
Requirements, Legislation, Operations, Implications

Kevin O’Rourke
Head, Built Environment
Sustainable Energy Ireland
Sustainable Energy Ireland

- Statutory authority, established 1 May 2002

- Promoting and assisting sustainable energy:
  - Delivering programmes as directed by Government
  - Providing policy advice to Government
  - Networking with market players

- Five teams including Built Environment

- C. 50 full time staff, statutory Board

- Reporting to Dept. of Communications, Marine & Natural Resources
<table>
<thead>
<tr>
<th>PROGRAMME</th>
<th>FOCUS</th>
<th>PROGRESS INDICATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPBD implementation</td>
<td>Building Energy Rating, consumer information</td>
<td>Action Plan, legislation, BER, 10,000 consulted</td>
</tr>
<tr>
<td>House of Tomorrow</td>
<td>Innovation</td>
<td>&gt; 100 demo projects, 5000 homes, 8 LAPs</td>
</tr>
<tr>
<td>Low Income Housing</td>
<td>Affordable warmth</td>
<td>10,000 homes, network of 18 installers</td>
</tr>
<tr>
<td>Greener Homes Scheme</td>
<td>Renewable heating systems deployment</td>
<td>13,000 homes – biomass, solar, heat pumps</td>
</tr>
<tr>
<td>Bioheat &amp; CHP (non-domestic)</td>
<td>Small to medium scale deployment</td>
<td>29 bioheat projects, 9 CHP projects</td>
</tr>
<tr>
<td>Public &amp; Commercial Sector</td>
<td>Leadership, Capacity Building</td>
<td>150 projects, 30 professional practices</td>
</tr>
<tr>
<td>SEBNet/ Standards/ Certification</td>
<td>Industry led best practice</td>
<td>40 members</td>
</tr>
</tbody>
</table>
Under the Kyoto Protocol, Ireland’s target is to limit its greenhouse gas emissions to 13% above 1990 levels by 2012.
Ireland’s Greenhouse Gas Emissions

- Carbon Dioxide
- Methane
- Nitrous Oxide
- Industrial gases
- Forestry Sinks

KYOTO LIMIT

MTCO₂E


Down
Rationale for EPBD

Residential & Non-residential buildings

- 45% of Ireland’s energy use
- Energy spend €3 Billion p.a.
- 20Mt CO₂ emitted p.a.
- Energy saving potential >20%
Proven Success of Energy Labelling
The EPBD
Official Journal of the European Communities

EPBD Key Requirements

- Minimum energy performance requirements – new buildings & major renovations ("material alterations")
- BER and Advisory Report - new & existing buildings when constructed, sold or rented
- BER Public Service Buildings (continuous requirement)
- Feasibility assessment of Alternative Energy Systems (AES) (new buildings >1,000m²)
- Energy efficiency of boilers and heating systems (inspection or advice)
- Inspection of air-conditioning systems (>12 kW)
Summary of EPBD Requirements

Compulsory provision to (or by) building owners of:

- Information
- Advice
- Independent
- Actionable
Responsibility in Ireland

- Dept. of Environment, Heritage and Local Government
- Dept. of Communications, Marine & Natural Resources
- SEI
- Interdepartmental Working Group
  – now “Implementation Group”
Implementing Legislation

- Building Control Bill* & Regulations SI 875 of 2005 (Dec 05)
- Revised Building Regulations by SI 873 of 2005 (Dec 05)
- Revised Technical Guidance Document L (May 06)
- Inspection of A/C Systems Regulations by SI 346 of 2006 (June 06)

- Listed buildings etc. are EXEMPT
- “Major renovations”: requirements to be applicable to “material alterations”
Implementation in Ireland: Action Plan

Action Plan for Implementation of EPBD in Ireland published
July ‘06

www.sei.ie/epbd
Key Implementation Principles: Balance Requirements

Practicality
Cost

Clarity
Consistency
EPBD Action Plan Structure

Section 1:
Overview, Requirements, Principles, Timescale

Section 2:
Policy, Legislation

Section 3:
Institutional Arrangements

Section 4:
Technical Systems Development

Section 5:
Potential Impacts

Section 6:
Consultation, Promotion, Information

Appendices
Including Draft Timetable for Implementation
Proposed Timetable – Building Energy Rating (Section 2)

January 2007
- BER for new dwellings

July 2008
- BER for new non-residential buildings
- BER for new public service buildings

January 2009
- BER for existing dwellings
- BER for existing non-residential buildings
- BER for existing public service buildings

