

REPORT

on the implementation of the Energy Performance of Buildings Directive

Ukraine

(Update November 2020)

The Directive 2010/31/EU on the energy performance of buildings (EPBD)¹ is one of the most complex energy efficiency directive for implementation in the Energy Community, and requires cooperation between various stakeholders and broader spectrum of activities, besides work on development of legislation. The overall deadline for the transposition of EPBD was 30 September 2012.

1. General framework for implementation for implementation of EPBD

< Please report what is the status of implementation, further activities and planned deadlines for completion in your country >

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
1.	Main requirements of the EPBD included in the National Law(s)	<p>Law “On energy efficiency of buildings” № 2118-VIII, (Verkhovna Rada Bulletin, 2017, No. 33, p. 359) and 14 bylaws</p> <p>The Draft “Law on amendments to Law on Energy Efficiency of Buildings” is developed by Ministry for Communities and Territories Development of Ukraine. Now it is discussing with all stakeholders.</p>

¹ Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings, as incorporated and adapted by Ministerial Council Decision 2010/02/MC-EnC of 24 September 2010: https://www.energy-community.org/dam/jcr:6b3f4de1-fa7e-4b51-bc72-7918ace7fe54/Directive_2010_31_EE.pdf

2. Building Stock Inventory

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
2.	Decision to establish a Building Stock Inventory, and necessary resources and funds for its development and operation allocated or secured	Currently, the project to create The National database of buildings (an inventory) is being implemented. The first stage of the project is the involvement of regional state administrations in collecting information about the technical and energy characteristics of buildings into the special software, provided with all necessary technical assistance by the project of international technical assistance "Promotion of energy efficiency and implementation of the EU Directive on energy efficiency in Ukraine" (GIZ GmbH). The project covers all buildings maintained at the expense of the regional budgets.
3.	Establishment and operation of national Building Stock Inventory	<p>Now all 24 regional administrations are involved in the project and Minregion is working with the quality of the information in database. Now oblast administrations have a possibility to plane renovation of their buildings in the software and calculate the savings.</p> <p>Next step is to expand the project of building database on municipal level by successful example of regional administrations participation in the project.</p> <p>SAEE collected information on energy and operational characteristics of central governmental buildings.</p>

3. Calculation methodology

These requirements are given in Article 3 of EPBD; Adoption of a methodology for calculating the energy performance of buildings.

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
4.	Development of national calculation methodology with national annexes (default input values) - National Standard	<p>Order of the Ministry of Regional Development dated 11.07.2018 №169 "On approval of the Methodology for determining the energy efficiency of buildings", registered in the Ministry of Justice of Ukraine on 16.07.2018 on №822 / 32274</p> <p>Draft order "On amendments to Methodology for determining the energy efficiency of buildings".</p> <p>Not adopted (draft developed, passed public discussion and sent for approval)</p>
5.	Adoption of relevant supporting CEN standards	-
6.	Development of climatic data base	The building database (previous block 2) includes indicator of CO ₂ emissions
7.	Development of software for energy performance certification (new or adoption/adjustment of existing software) (could be developed commercially or nationally by public means)	<p>Order of the Ministry of Regional Development of 11.07.2018 №171 "On approval of the Procedure for the use of calculation elements of software to determine the energy efficiency of buildings", registered in the Ministry of Justice of Ukraine on 16.07.2018 on №824 / 32276</p> <p>Any software for energy performance certification can be used, which meets demands of this order.</p> <p>Software is developing by EBRD.</p>
8.	Training of experts in the calculation methodology and in proper use of the software	In the framework of cooperation between the Minregion and the Project "Energy Efficiency Reform in Ukraine" Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, on behalf of the Government of Germany, training for almost 100 energy auditors was conducted in Poland on the basis of the National Fund for Environmental Protection and Water Management Fund for Environmental Protection and Water Management (NFEP & WM). Now they continuing to transfer knowledge to another energy auditors in Ukraine.

4. Energy performance requirements

Requirements given in several Articles of the EPBD:

- Article 4 Setting of minimum energy performance requirements
- Article 5 Calculation of cost-optimal levels of minimum energy performance requirements
- Article 6 New buildings
- Article 7 Existing buildings
- Article 8 Technical building systems
- Article 9 Nearly zero-energy buildings

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
9.	Adoption of minimum energy performance requirements	Draft order "On adoption of Minimum energy performance requirements" Not adopted (draft developed, passed public discussion and sent for approval)
10.	Calculation of cost-optimal level of energy performance	Order of the Ministry of Regional Development dated 11.07.2018 70170 "On approval of the Methodology for determining the economically feasible level of energy efficiency of buildings", registered in the Ministry of Justice of Ukraine on 16.07.2018 №823 / 32275
11.	Information/training of key stakeholders in the construction industry	Work of the Public Council at the Ministry of Regional Development (Forums, conferences, letters with recommendations in response to requests from designers).
12.	Updating/development of routines and specifications for documentation and checking of the energy performance requirements	Verification of certificates is carried out in addition to Independent monitoring also during the implementation of construction projects expertise.
13.	Training of national and regional "building inspectorates"	-

5. Energy performance certificate

Requirements given in several Articles of the EPBD:

- Article 11 Energy performance certificates
- Article 12 Issue of energy performance certificates
- Article 13 Display of energy performance certificates
- Article 17 Independent experts
- Article 18 Independent control system

