Review of the current state of compliance of the legislation of Ukraine on energy management, energy planning and heat supply schemes in sector of buildings with the requirements of the EU legislation

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MUNICIPAL ENERGY REFORM PROJECT (MER)
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<th>Requirements of EU legislation</th>
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<td>Requirement to energy efficiency and energy saving including in buildings sector are set in the first place by the Directive of the European Parliament and the EU Council 2012/27/EU on energy efficiency that amends the Directives 2009/125/EC and 2010/30/EU and replaces the Directives 2004/8/EC and 2006/32/EC, and also the Directive of the European Parliament and the EU Council 2010/31/EU on energy performance of buildings.</td>
<td>Laws of Ukraine on energy saving and energy efficiency could be divided into two groups: general laws (that regulate certain aspects of energy saving in the framework of wider subject of legal regulation) and special laws (aimed mostly at regulation of energy saving and energy efficiency relations). It should be noted that there are no special provisions on energy efficiency in residential and public buildings neither in general no in special laws. The laws of Ukraine that regulate relations in field of local governance (in the first place, in the law of Ukraine On Local Governments in Ukraine”) include no provisions on role of the local government bodies in promotion of energy efficiency and energy saving, in particular, in sector of buildings. The law of Ukraine On Energy Saving include the terms “energy audit” and “management on energy saving”. However, these terms require bringing them in compliance with the definitions of the Directive on energy efficiency. The issue of energy management in sector of buildings is not regulated by the current legislation of Ukraine. Regarding heat supply schemes, the necessity of their adoption by the local government bodies is set in the law of Ukraine On Heat Supply. Thus, the laws of Ukraine fix certain principles of</td>
<td>At the moment at the review of Verkhovna Rada of Ukraine are several draft legislative acts aimed at bringing the Ukrainian legislation in compliance with the EU legislation on energy efficiency in sector of residential and public buildings (including buildings of public authorities and local governments), in particular, the draft laws of Ukraine On Energy Efficiency, On Energy Audit, On Energy Performance of Residential and Public Buildings, a number of draft laws aimed at introduction of energy service agreements in public sector. These draft laws require improvement taking into account the requirements of the EU Directives.</td>
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that will allow the public authorities to better manage their energy consumption. It shall be stimulated the exchange of the most innovation experience between the cities and other public bodies.

At the same time, the energy management systems in the Directive on energy efficiency are understood as a complex of related elements of plan that supposes energy efficiency target and the strategy of its achieving.

Member States shall encourage public authorities, including, at the regional and national levels and social housing bodies that function according to public law, their competence and administrative position to adopt plans on energy efficiency, separate or as a part of wider plans on climate or environment that would include special goals and measures on energy saving and energy efficiency in order to inherit the example of buildings of central authority bodies as well as introduction of energy management system, including energy audits as a part of implementation of their plan. It should be noted that there are no special provisions on heat supply schemes in the above Directives. However they include requirements to heat supply systems (in particular, requirements to conduction of periodic

or the mechanisms are absent. In particular, the laws doesn’t determine main requirements on energy efficiency of residential and public buildings (in the first place the building where public authority and local government bodies are located), doesn’t determine the basis of energy audit, basis of providing energy services, and considering energy efficient aspects in public procurement procedures etc.

In addition, taking into account the requirements of the EU legislation, in the laws of Ukraine it should be fixed system approach to energy planning, in particular, in sector of buildings to be performed by the local government bodies.
revisions on introduction of energy efficient technologies and use of energy efficient equipment etc.).

Correspondingly, introduction of energy management, energy planning, energy audit, energy services and heat supply schemes shall be performed in accordance with the requirements on energy efficiency in buildings, set by the above Directives.