the public sector is incorporated in the federal procurement law (last revised in 2013) which states that the procurement has to incorporate “environmental security” by (1) covering ecological aspects (like energy efficiency) in the specification, (2) the technical specification or by (3) bonus/deduction criteria relating ecological aspects. Different federal provinces have developed sustainable public procurement policies (ÖkoKaufWien, Zentrale Beschaffung des Landes Oberösterreich, ÖkoBeschaffungsService Vorarlberg, etc.). At the federal level the program “klima:active” advises and supports procurement in the fields of IT („energieeffiziente geräte“), mobility management („Mobilitätsmanagement in der öffentlichen Verwaltung“) and public buildings (“ecofacility”). Additionally, the federal government developed in 2009 an action plan for sustainable public procurement. The implementation and updating of the Action Plan will be equally shared by federal and state authorities.
Article 7	In the notification report on the 5 th December 2013 Austria reported plans to implement Article 7 with a combination of alternative measures. The implementation of an energy efficiency obligation scheme is therefore also

	possible.
Article 8	<p>At present no obligation for large companies to carry out energy audits is in force. The definition of minimum criteria for energy audits is under way.</p> <p>Austria has long tradition in the facilitation of energy audits for industry (large as well small and medium enterprises). Several institutions like the Energieinstitut der Wirtschaft, provincial promotional programmes, environmental and climate saving programs like klima:aktiv or the “Umweltförderung Inland”</p> <ul style="list-style-type: none"> • educate energy auditors • give advice and financial support for the audit and for the realisation of energy savings measures • run programs of emphasis like energy efficiency measures for pumps, compressed air <p>For households high quality energy audits (on-site audits) with qualified energy auditors are provided, in most of the Austrian provinces for free. These audit programmes are financed by federal and provincial governments as well as by energy suppliers.</p>
Article 9	For electricity an ordinance is in force regulating the introduction of smart meters. In the year 2019 95% of end customers shall be equipped with smart meters.
Article 10	This Article is already implemented by the heating cost billing act. The act requires minimum the information on energy bills.
Article 11	This Article is already implemented in Austrian legislation.
Article 12	The legal competence for this Article lies to a large extent with the federal provinces (households and space heating).
Article 13	As the requirements due to Article 7 to 11 are not in force also no sanctions and penalties are in place so far.
Article 14	The Federal Ministry of Economy, Family and Youth commissioned a study on the contents of Article 14. The study is still running. Austria notified the European Commission on the exemptions according to Article 14, paragraph 6.
Article 15	The Federal Ministry of Economy, Family and Youth commissioned a study on the contents of Article 15. The study is still running.
Article 16	The Federal Ministry of Economy, Family and Youth commissioned a study on the contents of Article 16. The study is still running.
Article 17	The legal competence for this Article lies with the federal provinces and federal state. The Ministry of Economy, family and Youth will send a questionnaire on the implementation of this Article to provinces.
Article 18	<p>The federal government launched a contracting initiative concerning federal buildings with energy service companies. This initiative covered a market volume of 500 buildings to be taken under contract by private energy service companies and performed a substantial market incentive to develop energy service products. Experience from this federal buildings programme is used in contracting projects also in non-governmental buildings and equipment. In some of the Austrian provinces financial support is given for contracting projects (de-minimis subsidies). An ecolabel for energy contracting was issued by the Ministry of Agriculture, Forestry, Environment and Water management and supports the market penetration of this service. An umbrella association for energy service companies provides service for their members: http://www.contracting-portal.at/show.php.</p> <p>Model contracts for energy savings as well as performance contracting are</p>

	under preparation and will be published soon.
Article 19	Article 19 is implemented via the building certificate submission law (BGBl. I Nr. 27/2012).
Article 20	<p>In Austria a lot of subsidy schemes targeted at energy efficiency measures are in place. Three examples are given below:</p> <ul style="list-style-type: none"> • The residential building subsidy scheme in Austria provides financial support for newly built and refurbished residential buildings. Total funds currently total more than €3 billion per annum. About 70% of this aid is financed by the federal government, the remaining 30% by the federal provinces. The level of financial support is dependent on compliance with criteria relating to energy indices (e.g. the thermal quality of the building shell). • Apart from the residential building subsidy scheme federal provinces have additional subsidy schemes for energy efficiency measures. For example energy advice is subsidised both for households and companies. • The Climate and Energy Fund, that was funded in the year 2007 for the purpose to improve energy efficiency and to increase the proportion of renewable energy sources in the production of energy, has provided €730 million between 2007 and 2012. In the year 2013 €140 million were used for the funding of sustainable energy and transport projects. • As in the years 2009 to 2013 the Federal Government will provide in 2014 about €100 million extra for the funding of refurbishing buildings (additionally to the money from the building support scheme that is mentioned above). Of these funds €70 million are earmarked for the retrofit of residential buildings.

Table 1 – Title

Additional efforts

There exists already a large number of measures for improving energy efficiency, such as an active climate protection programme ("klima:aktiv") as well as energy concepts at the federal and state level. More information on national policy measures in the framework of the EED will be displayed in the Austrian Energy Efficiency Action Plan 2014.

Future planning

New national measures, with a view to implementing the EU's Energy Efficiency Directive and notably its target of 1.5% annual increase in energy efficiency with regard to end-user sales from 2014 to 2020 will be introduced by a new **Federal Energy Efficiency Act** which will be passed by parliament before June 2014.

As of 1st January 2014, energy suppliers (maybe with the exception of very small businesses) must implement demonstrable measures to increase energy efficiency.

Medium- and large-scale consumers must either implement an energy management system or be subject to an energy audit every four years. Small businesses are exempt from these requirements, but can choose to voluntarily introduce energy saving measures.

Relevant information

Federal Ministry of Economy, Family and Youth: www.en.bmwfj.gv.at

Monitoring body: www.monitoringstelle.at

Information on bottom up methods (in English) in Austria: <http://www.monitoringstelle.at/Bottom-Up.500.0.html>

Austrian Energy Agency: www.energyagency.at