



Brussels, 10th March 2021

Dear Commissioner Simson,

Dear Director-General Jorgensen,

We are writing this letter on behalf of the European Building Automation and Controls Association (eu.bac), in order to express the concerns of our industry on the considerable delays in the transposition of the revision of the Energy Performance of Buildings Directive (Directive (EU) 2018/844, also referred to with the acronym EPBD).

Allow us to start by praising the new initiatives announced by the Commission in the framework of the Renovation Wave: we enthusiastically support them and we are committed to make our contribution as an industry in order to achieve GHG emissions reduction of at least 55% by 2030¹. While we are all focused on developing the most effective policies for the future, we must not lose sight of the ones that are intended to deliver change in the short term.

The revised EPBD, which entered into force on 30 May 2018, constitutes a milestone in the EU ambition to modernise and decarbonise the building stock. It contains measures that can have a tremendous impact on the building stock: the BACS measures alone (in articles 8, 14 and 15)², could lead to annual savings corresponding to 14% of the total building primary energy consumption (peak in 2038)³ with €36 billion energy bill savings triggered and the value of energy savings exceeding the value of investments by a factor of 9.

Unfortunately, even though the deadline to transpose the Directive expired exactly one year ago, many Member States have still not fully implemented this legislation. This results in high uncertainty for investors and professionals who are left to find their way through measures that are already approved at the European level but are still to be implemented at national level. Art.14/15 par.4 requires all non-residential buildings, existing and new, with an effective rated output > 290kW, to be equipped with certain BACS capabilities by 2025. Some Member States did not implement this measure at all, while others implemented it without providing any “clearly identified, framed and justified”⁴ parameters for defining feasibility⁵ nor specifying how to identify whether a BACS can implement the capabilities required by the Directive. The delay in implementation has a negative effect on the environmental benefits expected from these already approved measures and is also creating an extremely unfair situation for investors and professionals: the first can end up spending money today on systems that will need to be replaced tomorrow and the latter risk being overburdened with short notice project requests when the 2025 deadline approaches. The same is true for paragraphs pertaining to self-regulating devices and optimization of technical building systems in art.8, which many countries have not yet transposed.

As eu.bac, since the EPBD was first approved, we have supported member states’ efforts by providing our expertise. In 2019 we released the eu.bac guidelines for transposition⁶, followed by the EPBD BACS Compliance Verification Package⁷ in November 2020, which is a highly detailed checklist with supporting tools. These provide a reference list aimed at supporting national compliance inspectors, building owners, BACS designers and policymakers to understand how to check compliance with the EPBD requirements.

We understand the challenges for Member States in this difficult year, but the emergency to curve GHG emissions in the next decade means the EPBD implementation cannot be postponed any longer. We, therefore, urge the European Commission to ensure full implementation of the Directive in the Member States, putting in place all the necessary initiatives as soon as possible. eu.bac will continue to support your efforts in working to achieve an energy-efficient, decarbonised, digitalized and future-proof building stock.

Yours sincerely,

Dr. Peter Hug

Dan Napar

Simone Alessandri

Managing Director

President

Deputy Managing Director

¹ [eu.bac 3-pager on the Renovation Wave](#)

² According to the [Waide Study on the Impact of the Revision of the EPBD on energy savings from the use of building automation and controls](#)

³ Additional relevant figures: 64 Mt CO2 annual savings (peak in 2030) and 450 TWh annual final energy savings (peak in 2035)

⁴ [COMMISSION RECOMMENDATION \(EU\) 2019/1019](#) of 7 June 2019 on building modernisation (paragraph 2.3.4, page 23)

⁵ An exception is represented by France, which has successfully implemented the art.14/15 par.4 in 2020, setting up a requirement for BACS deployment to be considered as economical feasible when the return on investment is below six years

⁶ [eu.bac Guidelines for the transposition of the new Energy Performance Buildings Directive \(EU\) 2018/844 in Member States](#)

⁷ [eu.bac EPBD BACS Compliance Verification Package](#)