Transitional arrangements per the EC (Energy Performance Of Buildings) Regulations 2006 (Dec 06)
Proposed Timetable – Other Key Requirements (Section 2)

July 2006
- Minimum energy performance standards for major renovations
- Building energy performance standards [Phase 1]

January 2007
- Feasibility assessment of Alternative Energy Systems (AES)

January 2008
- Building energy performance standards [Phase 2]
- Energy efficiency of large boiler systems
- Inspection of large air-conditioning systems
Technical Systems Development Measures (Section 4)

National Methodologies
- Methods required for BER, boilers and air-conditioning

Feasibility Assessment of Alternative Energy Systems
- To apply to large new buildings >1,000m² from January 2007
- National study, software and guide to assist design teams

Software
- Software required for calculation and administration

Advisory Report
- Recommendations for energy performance improvements
Technical Systems Development Measures (Section 4)

Estimated Cost & Timescale (BER & Advisory Report)
- Cost - estimated at up to €300 per house for BER
- Target turnaround time <2 weeks for housing

Training and Accreditation of Assessors & Inspectors
- Certified assessors and inspectors required
- BER Residential Market: Estimate of up to 2,000 full and/or part-time assessors for housing alone
- Drawn from existing base of building professionals

Underpinning Systems
- National databases, Administration Systems, QA, auditing
Consultation, Promotion & Information (Section 5)

- Consultation with interested parties
- Information sessions/workshops
- Promotion and information campaign to be developed
- National EPBD website – www.epbd.ie
Responsibilities/ Implications for Building Control

• Building Regulations Part L compliance

• Building Energy Rating

• Alternative Energy Systems assessment
Main requirements relevant to dwellings

- Energy performance standards
- Energy performance of buildings methodology (DEAP)
- Feasibility alternative energy systems (Passes)
- Building Energy Rating (BER)
EPBD Implementation: Principal Projects/Task Groups

- EE in Boilers & Heating Systems
- Alternative Energy Systems
- BER Non-Residential Buildings
  - New
  - Existing
- BER Dwellings
  - New
  - Existing
- BER Public Buildings
- A/C Systems Inspections

Co-ordination, consultation, representation, promotion
# EPBD Implementation: Allocation of SEI Tasks & Schedules

<table>
<thead>
<tr>
<th>Sector / Block of tasks</th>
<th>Housing</th>
<th>Non-residential</th>
<th>Boilers/ heating systems</th>
<th>Air conditioning inspection</th>
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<td></td>
<td>New</td>
<td>Existing</td>
<td>New</td>
<td>Existing</td>
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<td>(DEHLG) 2007</td>
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<td>2005-7</td>
<td>2005-7</td>
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<td>Public consultation</td>
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<tr>
<td>promotion</td>
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<td>Co-ordination &amp; support/</td>
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<td>liaison to Govt Depts/ I</td>
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<tr>
<td>G, EDMC, CA</td>
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</table>
Twin role of DEAP

Primary energy
kWh/m²/year

→ BER

→ CDER

kg CO₂/m²/year

Options for improvement:
• Insulation
• Glazing
• Heating systems
• Controls
• Lighting
• Boilers
• Renewables
Key Implementation Dates: Dwellings

- January 2002
- July 2006*
- January 2007*
- January 2009

Part L Heat Loss Limitation

DEAP

Passes

For Sale
* Transitional Exemptions apply for any dwelling for which planning permission is applied before these dates and is substantially completed by 1 July 2008
Implementing Legislation

Building Regulations (Amendment) Regulations 2005

Part L
Heat Loss Limitation

European Communities (Energy Performance of Buildings) Regulations 2006
Limitation of CO₂ Emissions

Limitation of Heat Loss through the Building Fabric
Part L

Limitation of Heat Loss through the Building Fabric
Limitation of Heat Loss through the Building Fabric

Elemental Heat Loss Method
or
Overall Heat Loss Method

Requirement does not vary from TGD L 2002
Maximum average elemental U-Value (W/m²K) - Table 2, TGD L 2006