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
14.	Development of Regulation on Energy Performance Certification of buildings, incl. national values for each class (A, B, C, etc.)	Order of the Ministry of Regional Development dated 11.07.2018 №172 "On approval of the Procedure for certification of energy efficiency and form of energy certificate" registered in the Ministry of Justice of Ukraine on 16.07.2018 №825 / 32277 Draft order "On amendments to the Procedure for certification of energy efficiency and form of energy certificate" Not adopted (draft developed, passing internal discussion)
15.	Development of Guidelines for energy performance certification of buildings	SAEE published a practical guide "How to create energy certificates and not to be mistaken". Link: https://drive.google.com/file/d/1a_XMPVxzwleHjVTGp-x_L_Xz7gtw2qsz/view
16.	Development of Certification Tool (Issue, statistics, information dissemination, reporting)	Normally energy auditors use Excel or any specific software, which meets demands of the Procedure for the use of calculation elements of software to determine the energy efficiency of buildings. EPC's database posted on the site of SAEE
17.	Training, examination and accreditation of experts	Resolution of the Cabinet of Ministers of Ukraine dated 26.07.2018 №605 "On approval of the Procedure for professional certification of persons who intend to carry out activities on certification of energy efficiency and inspection of engineering systems". Draft Resolution of the Cabinet of Ministers of Ukraine "On amendments to the Procedure for professional certification of persons who intend to carry out activities on certification of energy efficiency and inspection of engineering systems." Not adopted (draft developed, passing internal discussion) There are 43 certification commissions in higher education institutions throughout Ukraine, which provide pre –certification preparing also.
18.	Establishment of Independent Control System and Registry (system and institution) – combined with the control system for inspections if applicable. The Control system should provide information enabling evaluation of the	Order of the Ministry of Regional Development dated 18.10.2018 №274 "On approval of the procedure for independent monitoring of reports on the results of inspections of engineering systems", registered in the Ministry of Justice of Ukraine dated 09.11.2018 №1277 / 32729 Draft order "On amendments to the procedure for independent monitoring of reports on the results of inspections of engineering systems" Not adopted (draft developed, passed public discussion and sent for approval)

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
	effectiveness of the Certification Scheme.	

6. Inspection of heating and air-conditioning systems

Requirements given in several Articles of the EPBD:

- Article 14 Inspection of heating systems
- Article 15 Inspection of air-conditioning systems
- Article 16 Reports on the inspection of heating and air-conditioning systems
- Article 17 Independent experts
- Article 18 Independent control system

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
19.	Development of Regulation on Inspection of heating systems ²	Order of the Ministry of Regional Development of July 11, 2018 №173 "On approval of the Methodology of inspection of engineering systems of the building", registered in the Ministry of Justice of Ukraine on July 16, 2018 №826 / 32278 Draft order "On amendments to the Methodology of inspection of engineering systems of the building" Not adopted (draft developed, passed public discussion and sent for approval)
20.	Development of Regulation on Inspection of air-conditioning systems	- II -
21.	Development of Guidelines for inspections, incl. report templates	SAEE published a practical guide "How to create energy certificates and not to be mistaken". Link: https://drive.google.com/file/d/1a_XMPVxzwleHjVTGp-x_L_Xz7gtw2qsz/view
22.	Establishment of Independent Control System and Registry (system and institution) – combined with the control system for energy certification if applicable. The Control system should provide information enabling evaluation of the effectiveness of the Certification Scheme.	This system is creating in the framework of setting up in Ukraine the Unified state electronic system in the field of construction according to the law "On amendments to certain legislative acts of Ukraine concerning the improvement of the procedure for providing administrative services in the sphere of construction and creation of the unified state electronic system in the sphere of construction" adopted on July 16, 2018 № 199-IX
23.	Training and accreditation of experts	In the framework of cooperation between the Minregion and the Project "Energy Efficiency Reform in Ukraine" Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, on behalf of the Government of Germany, training for almost 100 energy auditors was conducted

² Could be combined with regulation on Inspection of air-conditioning systems and developed as one regulation

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
		in Poland on the basis of the National Fund for Environmental Protection and Water Management Fund for Environmental Protection and Water Management (NFEP & WM). Now they continuing to transfer knowledge to another energy auditors in Ukraine.

7. Penalties

Requirements given in Article 27 of EPBD.

	Main steps/activities	Status of implementation, further activities and planned deadlines for completion
24.	Develop rules on penalties for infringements of the national provisions adopted and include them into relevant laws/regulations. Penalties could be imposed for noncompliance to: <ul style="list-style-type: none"> • Minimum energy performance requirements • Certification (non-existing and/or quality and/or registration) • Inspections (non-existing and/or quality and/or registration) 	
25.	Establishment of a monitoring system (system and institution) for checking compliance with national provisions and for issuing and collecting penalties	Order of the Ministry of Regional Development dated 18.10.2018 №274 "On approval of the procedure for independent monitoring of reports on the results of inspections of engineering systems", registered in the Ministry of Justice of Ukraine dated 09.11.2018 №1277 / 32729 The system is working and some improvements will be adding with adoption the amendments to the procedure, that have been worked out together by Minregion and SAEE: Draft order "On amendments to the procedure for independent monitoring of reports on the results of inspections of engineering systems" Not adopted (draft developed, passed public discussion and sent for approval)
26.	Operation of the monitoring system	Order of the Ministry of Regional Development dated 18.10.2018 №274 "On approval of the procedure for independent monitoring of reports on the results of inspections of engineering systems", registered in the Ministry of Justice of Ukraine dated 09.11.2018 №1277 / 32729 The system is working and some improvements will be adding with adoption the amendments to the procedure, that have been worked out together by Minregion and SAEE: Draft order "On amendments to the procedure for independent monitoring of reports on the results of inspections of engineering systems" Not adopted (draft developed, passed public discussion and sent for approval)