

EED implementation in Spain

Introduction

Spain is fully committed to the objectives of energy efficiency arising from Directive 2012/27/UE, leading to achieve 20% savings target in terms of primary energy by 2020 for the whole of the European Union. As required in Article 3 of this Directive, Spain set and communicated to the European Commission the indicative national targets for 2020, in terms of primary and final energy.

The above set objectives continue those policies and measures on energy efficiency developed during the last decade in Spain, which allowed anticipate the target set by Directive 2006/32/EC by 2016 to 2010. The results of these policies and measures are extensively detailed in the Action Plan for Energy Efficiency 2014-2020, submitted to the European Commission.

The Action Plan for Energy Efficiency 2014-2020 comprises a wide range of saving and energy efficiency measures that are being implemented, with varying degrees of progress, despite the restrictions imposed by the current economic scenario. Thus, as from remission of Report on the National Energy Efficiency Target 2020 to the European Commission required by 2012/27/UE Directive Article 3, Spain has continued working in the promotion of energy efficiency, with special emphasis on transport and building sectors.

1. Legal context

To implement the EED, changes have been made to different regulations and legal provisions and a new decree and a national law have been approved to transpose the Directive. These legal provisions are mentioned article by article in the next paragraph, being the most important ones the Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply, and Law 18/2014 for all these questions related to the energy efficiency obligations scheme (art. 7, EED) and Energy Efficiency National Fund (art. 20, EED).

2. Status of the implementation

2.1. Legislative provisions

This table contains information on how the EED has been implemented article by article, including any relevant web links.

EED Article	Implementation status
Article 2 (Definitions)	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply (paragraph I).</p> <p>Law 6/1997 of 14 April, on the organization and operation of the General State Administration (art. 41-44, Title II).</p>

	<p>Law 18/2014, of 15 October, approving urgent measures for growth, competitiveness and efficiency (art. 69, 71).</p> <p>National Energy Efficiency Plan (paragraph 4.1.6).</p> <p>Law 24/2013 on the Electricity Sector (arts. 6, 7, 30, 38, 40).</p> <p>Law 34/1998 on the Hydrocarbons Sector (art. 58).</p> <p>Royal Decree 1110/2007, 24th August, approving the Regulation of metering points of the electrical system (art. 3).</p> <p>Royal Decree 616/2007, 11th May, on the promotion of cogeneration (art. 2).</p>
Article 4	<p>In fulfilment of Article 4 the Ministry of Development has presented, within the framework of this 2014–2020 National Energy Efficiency Action Plan, a 'Spanish Strategy for Energy Renovation in the Building Sector'.</p> <p>This is a long-term strategy (including forecasts for 2020, 2030 and 2050) which will be updated every three years, the aim of which is to stimulate investments in the renovation of residential and commercial buildings with a view to improving the energy performance of the national stock of buildings. With this in mind, it gives an in-depth analysis of how to take on exhaustive and cost-effective renovations which could potentially reduce consumption in terms of both the energy supplied to buildings and their final energy level. According to the Directive, this strategy shall encompass: (a) an overview of the national building stock based, as appropriate, on statistical sampling; (b) identification of cost-effective approaches to renovations relevant to the building type and climatic zone; (c) policies and measures to stimulate cost-effective deep renovations of buildings, including staged deep renovations; (d) a forward-looking perspective to guide investment decisions of individuals, the construction industry and financial institutions; (e) an evidence-based estimate of expected energy savings and wider benefits.</p>
Article 5	<p>The inventory of heated and/or cooled central government buildings has been elaborated and published as it is stated in article 5 (firstly including those with a total useful floor area over 500 m² and secondly including also those over 250 m²) and is available at the following link on the Ministry of Industry, Energy and Tourism website: http://www.minetur.gob.es/energia/desarrollo/EficienciaEnergetica/directiva2012/Paginas/actuaciones-transposicion.aspx</p>
Article 6	<p>Law 15/2014, September 16th, for public sector rationalization and other measures of administrative reform. This law establishes the principles and energy efficiency requirements for the procurement of goods, services and buildings by public administrations within the State Public Sector: https://www.boe.es/boe/dias/2014/09/17/pdfs/BOE-A-2014-9467.pdf</p>
Articles 7 and 13	<p>Regarding article 7, Royal Decree Law 8/2014, July 4th, for the approval of urgent measures for growth, competitiveness and efficiency (https://www.boe.es/diario_boe/txt.php?id=BOE-A-2014-7064), approved afterwards by Law 18/2014, October 15th (https://www.boe.es/diario_boe/txt.php?id=BOE-A-2014-10517), established the system of energy saving obligations (art. 69.1) and set up, in accordance with Article 20 of Directive 2012/27/EU, the National Energy Efficiency Fund (art. 72.1), under the Ministry of Industry, Energy and Tourism (art. 73.1).</p> <p>According to the Law 18/2014, the obligated parties (gas and electricity trading companies,</p>