<table>
<thead>
<tr>
<th>Fabric Elements</th>
<th>New Buildings &amp; Extensions to Existing Buildings</th>
<th>Material Alterations to, or Material Changes of Existing Buildings</th>
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<tbody>
<tr>
<td>Pitched roof, insulation horizontal at ceiling level</td>
<td>0.16</td>
<td>0.35</td>
</tr>
<tr>
<td>Pitched roof, insulation on slope</td>
<td>0.20</td>
<td>0.35</td>
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<tr>
<td>Flat roof</td>
<td>0.22</td>
<td>0.35</td>
</tr>
<tr>
<td>Walls</td>
<td>0.27</td>
<td>0.60</td>
</tr>
<tr>
<td>Ground Floors</td>
<td>0.25</td>
<td>-</td>
</tr>
<tr>
<td>Other Exposed Floors</td>
<td>0.25</td>
<td>0.60</td>
</tr>
<tr>
<td>External doors, windows and rooflights</td>
<td>2.20¹</td>
<td>2.20</td>
</tr>
</tbody>
</table>

**NOTE:**
Applicable if the combined area of external door, window and rooflight openings does not exceed 25% of floor area
Floor Insulation
U-value 0.25W/m$^2$K

Thickness of similar material required: 100mm
Roof Insulation
U-value 0.16W/m²K

Thickness of similar materials required
250-300mm
Walls -
U-value 0.27W/m²K

Thickness of similar materials required
100-150mm
TGD L Other Issues

• Cold Bridging
• Air infiltration
• Heating Control
• Insulation of hot water storage vessels, pipes & ducts
Part L
Limitation of CO2 Emissions

DEAP (Dwellings Energy Assessment Procedure)

Downloadable from www.sei.ie/epbd
Limitation of CO₂ Emissions

- **Building Regulation**
  - CO₂ emissions associated with energy use for space heating, water heating, ventilation and lighting of a new dwelling should be limited as far as is reasonably practicable.

- **TGD L 2006 ed**
  - The Carbon Dioxide Emission Rate (CDER) associated with the energy use for space heating, water heating, ventilation and lighting for an actual dwelling, should be less than the Maximum Permitted CO₂ Emission Rate (MP CDER) for a reference dwelling.

- “Reference dwelling” is specified in Appendix C of TGD L

- Compliance demonstrated using national methodology DEAP

- Demonstration of compliance not restricted to any specific body


$k\text{gCO}_2/m^2/\text{year} \rightarrow \text{CDER (TGD L)}$

$k\text{Wh/m}^2/\text{year} \rightarrow \text{BER}$

Building dimensions

Fabric Heat Losses

Heat Gains

Lighting

Renewable energy

Boiler/HS Controls Efficiency

Hot Water System

Ventilation Rates
Building Energy Rating
Dwellings that **APPLY** for planning permission after 1 January 2007 need a BER before they are offered for sale.
Building Energy Rating (BER)

• Calculated using DEAP
• BER relates to primary energy kWh/m²/y
• No minimum standard
• Linear Scale
• Must be produced by Registered BER Assessor
• Valid 10 years unless changes are made to building
Provisional Building Energy Rating

- ADDITIONAL requirement if selling off-plans
- When the dwelling is completed, a BER certificate that represents the buildings as constructed must be supplied to the purchaser
- Same scale as a BER
- Valid for 2 years
The BER provides you with an indication of the overall energy efficiency of your home. It is calculated using an official, standard methodology (Dwelling Energy Assessment Procedure (DEAP)). This information has been produced by a registered assessor who has signed up to a code of practice and is subject to quality assurance auditing.

This BER is based on the following data:
Address:
Grid Reference:
Planning Reference:
Built Form: (e.g. apartment, semi-detached, detached, bungalow, etc.)
Area of House (m²):
Number of Bedrooms:
Number of Storeys:
Ventilation Air Leakage Characteristics: (e.g. chimneys, flues, fans, air leakage testing)
Type of Ventilation: (e.g. natural, mechanical, heat recovery)
Roofs (U Value):
Windows (Type & U Value): (e.g. double glazed, U Value = 2.2)
Walls (U value):
Doors (U value):
Floors (U value):
Boiler Type: (e.g. condensing/non-condensing)
Efficiency of Main Heating System (%):
Primary Fuel / Heating Systems: (e.g. gas / oil / wood pellet, etc.)
Secondary Fuel / Heating System: (e.g. gas / electric / coal, etc)
Emitters: (e.g. radiators, under floor heating, etc.)
Heating System Controls: (e.g. thermostat, type of programmer, zone controls, TRVs, separation of domestic hot water and space heating)
Efficiency of Water Heater (%):
Hot Water Storage Insulation (type & thickness):
Hot Water Controls:
% of Low Energy Lights:

Further advice on improving the energy efficiency of your home and grant information is available from Sustainable Energy Ireland (www.sei.ie)
Recommended cost-effective measures

The following recommendations refer to measures which, if retro-fitted to this dwelling, would be likely to prove cost-effective. The energy efficiency of the dwelling as constructed is assessed for this BER and is reflected in the energy rating achieved.

