



ENERGY EFFICIENCY LEGISLATIVE FRAMEWORK IN ROMANIA

- UPDATE JULY 2019 -

➤ Primary legislation on energy efficiency

➤ **Transposition of Directive 2012/27/UE**

In August 2014 entered into force the **Law no. 121/2014 on energy efficiency**. The Law transposes the European Union regulations set out under Directive 2012/27/UE regarding energy efficiency, into national legislation. The main purpose of the Law is to establish a coherent legislative framework for the development and application of the national energy efficiency policy in order to achieve the national target for increasing energy efficiency.

The established measures for energy efficiency apply to: primary resources, production, distribution, supply, transmission and final consumption.

In June 2016 was published in the Official Journal of Romania **Law no. 160/2016 for amending and completing Law no. 121/2014 on energy efficiency**.

National Energy Efficiency Action Plan

The National Energy Efficiency Action Plan (2014-2020) was approved by Governmental Decision no. 122/2015 -

https://ec.europa.eu/energy/sites/ener/files/documents/NEEAP%20Romania_en%20version.pdf

The updated National Energy Efficiency Action Plan (NEEAP IV) 2017-2020 was drawn up by the institutions which implement energy efficiency measures (Ministry of Regional Development and Public Administration, Ministry of Economy, Ministry of Transport, Ministry of Energy, Ministry of Agriculture and Rural Development, ANRE-DEE, economic operators and associations of economic operators) and submitted to the European Commission in December 2017; The NEEAP IV was approved by Governmental Decision no. 203/03.04.2019 and published in the Official Journal of Romania, Part I, No. 273 bis from April 10th. 2019.

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

The Romanian Energy Regulatory Authority - ANRE is an autonomous administrative body under Parliamentary control, entirely self-financed and independent as regards its decision-making process, organisation and functioning, whose scope of activity is to issue, approve and monitor the implementation of the national-wide binding regulatory framework required for the proper functioning of the electricity, heat and natural gas sectors and markets in terms of efficiency, competition, transparency and consumer protection.

The Energy Efficiency Department – DEE operates within the **Romanian Energy Regulatory Authority** in accordance with the provisions of **Law 121/2014 on energy efficiency**, including subsequent amendments and additions and ANRE's Order no. 95/2014, regarding the establishment of the Energy Efficiency Department within ANRE and the appointment of the head of the Department, including subsequent amendments and additions.

Main attributions and responsibilities:

- + developing policy proposals and secondary legislation in the field of energy efficiency;
- + monitoring the state of implementation of the National Energy Efficiency Action Plan and related energy efficiency improvement programs at national level as well as energy savings resulting from the provision of energy services and other measures for improving energy efficiency;
- + ensuring market surveillance of equipment and appliances for which there are specific regulations on energy efficiency and eco-design;
- + cooperation with national and international bodies to promote efficient usage of energy and reduce negative environmental impacts;
- + annual transmission of the progress report on the achievement of the national energy efficiency targets to the Government, by the 30th of April, starting with 2015;
- + the development of technical standards and regulations in order to increase energy efficiency in all areas of activity;
- + authorization of energy auditors and certification of energy managers;
- + making available to the public and periodically updating the list of available energy service providers that are qualified and/or certified and their qualifications and or certifications;
- + participation in the technical evaluation, approval and monitoring of investment projects in the field of energy efficiency;
- + developing the synthesis of the stage of the implementation of energy efficiency programs by economic operators;
- + cooperation with competent institutions to carry out short, medium and long term evaluations on the evolution of the supply demand ratio and the calculation of energy efficiency indicators at national level;
- + promoting the use of renewable energy sources to consumers through complementary regulatory actions;
- + developing, including by co-financing from the state budget or from own sources, studies to support national energy efficiency programs and participation in projects declared eligible in the framework of energy efficiency and renewable energy programs initiated by international bodies;
- + participation in the substantiation of the indicative energy savings targets and of the measures to achieve them;
- + monitoring of voluntary agreements initiated by competent authorities;
- + supporting, in cooperation with the National Agency for Public Procurement, central governments to meet the obligation to purchase only products, services and buildings with high energy-efficiency performance, insofar as that is consistent with cost-effectiveness, economical feasibility, wider sustainability, technical suitability, as well as sufficient competition;
- + supporting competent authorities in developing energy efficiency improvement programs.

➤ Secondary legislation on energy efficiency issued by Energy Efficiency Department of the Romanian Energy Regulatory Authority

✚ **Decision ANRE no. 1111/2017** on amending and completing the Decision 2794/2014 regarding the approval of Regulations for attestation of energy managers and accreditation of companies providers of energy services and Regulations for authorization of energy auditors in industry.

Among other amendments and completions, the Regulation introduced the “Accreditation and authorization procedure for the energy services providing companies” thus amending Section 3, Chapter IV of Decision 2794/2014 (<https://www.anre.ro/en/energy-efficiency/legislation/energy-efficiency-legislation1438862283>).