	<p>petroleum product wholesale and operators of liquefied petroleum gas wholesale) should do an annual financial contribution to the Fund for fulfilling with energy savings obligations (art. 71.1).</p> <p>Alternatively, in the terms legally regulated by the Government, a mechanism based on the presentation of Energy Saving Certificates (art. 71.2) may be established. However, it should be noted that, to date, the regulatory provisions that will establish this mechanism have not yet been approved.</p>
Article 8,16	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p> <p>http://www.boe.es/boe/dias/2016/02/13/pdfs/BOE-A-2016-1460.pdf</p> <p>The Royal Decree consists of fourteen articles, grouped into five chapters, four additional provisions, two transitional provisions, seven final provisions and five annexes.</p> <p>Chapter I, under the heading "General Provisions," sets the object and purpose of this Royal Decree, and the necessary definitions for the proper interpretation of the text.</p> <p>Chapter II, "Energy Audits", contains the regulation of them. This Royal Decree establishes the obligation for companies not SMEs, which must do an energy audit before December 5th, 2015 and thereafter at least every four years from the date of previous energy audit. Requirements to be met by the audit are also established. An Administrative Registry of Energy Audits is created in the Ministry of Industry, Energy and Tourism and an inspection system is established.</p> <p>Chapter III, "Accreditation system for providers of energy services and energy auditors" regulates the conditions and requirements to be applied in the accreditation of these suppliers and auditors.</p> <p>Chapter IV, "Promotion of energy efficiency in the production and use of heat and cold" regulates the assessment of high-efficiency cogeneration potential and district heating and cooling to be performed in order to provide information to investors regarding the national development plans and contribute to a stable and supportive environment for investment.</p> <p>Chapter V, "Penalties", relates to the penalties for the provisions defaults of this Royal Decree.</p> <p>The provisions included in the Royal Decree impact on the assessment of energy efficiency potential in the gas infrastructure, establish deadlines and dates for the mandatory implementation of the articles contained in the Royal Decree and modify existing legislation to incorporate aspects of energy auditing, the system of accreditation of providers of energy services and energy auditors and accounting for consumption of hot water and heating, provided by Directive 2012/27/UE.</p>
Article 9	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p> <p>Law 24/2013, December 26th, on the Electricity Sector. Title VIII. Power supply.</p> <p>Royal Decree 1955/2000, December 1st, by which the transmission, distribution, marketing, supply and authorization procedures for electric power facilities are regulated. Title VI Supply. (Art. 93).</p> <p>Royal Decree 1110/2007, August 24th, approving the unified regulation on metering points of the electrical system (art. 6, 9).</p> <p>Royal Decree 1718/2012, December 28th, which determines the procedure for reading and billing energy supplies low voltage with contracted power not exceeding 15 kW.</p> <p>Royal Decree 216/2014, March 28th, establishing the methodology for calculating voluntary prices for small electricity consumers and its legal procurement regime is established.</p>

	<p>Royal Decree 738/2015, July 31th, by which the activity of electricity production and clearance procedure in the electrical systems of non-peninsular territories is regulated.</p> <p>Royal Decree 1085/2015, December 4th, to promote biofuels (ninth additional provision, final provision third, additional provision eighth).</p> <p>Order ITC / 3992/2006, December 29th, establishing the tariffs for natural gas and manufactured gases by pipeline, meter rental and connection fees for consumers connected to pressurized networks with a supply equal to or below set 4 bar (art. 18).</p>
Article 10	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p> <p>Royal Decree 1435/2002, December 27th, in which the basic conditions of power purchase contracts and access to low voltage networks are regulated. (Art. 7).</p> <p>Resolution of 2 June 2015 (State Energy Secretariat), amending certain operating procedures approved for the treatment of data from equipment type 5 measurement for billing and settlement of energy.</p> <p>Royal Decree 1074/2015, November 27th, by which different provisions are amended in the electricity sector (art. 2).</p>
Article 11	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p> <p>Law 24/2013, December 26th, on the Electricity Sector. Title VIII. Power supply.</p> <p>Royal Decree 1955/2000, December 1st, by which the transmission, distribution, marketing, supply and authorization procedures for electric power facilities are regulated. Title VI Supply.</p> <p>Royal Decree 1718/2012, December 28th, which determines the procedure for reading and billing energy supplies low voltage with contracted power not exceeding 15 kW.</p> <p>Royal Decree 216/2014, March 28th, establishing the methodology for calculating volunteers prices for small electricity consumers and its legal procurement regime is established.</p>
Article 14 and Annex X	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply. http://www.boe.es/boe/dias/2016/02/13/pdfs/BOE-A-2016-1460.pdf</p> <p>Chapter IV, "Promotion of energy efficiency in the production and use of heat and cold" regulates the assessment of high-efficiency cogeneration potential and district heating and cooling to be performed in order to provide information to investors regarding the national development plans and contribute to a stable and supportive environment for investment.</p> <p>The second additional provision determines the obligation to make a comprehensive assessment of the use of high efficiency cogeneration and an efficient district heating and cooling. The second final provision modifies the Royal Decree 616/2007, May 11th, on the promotion of cogeneration.</p> <p>Order ITC / 1522/2007, May 24th, by which the regulation of a origin guarantee of electricity from renewable energy sources and high efficiency cogeneration is established (Art. 3, 4, 6).</p> <p>Royal Decree 413/2014, June 6th, by which production activity of electric power from renewable energy sources, cogeneration and waste is regulated (art. 27).</p>