No retro-fit measures have been identified for this dwelling. [Note that for new dwellings it is unlikely that cost effective measures could be identified to improve the rating]

[Note: For existing dwellings it is likely that a range of measures will be included in this section, e.g. additional insulation for specific elements, more efficient heating appliances, draught stripping, heating system controls]

Advice for maximising the energy efficiency of your new home:

Main Heating System: Guidance on setting and adjustment of automatic and programmable controls. An ideal temperature for a living room is 20°C and 16°C for bedrooms. Advice on the particular system in the house. Advice regarding boiler servicing.

Windows: Guidance e.g. opening / shutting windows, curtains, etc.

Floors: Advice on floor covering and underlay for under floor heating, etc

Ventilation:

Electricity: You should avail of night saver electricity where available. Electrical appliances in standby mode consume electricity. When an appliance is not in use, turn it off.

Lighting: When replacing light bulbs in your home, it is cost effective and environmentally friendly to use low energy light bulbs which are generally available in all big hardware shops.
BER Assessment Process for NEW Dwellings

Building Owner engages BER assessor to conduct assessment

Assessor Completes Assessment Locally and Assigns BER Number

Assessor Submits Assessments to SEI by Email

SEI Validates Submission, Releases for Publication on Web Site

Public Data

BER Certificate printed

Advisory Reports are standardised and can be printed from SEI website

Private Data
BER Certificates are valid for up to 10 years and all dwellings will require BER if offered for sale/rent after January 2009.

Exercise Due Care

- Building owner and assessor sign contract
- Assessment limitations or caveats should be discuss and documented
- Building Owner and Assessor co-sign an “Information Form” that document agreement of information that is included in an assessment
The cost of BERs will be determined by market.

Expected costs will:
- generally not exceed €300 for a new dwelling;
- <€300 for standard housing estate/apartment dwelling.

Fee for BER payable by the builder/developer.

Minister for Environment, Heritage and Local Government can set maximum fees if necessary.
Administration System

Long Term Plan
- Managed by a third party body, cf. NCT
- Contract will be awarded by competitive tender
- Reporting to the Administration Committee

Interim Plan
- SEI will manage the system
BER Assessors
EPBD – Article 10

Article 10

Independent experts

Member States shall ensure that the certification of buildings, the drafting of the accompanying recommendations and the inspection of boilers and air-conditioning systems are carried out in an independent manner by qualified and/or accredited experts, whether operating as sole traders or employed by public or private enterprise bodies.
BER Assessors

New demand for assessors

Up to 1,000 active qualified persons will be required to service Ireland’s housing market needs (new and existing)

Up to 2,000 persons will need to be trained by 2009
Training Courses

- BER ratings can only be calculated by persons who have successfully attained at least 70% in a recognised course.

- EPBD Implementation Group issued a Training Requirements Specification (October 2006)

- Programmes must meet specified learning outcomes detailed in the Specification e.g.
  - Understanding of energy performance principles
  - Calculation of U values
  - Interpreting drawings/specifications
  - Capable of using the official DEAP software

- 3 training providers have been accredited to date
- All training details are posted on www.sei.ie/epbd
Approach to Training

1. **DEAP Published**
2. **Training Spec Published**
3. **DEAP Software developed**
4. **Training programme(s) including assessment criteria validated**
5. **Training Provider Accredited**
6. **Training Provider advertises validated programme**
7. **Eligible learners register with Training Provider for programme**
8. **Register as Assessor**
9. **Assessor details accepted on to National Register**
10. **Assessor completes BER, while meeting all QA requirements**
11. **Exam and Assignment**
12. **Complete training**

**Training Provider Accredited**

**Training Provider with Accreditation Body**

**Assessor**

**SEI**
• Registers as an individual
• Provision for support of employer/ principal
• Obligation to act in an independent manner
• Ongoing requirement to maintain/ develop competence
• Responsibility, within reason, for veracity of base documentation
• Indemnification of SEI
• Insurance highly recommended but not required
• Responsible for maintenance of records, data and documentation
• Confidentiality and data protection obligations
Code of Conduct 2

