



Notification Number: 2011/539/F

## **Decree on the thermal characteristics and energy performance of building constructions other than those covered by article 2 of the decree of 26 October 2010 on the thermal characteristics and energy performance of constructions**

Date received : 21/10/2011

End of Standstill : 23/01/2012

Issue of comments by : Commission

### **Message**

Message 002

Communication from the Commission - SG(2011) D/52466

Directive 98/34/EC

Translation of the message 001

Notification: 2011/0539/F

No abre el plazo - Nezhajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201102466.EN)

#### **1. Structured Information Line**

MSG 002 IND 2011 0539 F EN 21-10-2011 F NOTIF

#### **2. Member State**

F

#### **3. Department Responsible**

Délégué interministériel aux normes – SQUALPI – Bâtiment Le Bervil - 12, rue Villiot –

75572 PARIS Cedex 12

d9834.france@finances.gouv.fr

tél : 01 53 44 98 24



### 3. Originating Department

Direction Générale de l'Aménagement, du Logement et de la Nature  
Direction de l'Habitat, de l'Urbanisme et des Paysages  
Sous-Direction de la Qualité et du Développement Durable dans la Construction  
Bureau de la Qualité Technique et de la Réglementation Technique de la Construction  
Arche Sud - 92055 LA DEFENSE cedex  
FRANCE  
tél. : + 33 1 40 81 93 28  
fax : + 33 1 40 81 95 30  
courriel : david.juin@developpement-durable.gouv.fr

### 4. Notification Number

2011/0539/F - B10

### 5. Title

Decree on the thermal characteristics and energy performance of building constructions other than those covered by article 2 of the decree of 26 October 2010 on the thermal characteristics and energy performance of constructions

### 6. Products Concerned

The products in question are component elements of the shells of buildings, heating systems, domestic hot water production systems, cooling systems, energy production equipment using a renewable energy source, ventilation systems and lighting systems for premises.

### 7. Notification Under Another Act

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### 8. Main Content

The draft decree on the thermal characteristics and energy performance of building constructions other than those covered by article 2 of the decree of 26 October 2010 on the thermal characteristics and energy performance of constructions sets out the various regulatory requirements regarding energy performance, which are applicable to all new tertiary buildings with the exception of office buildings, educational establishments and early childhood establishments. The main requirements relate to a limitation of energy consumption across 5 consumption areas (heating, cooling, domestic hot water, lighting and auxiliaries), a simultaneous limit on energy requirements in heating, cooling and artificial lighting, and finally a summer discomfort limit. The resource requirements are equally imposed in order to ensure the significant impact of a practice.

### 9. Brief Statement of Grounds

The planning law of July 2005 setting out the direction of French energy policy of 13 July 2005 set the target of quartering building sector CO<sub>2</sub> emissions by 2050. The scheduling law of 3 August 2009 on the implementation of the environmental forum has completed and clarified the energy performance objectives for new buildings. It notably sets a maximum average primary energy consumption figure of 50 kWh/(m<sup>2</sup>.yr) for all new buildings. It is therefore necessary to tighten the requirements of the thermal regulations in order to reduce energy expenditure and the imbalances which result from it. It is therefore necessary to ensure that all new tertiary buildings achieve a very high level of energy performance corresponding to a very low level of consumption, in order to work towards positive energy buildings in 2020. In the context of implementation of Directive 2010/31/EU of 19 May



2010 on the energy performance of buildings, the regulatory provisions relating to the energy performance of new buildings must be set out. The object of the draft order is to establish the application date from which the regulatory requirements for tertiary buildings with the exception of office buildings, educational establishments and early childhood establishments, should become obligatory.

#### **10. Reference Documents - Basic Texts**

References to reference texts: Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings, Directive 2009/28/EC of 23 April 2009 on the promotion of the usage of energy from renewable sources, Planning law no. 2009-967 of 3 August 2009 on the implementation of the environmental forum, Code for construction and dwellings (articles L. 111-9, L.134-2, L. 151-1, \*R.111-2, R. 111-6, R.111-20 and R.131-28),

Decree no. 92-647 of 8 July 1992 amended concerning the suitability for use of construction products,

Decree no. 95-21 of 9 January 1995 on the classification of land transport infrastructure and amending the urbanism code and the construction and dwellings code,

Decree of 30 May 1996 on classification methods for land transport infrastructure and the acoustic insulation of residential building in sectors affected by the noise.

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

-

#### **16. TBT and SPS aspects**

TBT Aspect

Yes

SPS Aspect

No - The plan is not a sanitary or phytosanitary measure.

Catherine Day  
Secrétaire général



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

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Point de contact Directive 98/34

Fax: (32-2) 296 76 60

email: [dir83-189-central@ec.europa.eu](mailto:dir83-189-central@ec.europa.eu)