Article 15 and Annex XI and XII	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p> <p>Law 24/2013, December 26th, on the Electricity Sector. (Art. 9, 14.8, 16, 26,33, 46, 49).</p> <p>Royal Decree 413/2014, June 6th, by which production activity of electric power from renewable energy sources, cogeneration and waste is regulated (Arts. 6, 10).</p> <p>Order IET 2013/2013, October 31st, by which the competitive allocation mechanism management service demand interruptibility is regulated.</p> <p>Order IET 346/2014, March 7th, amending the Order IET / 2013/2013, of 31 October, by which the competitive allocation mechanism management service demand interruptibility is regulated.</p> <p>Royal Decree 1085/2015, December 4th, to promote biofuels (sixth additional provision).</p> <p>Royal Decree 661/2007, May 25th, by which the activity of electricity production under the special regime (art. 17, 33) is regulated.</p> <p>Royal Decree 216/2014, March 28th, establishing the methodology for calculating volunteers prices for small electricity consumers and its legal procurement regime is established.</p> <p>Royal Decree 900/2015, October 9th, by which the administrative, technical and economic conditions, of electric energy supply modalities with self-consumption are regulated.</p>
Article 16	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p>
Article 17	<p>Spanish NEEAP (paragraph 4.1.4).</p> <p>See some videos of the most recent campaign on energy efficiency, under the EED: http://www.lamoncloa.gob.es/serviciosdeprensa/cpci/Paginas/industria/idae-2015.aspx</p> <p>See also the 2016 national report on: https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficiency-directive/national-energy-efficiency-action-plans</p>
Article 18	<p>Royal Decree 56/2016, February 12th, which transposes the EED regarding energy audits, accreditation of service providers and energy auditors and promoting efficiency of energy supply.</p> <p>Spanish NEEAP (paragraph 4.1.6).</p> <p>Law 24/2013, December 26th, on the Electricity Sector. (Art. 40, 46, 49, 50, 65).</p>
Article 19	<p>Spanish NEEAP (paragraph 4.1.7).</p>
Article 20	<p>The National Energy Efficiency Fund is under the Ministry of Industry, Energy and Tourism through the State Secretariat for Energy.</p> <p>The Fund, which was established by Law 18/2014</p>

	<p>(https://www.boe.es/diario_boe/txt.php?id=BOE-A-2014-10517) aims at financing mechanisms for economic, financial, technical assistance, training, information or other measures to increase energy efficiency in the different energy-consuming sectors so that contribute to the national energy savings target established by the National System of Energy Efficiency Obligations under Article 7 of Directive 2012/27/EU.</p>
Annex VII	<p>Royal Decree 1718/2012, December 28th, which determines the procedure for reading and billing energy supplies low voltage with contracted power not exceeding 15 kW.</p> <p>Royal Decree 216/2014, March 28th, establishing the methodology for calculating volunteers prices for small electricity consumers and its legal procurement regime is established.</p> <p>Royal Decree 1164/2001, October 26th, in which access tariffs to transmission and distribution of electricity are established (Art. 5).</p> <p>Law 24/2013 on the Electricity Sector (arts. 44, 46).</p> <p>Resolution of 23 May 2014, from the General Directorate of Energy Policy and Mines, in which the minimum content and the electricity bill model is established.</p> <p>Royal Decree 1955/2000, December 1st, by which the transmission, distribution, marketing, supply and authorization procedures for electric power facilities are regulated. Title VI Supply. (Art. 110a).</p> <p>Royal Decree 1434/2002, December 27th, by which the activities of transportation, distribution, marketing, supply and authorization procedures for natural gas installations are regulated (Art. 51, 52, 53).</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?