- Client service
- Charges and levies
- Advertising and sales promotion
- Use of technology resources (DEAP Software)
- Monitoring by SEI and compliance
- Appeals, complaints and disputes
- Public registers managed by SEI
  - Register of BER assessors
  - Register of BER certificates
Assessor registration process will involve the following:

- Meeting technical competency requirements;
- Signing registration form and BER Assessor Code of Conduct;
- (Option: nominate employer to sign commitments in relation to administrative and payment obligations)
- Payment of registration fee

It is expected that assessors will have to re-register periodically

Registration will open in April 2007

Registration information will be posted on www.sei.ie/epbd
Print, complete, sign & post application

**Employee registration**

Complete employer’s portion of application form & DD

Check signatures, qualifications and confirm payment

Notify employer (if any) of impending registration

Dispatch certificate, publish registration, file documentation

**Independent registration**

Acknowledged confirmation of registration

Print, complete, sign & post application

**Registration Process**

<table>
<thead>
<tr>
<th>BER Assessor</th>
<th>Employer/ Principal</th>
<th>SEI</th>
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</thead>
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**SUSTAINABLE ENERGY IRELAND**
Other BER Issues

- Registration and renewal
- Resignation, lapsing, suspension and termination
- Role of employer
- Registration of assessments
- Payment of registration fees and charges
- Insurance
- Appeals and complaints
- Recruitment of BER Assessors
- Offences
BER Assessor’s Web Site 1

- Legislation
- Code of conduct
- BER Assessor’s FAQ
- SEI fees & levies
  - Billing & payment system
  - Schedule of charges
- BER Ratings
  - How to log a rating
  - Register of BER certificates
- Register of BER Assessors
- BER Assessor registration
  - Application form
  - Employer’s support form
- BER Assessor management issues
  - Employment matters
  - Model contract
  - Record keeping
  - Insurance
• Appeals and complaints
• BER Assessor training
  • Eligibility
  • Courses
  • Insurance
  • Employment matters
• Quality Assurance
• DEAP
• HARP
Non-BER Provisions
Alternative Energy Systems (AES)

AES assessment applies to:
new buildings >1,000m$^2$
e.g. large apartment blocks

From January 2007

National Study – publication
March 2007

Software Tool – “PASSES”*
being finalised

*Planning Assessment Software for Sustainable Energy Systems
Boilers & Heating Systems

- Advice Option
- Boilers Database (HARP) (November 06)
- Informational and promotional campaign for energy efficiency of boilers and heating systems (January 08)

Inspection of large air-conditioning systems

- Regulations adopted June 06
- Mandatory from January 08
- Inspection procedures to be developed
Implications for Building Control
Responsibilities/Implications for Building Control and SEI


- Building Energy Rating
- Alternative Energy Systems assessment
“building control authority” has the meaning assigned to it by Section 3 of the Building Control Act 1990 (No. 3 of 1990)

“authorised officer” may mean either an authorised officer of a building control authority or a person authorised by the issuing authority;

The results of the consideration of the feasibility of alternative energy systems required under this Regulation shall be incorporated in a report on the design of the relevant large building and shall be retained by the person who commissioned that building for a period of 5 years from the date of completion of the building and shall be produced, on demand, to the building control authority ….

Proceedings for an offence under this Part may be brought and prosecuted by the building control authority ….
• A person who commissions the construction of a building of a class referred to in .......shall, before such building is occupied for the first time, secure a BER certificate ..... and advisory report in relation to the building and shall produce a printed copy of such BER certificate and advisory report to the building control authority in whose functional area the building is situated, on demand being made by that authority ....

• A person who offers for sale or letting ...(a building.)and any agent acting on behalf of such person in connection with such offering, shall produce a printed copy of the BER certificate and advisory report in relation to the building to any person expressing an interest in purchasing or taking a letting of the building and, on demand, to the building control authority ....
where the building is being offered for sale or letting .... on the basis of the plans and specifications for its proposed construction, a printed copy of the provisional BER certificate .... based on these plans and specifications in relation to the proposed building, and related advisory report, shall be produced to any of the persons (expressing interest....)

on the completion of construction of the building .... a printed copy of the BER certificate .... and of the related advisory report in relation to the completed building, which take account of any changes ...., shall be produced to any purchaser or tenant, before completion of such sale or letting and, on demand, to the building control authority .....
• A building control authority or an authorised officer thereof may demand, from the owner of a building, or the agent of such owner ….. the production of a printed copy of the BER certificate
• Where a person produces a printed copy of the BER certificate to an authorised officer of the building control authority but refuses or fails to permit the said officer to read and examine it, that person commits an offence and the authorised officer may demand of the person his or her name and address.
• Proceedings for such an offence may be brought and prosecuted by the building control authority …. 
• Proceedings for an offence under these Regulations may be brought and prosecuted by the building control authority or the issuing authority …. 
SI 666 of 2006: Powers and functions of SEI