In order to obtain the authorization of an energy services providing company, the legal person presents the following documents:

- a) Application for the authorization of an energy services providing company, according to the model set out in Annex no. 5
- b) A copy of the document proving the payment of the documentation analysis fee
- c) A copy of the Registration certificate issued by the National Trade Register Office
- d) An original confirmation of company details or a certified copy of the registration and current state of the applicant economic operator issued by the National Trade Register Office no later than 10 calendar days before the submission date to the competent authority
- e) A copy of the energy manager certificate of the person employed by the applicant legal entity
- f) The certified copy “according to the original” of the individual labour contract of the energy manager employed by the applicant legal entity
- g) The criminal record of the legal person requesting the authorization.

The Regulation also introduced the Scoring criteria and scoring notation for the energy management project for industry (Annex 1) and Award criteria and scoring notation of the energy management project for municipalities with more than 20000 inhabitants (Annex 2).

Model for assessment form regarding the activity performed by the energy services providing company with which the beneficiary has concluded an energy management contract.

The form is completed in 3 copies, one remains with the beneficiary and two copies are delivered to the energy services providing company which sends ANRE a copy together with the annual report on the energy management contracts.

Model for assessment form regarding the quality of the energy audit

The form shall be completed in 3 copies, one shall remain with the beneficiary and two copies shall be returned to the economic operator who shall send a copy to ANRE together with the documentation for the extension of the authorization of the energy auditor legal person (including PFA). The form is submitted in a copy “according to the original” also by the energy auditor natural person hired at the energy auditor legal person, when submitting the documentation for the extension of the authorization.

Decision ANRE no. 2123/2014 Guide for energy audit

- it includes minimum criteria for energy audits according to Energy Efficiency Directive 27/2012/CE;
- transport companies or those who have a fleet have also the obligation to carry out energy audits on fleet regarding: fleet composition, technical characteristics of vehicles, number of hours of operation of a vehicle for a reference period, specific indicators such as tonnes/km or persons/km, energy consumption and its reduction possibilities, maintenance programs, programs route optimization, training of drivers.

Decision ANRE no. 7/2015 – approves the models for the establishment of the Program of energy efficiency measures for the municipalities with more than 5.000 inhabitants.

Decision ANRE no. 8/2015 – approves the models for the establishment of the Program of energy efficiency measures for industrial units.

Decision ANRE no. 366/06.03.2019 –approves the models for the annual energy consumption statement and analysis questionnaire of the energy consumer.

The models shall be submitted annually, in both printed and electronic versions, until the 30th of April.

Order ANRE no. 53/2017 on the approval of the Regulation for the authorization of legal entities that carry out installation and operation activities of the heating and hot water distribution systems in condominiums.

The Regulation establishes the conditions for the issuance, extension, modification, withdrawal or duplicate issuance for 4 types of licenses, as follows:

- Type I: for carrying out installation work on heating cost distribution systems
- Type II: for carrying out the operating activity of the heating cost distribution systems
- Type III: for carrying out the installation of hot water meters used as cost allocators
- Type IV: for carrying out the operation of the hot water meters used as cost allocators.

It also establishes the procedure for requesting and issuing of the 4 license types and the extending, modifying, suspending or withdrawal procedure for the same types of licenses.

Decision ANRE no. 1033/2016 regarding the approval of the minimum clauses – approves the minimum provisions that should be included within the energy management service provider agreements and within the energy management service provider agreements for local public authorities applicable to energy services providing companies and authorized natural persons.

This decision provides a tool that is useful to both the energy services provider and the beneficiary providing guidelines for both their demand of energy services and for their offer at a quality level.

In the energy management service provider agreement, besides the usual provisions, are set the obligations for the service provider, according to Law 121/2014 regarding energy efficiency, as well as the deadlines for reporting to ANRE.

In order to provide transparent information on the advantages and practical aspects of adopting energy efficiency improving measures, the **Energy Efficiency Information Point** was set up within the **Energy Efficiency Department of ANRE** on 23.03.2015.

Under the **Energy Efficiency Information Point**, the following information is available, specifically addressed to household energy consumers:

- European and national legislation related to energy efficiency;
- Information on energy saving, low costs and environmental protection from European energy efficiency projects carried out by ANRE;
- Energy-efficient and easy-to-change behaviour changes related to energy use for household electricity and natural gas consumption;
- Information on examples of good European practices applied by EU Member States regarding energy efficiency measures at the level of household energy consumers.

Contact details

Energy Efficiency Information Point

Romanian Energy Regulatory Authority

Energy Efficiency Department

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www.anre.ro

Relevant links to energy efficiency documents:

- <https://www.anre.ro/en/energy-efficiency/legislation/energy-efficiency-legislation1438862283>
- <https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficiency-directive/national-energy-efficiency-action-plans>
- https://ec.europa.eu/energy/sites/ener/files/documents/ro_annual_report_2019_en.pdf
- <https://www.anre.ro/en/energy-efficiency/newsletter>