The National Energy Efficiency Fund includes the following action lines:

- Aid program for municipal street lighting. Loans at an interest rate of 0.0% for renovation projects of municipal street lighting installations (with a minimum of 300,000 euros and a maximum of 4 million) to reduce energy consumption by at least 30%, reaching A or B energy qualification, regulate lighting levels and adapt the facilities to the energy efficiency criteria of the Regulation on Energy Efficiency in Exterior lighting installations. See:

<http://www.idae.es/index.php/recategoria.4037/id.855/reلمenu.449/mod.pags/mem.detalle>

- Aid program for SMEs and large enterprises in industry sector. This line promotes measures to reduce the final energy consumption and CO₂ emissions through the implementation of projects on energy efficiency saving in industry (improving both equipment and process technology and energy management systems), covering up to 30% of eligible cost. See:

<http://www.idae.es/index.php/recategoria.4037/id.856/reلمenu.449/mod.pags/mem.detalle>

- Incentive program for modal shift and transport modes. It aims to encourage the implementation of sustainable transport plans, improving the management of road transport fleets and performing efficient driving courses for professionals (minimum 200 students).
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<http://www.idae.es/index.php/relcategoria.4037/id.857/relmenu.449/mod.pags/mem.detalle>

- Aid program for energy efficiency in the railway sector. Improving energy efficiency in the rail sector through energy recovery from regenerative brakes, improving energy efficiency in buildings, lighting of tunnels, galleries, platforms and parking, introduction of more energy efficient technologies in signing and beaconing, etc.

<http://www.idae.es/index.php/relcategoria.4037/id.886/relmenu.449/mod.pags/mem.detalle>

- Aid program for energy efficiency in desalination plants. Aims reducing energy consumption in the water cycle, with special attention to desalination.

<http://www.idae.es/index.php/relcategoria.4037/id.887/relmenu.449/mod.pags/mem.detalle>

- Communication campaign.

In addition to these programmes (founded by the National Energy Efficiency Fund) the PAREER-CRECE program is directed to support investments on energy renovation of existing buildings. This program aims to act in any type of buildings, improving the energy efficiency of the thermal envelope or the heating and lighting installations, and the replacement of conventional energy by solar, biomass, aerothermal, geothermal or hydrothermal in HVAC systems. See: <http://www.idae.es/index.php/id.858/relmenu.409/mod.pags/mem.detalle>.

See complete presentations of these programmes on:

<http://www.idae.es/index.php/id.883/relcategoria.4037/mod.pags/mem.detalle>.

Other administrative provisions approving measures for supporting energy efficiency by the General State Administration:

- Law 8/2013 of 26 June 2013 on rehabilitation, regeneration and urban renovation.
- MOVELE: direct subsidies for the purchase of electric vehicles, as part of the 2010–2014 Action Plan under Spain's 2010–2014 Integrated Electric Vehicle Stimulus Plan.
- Order FOM/1635/2013 of 10 September 2013 updating basic document DB-HE 'Energy Saving' of the Technical Building Code, approved by Royal Decree 314/2006 of 17 March 2006.
- Order INT/229/2013 of 25 November 2013 amending Annexes I, V, VI and VII to the General Driver Regulations approved by Royal Decree 818/2009 of 8 May 2009, and Order INT/2323/2011 of 29 July 2011 regulating training for progressive access to the class A driver's licence.
- PIMA AIRE: direct assistance under the 'PIMA Aire' environmental stimulus plan for the purchase of more efficient commercial vehicles.
- PIMA SOL: provides carbon credits through the carbon fund for a sustainable economy for energy renovation projects in the hotel industry.
- PIVE (Efficient Vehicle Incentive Programme): programmes of public aids managed by IDEA which aimed to encourage the scrapping of passenger vehicles (M1) and commercial vehicles under 3.5 T (N1) at least 12 and 10 years old, respectively. The incentive was related to the purchase of new category M1 and N1 vehicles in energy class A and B, for category M1 vehicles, and with CO₂ emissions less than 160 g/km for category N1 vehicles.

- Royal Decree 233/2013 of 5 April 2013 regulating the state plan for the promotion of rental housing, building restoration and urban regeneration and renovation for the 2013–2016 period.
- Royal Decree 235/2013 of 5 April 2013 approving the basic procedure for the energy efficiency certification of buildings.
- Royal Decree 238/2013 of 5 April 2013 amending certain articles and technical instructions of the Regulation on Building Heating Installations (RITE), approved by Royal Decree 1027/2007 of 20 July 2007.

3. Future activities

Future activities will include programmes of public support funded by the National Energy Efficiency Fund, taking into account the contributions that obligated parties are making in 2016 according to the Order IET/359/2016, March 17th, which establishes the obligations to contribute to the National Energy Efficiency Fund in the year 2016: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2016-2750