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# EMCC

European Monitoring Centre on Change

## Austria: Employers' obligation to improve energy efficiency

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Austria

Phase:

Anticipation

Type:

Employers' obligation to improve energy efficiency

Last modified: 10 December, 2021

Native name:

**Bundes-Energieeffizienzgesetz; Klima- und Energiefondsgesetz; Klimaschutzgesetz**

English name:

**Federal energy efficiency act; Climate and energy fund act; Climate protection act**

### Article

whole legislation

### Description

#### Federa energy efficiency act

The federal energy efficiency act aims to achieve the national energy efficiency goal of the Austrian final energy consumption not exceeding 1,050 PJ in 2020. This act is to transpose the 2012 EU Energy Efficiency Directive, which aims to achieve an overall 20% reduction target by 2020, into Austrian national law.

Strategic measures include energy taxes, corporate environmental protection subsidy schemes, refurbishment activities/vouchers, housing and energy subsidies.

Most of the provisions of the energy efficiency act applicable to energy suppliers entered into force on 1 January 2015. For example, all energy suppliers (except for very small businesses with less than 50 employees or less than € 10 millions turnover and less than € 10 millions of total assets ) are obliged to conduct an external energy audit every four years, or alternatively set up a certified energy or environmental management system, to reach a target of 0.6% annual increase in the energy savings obligation system.

A minimum amount of compensation of €0.2/kWh will be required if the energy suppliers fail to provide proof for the required energy efficiency measures. The rate of compensation is determined by the average marginal cost and the minimum amount of compensation.

Administrative fines ranging from €10,000 to €100,000 will be imposed depending on the nature of an offence committed by an energy supplier. The offence varies from energy supplier not complying with its reporting obligations, providing false information to the monitoring body, failing to set up an advice and counselling centre for customers, to energy supplier failing to fulfil their individual energy saving obligation, not initiating tender proceedings or not making compensation payments in time.

#### Climate and energy fund act

The climate and energy fund act is intended to support the development of a sustainable energy system for Austria and the reduction of greenhouse gas emissions. It aims to reduce energy consumption by 25% by 2010 and 45% by 2020, and to improve energy intensity by at least 5% by 2010 and by 20% by 2020. The climate and energy fund is established to give financial support with a particular focus on three key areas: to research into renewable energy systems, to promote projects in developing environmentally friendly public transport systems, and to support projects in accelerating commercial climate mitigation measures.

#### Climate protection act

This federal regulation aims to support the coordinated implementation of effective climate protection measures, which will lead to a measurable, reportable and verifiable reduction of greenhouse gas emissions or enhancement of carbon sinks.

The act specifies the greenhouse gas emission thresholds for six sectors not covered under the EU Emissions Trading System (ETS) for the period 2008-2012 and the period 2013-2020: waste, energy and industry not covered under the EU ETS, fluorinated gas, buildings, agriculture, and transportation. A National Climate Protection Committee has been established under this act with main responsibility of advising on fundamental issues related to the Austrian climate policy, particularly on the long-term reduction of greenhouse gas emission, as well as on increasing energy efficiency and the share of renewable energy in final energy consumption.

## Comments

The federal energy efficiency act was adopted on 9 July 2014, with the required constitutional majority in the national council and was published on 11 August 2014. The act is expected to be revised in accordance with the current government programme.

Amendments to the climate and energy fund act was introduced in 2009. The amendments are namely on: Article 2 concerning the official representation of the fund; Article 6 dealing with members of the steering committee; Article 7 laying down provisions relating to the tasks of the committee; Article 8 on the composition of the advisory committee; and Article 15 concerning planning strategies.

The climate protection act was firstly amended in December 2013 and then amended in December 2015.

### Cost covered by

Companies  
National government

### Involved actors other than national government

Other

### Thresholds

No, applicable in all circumstances

### Sources

-  Energy efficiency act Austria 2014 (Climate policy database)
-  Mayer C. (2014), The 2014 Austrian Energy Efficiency Act: New challenges for suppliers in Austria
-  Lamper S. (2020), The Renewable Energy Law Review: Austria
-  Climate and energy fund act Austria 2007 (Climate policy database)
-  Consolidated federal law: Entire legal provision for the climate and energy fund act
-  Federal act amending the climate and energy fund act 2009
-  Climate protection act Austria 2011 (Climate policy database)
-  Consolidated federal law: Entire legal provision for the climate protection act
-  Criteria for Energy Suppliers (in German)
-  Stand der Umsetzung des Bundes- Energieeffizienzgesetzes (EEffG) in Österreich - Berichtsjahr 2020

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