- Named as “issuing authority” – extensive functions
- Alternative Energy Systems: publish study, approve software…
- Administration of BER system:
  - Registration of BER assessors
  - Directions to BER assessors
  - Charging of levies
  - Specification and handling of BER data files, certificates etc.
  - Revocation of BER data files or certificates
  - Ownership and maintenance of records, data, documentation
  - Establishment, operation and maintenance of registers
- Evidential value in court proceedings
- Appointment and powers of authorised officers
Administration Scheme

Maintain Register of Assessors

Maintain National BER Database

Quality Assurance of BER Scheme

Report to Administration Committee

Provide software technical support

Database for Advisory Reports
AWARENESS RAISING

- Queries Database: 3,300 names
- e-EPBD e-updates
- Marketing Plan
- Participation/Organisation of Information Events

**Summary of EPBD Events**

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<tr>
<th>Year</th>
<th>Number of Events</th>
<th>Attendance</th>
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<td>2004</td>
<td>12</td>
<td>836</td>
</tr>
<tr>
<td>2005</td>
<td>46</td>
<td>2242</td>
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<tr>
<td>2006</td>
<td>45</td>
<td>5605</td>
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<tr>
<td>2007</td>
<td>16</td>
<td>3089</td>
</tr>
<tr>
<td>Total</td>
<td>103</td>
<td>8683</td>
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EPBD Impacts on Buildings

New Buildings (residential, commercial or public)
- Compliance with Building Regulations
- BER & AR - most likely off plans
- AES Feasibility (>1,000m²)

Existing Buildings Transacted (residential or commercial)
- No minimum energy performance standards
- BER & AR - most likely survey based
- BER & AR for information only

Existing Buildings, Non-transacted (large public buildings)
- Display BER
Market Impacts

- Energy rating as marketing tool: market edge
- Impact on building design
- Demand for higher spec buildings
- Potential impact on property values?
- Impact on building upgrading
- New market for energy efficient services and products
- Cost of energy ratings & other services
- Potential impact on property transaction times
- Momentum for renewable energy
Conclusions
Key EPBD Goals for 2007

- Release DEAP Software
- Finalise and promote PASSES software
- Establish administration system – contingency >> full
- Train and register more BER assessors
- Establish methodology for non-residential buildings
- Develop inspection system for air conditioning
- Prepare initiatives on boilers/heating systems
- Awareness campaigning
Conclusions

- Making energy performance of buildings visible to consumers/investors/decision makers

- Stimulating:
  - Higher spec standards in new homes
  - Investment in upgrading of existing homes

- New demand for energy assessors, energy efficient materials, products and services

- Impact on property prices?

- **Significant lever to improve the energy, environmental & economic performance of Irish Homes**
Further Information

- [www.sei.ie/epbd](http://www.sei.ie/epbd)
- [www.kyotobuildings.net](http://www.kyotobuildings.net)
- [www.diag.co.uk](http://www.diag.co.uk)
- [www.enper.org](http://www.enper.org)
- [www.europrosper.org](http://www.europrosper.org)
Energy Performance of Buildings Directive (EPBD)

The **EU Directive on the Energy Performance of Buildings (EPBD)** contains a range of provisions aimed at improving energy performance in residential and non-residential buildings, both newbuild and existing. The EPBD obliges specific forms of information and advice on energy to be provided to building purchasers, tenants and users. The intention is that this information and advice will help consumers to make informed decisions leading to practical actions to improve energy performance.

As part of the Directive, a Building Energy Rating (BER) certificate, which is effectively an energy label, will be required at the point of sale or rental of a building, or on completion of a new building. The BER will be accompanied by an “Advisory Report” setting out recommendations for cost-effective improvements to the energy performance of the building. However there will be no legal obligation on vendors or prospective purchasers to carry out the recommended improvements.

In Ireland, this directive is expected to impact on over 150,000 sale or rental transactions per year in the residential market. The Directive must be transposed into national law and must be generally brought into operation by EU Member States by 4th January 2006. However, provision is made to allow a longer period, ending in January 2009, for full implementation of the more complex requirements relating to...