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COMMISSION REPORT

A REVIEW OF COMMUNITY ENERGY LEGISLATION

COMMUNICATION FROM THE COMMISSION

CONCERNING THE REPEAL OF SEVERAL COMMUNITY LEGISLATIVE TEXTS

IN THE FIELD OF ENERGY POLICY

COMMISSION REPORT

A REVIEW OF COMMUNITY ENERGY LEGISLATION

The European Council held in Brussels in December 1993 stressed the importance of streamlining and simplifying certain legislative acts for economic operators, notably small businesses.

In its conclusions, the European Council referred to the Commission's White Paper indicating, among other things, that Member States should pay particular attention to improving flexibility within firms and on the labour market, by eliminating excessively rigid regulations, and through greater mobility.

In this context, the Council meeting on energy of 29 November 1994 asked the Commission to present a report on Community energy legislation, with proposals aimed at streamlining and simplifying Community legislation where necessary and possible.

In response, the Commission has just examined the legislation on the rational use of energy and on oil. In accordance with the suggestions made when the issue was first examined by the Council, the Commission formally consulted the SAVE advisory committee (on the provisions relating to energy efficiency) and the Industry Supply Advisory Group (ISAG). The Commission has taken full account in this report of the opinions expressed.

Furthermore, in September 1994 the Commission set up a group of independent experts on legal and administrative simplification, chaired by Mr Bernhard Molitor. This group was given the remit of examining the impact of Community and national legislation on employment and competitiveness, with a view to streamlining and simplifying it where possible and of reporting to the Commission before the European Council in Cannes.

This group, after meeting nine times, adopted this report at its latest meeting on 10 June.

The European Council in Cannes took note of it. At the time, the Commission gave a generally favourable reception to the proposals of the general chapter of the report.

Among these proposals, the group suggests that the existing legislation should be tested for its usefulness, impact on the economy and readability.

The Commission also took account of those criteria when drafting this report on the review of Community energy legislation.

The Commission's proposals made in line with its current thinking and the underlying reasons are set out below. They are grouped into subjects (rational use, oil), and each is subdivided into two headings. The first lists the acts which could be repealed. The second contains the acts which should be maintained, in some cases subject to amendments.

The Commission intends to continue with this revision exercise of energy legislation in other areas not covered at present by this report.

A. Legislation on rational use of energy

a. Acts to be repealed

From 1976 to 1979, the Council and the Commission made various recommendations concerning measures intended to allow a more rational use of energy. After examining their scope, the Commission has concluded that they have now lost much of their practical value.

1. 76/492/EEC:

Council recommendation of 4 May 1976 on the rational use of energy by promoting the thermal insulation of buildings.

This recommendation proposes the organization of public information campaigns, so as to publicize the most suitable means of improving the insulation of dwellings and adopt harmonized reference standards for thermal insulation at Community level.

2. 76/493/EEC:

Council recommendation of 4 May 1976 on the rational use of energy in the heating systems of existing buildings.

This act proposes that in existing buildings occupied part time or as dwellings, heating systems should be fitted with a system for varying their heat consumption. It also proposes periodic maintenance and inspection of heat generators and the installation of hot water metering in apartment buildings.

3. 77/712/EEC:

Council recommendation of 25 October 1977 on the regulating of space heating, the production of domestic hot water and the metering of heat in new buildings.

This act promotes the variation and monitoring of heat consumption in buildings, and of temperatures while premises are occupied or unoccupied. Domestic hot water should not enter the circuit at over 60° Celsius and meters should be installed in new buildings to enable heat to be measured and costs to be shared fairly between occupants.

4. 79/167/ECSC, EEC, Euratom:

Council recommendation of 5 February 1979 on the reduction of energy requirements for buildings in the Community

This recommendation proposed investment programmes up to 1985 aimed at reducing energy demand by improving thermal insulation in buildings, reducing superfluous ventilation and improving the efficiency of heating

and cooling systems. The text also refers to the use of cost-benefit analysis which is a really useful principle.

5. 88/285/EEC:

Commission Recommendation of 29 March 1988 on third party financing.

This proposes measures to Member States for promoting third-party financing of investments in energy efficiency, such as the elimination of various legal and administrative barriers, incentives to private or public enterprise, granting of subsidies, etc.

Since these five recommendations were drawn up, the areas concerned have again been covered by Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency (SAVE). Since they have been overtaken by the Community legislative process and are no longer relevant, the Commission considers that these recommendations (Nos 1 to 5) should no longer figure among the legislative acts and other instruments relating to energy.

Two other recommendations are worth examining:

6. 76/496/EEC:

Council recommendation of 4 May 1976 on the rational use of energy for electrical household appliances.

This recommends the adoption of all appropriate measures to inform purchasers of the energy consumption of each appliance by means of labelling, and national information campaigns.

The scope of the recommendation has already been covered in the Council Directive of 14 May 1979 on the indication by labelling of the energy consumption of household appliances (79/530/EEC), which was itself repealed and replaced by Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances.

The Commission therefore considers that this recommendation should no longer figure among the legislative acts and other instruments relating to energy.

7. 80/823/EEC:

Commission recommendation of 29 July 1980 on the rational use of energy in industrial enterprises.

The principle of the Community "Energy Bus" programme was based on that recommendation, and was the only concrete effect of it. The programme no longer exists. The principles contained in the recommendation have also been incorporated in Directive 93/76/EEC.

(SAVE). This in fact includes the audits and the "Energy Bus" is a kind of audit.

The other parts of the recommendation are no longer relevant. For example, the Commission has not updated the Community information system, technical assistance and consultation database for the past ten years; furthermore, the agreement between the Commission and the parties interested in achieving the objectives of the Community "Energy Bus" programme no longer exists.

The Commission therefore considers that this recommendation should no longer figure among the legislative acts and other instruments relating to energy.

b. Acts which should not be repealed

In contrast to the texts mentioned above in the report, some legislative acts concerning energy efficiency, partly out of date, could be maintained, either because they are not fully covered by the SAVE Directive or another legislative act, or because they are still of value in achieving the objective of improving energy use.

1. 77/713/EEC:

Council recommendation of 25 October 1977 on the rational use of energy in industrial undertakings

This recommendation is currently covered only very partially by Directive 93/76/EEC (SAVE) which concerns only "programmes with the aim of promoting the regular completion of energy audits ...", whereas recommendation 77/713/EEC also mentions:

- the setting-up of public bodies or departments to mount campaigns to provide information and increase awareness, and to encourage energy savings;
- an exchange of experience at national level, and possibly at Community level;
- a chapter on energy in industrial undertakings' annual reports.

The Commission therefore considers that, despite its non-binding nature, this recommendation could usefully be maintained.

2. 78/170/EEC:

Council Directive of 13 February 1978 on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings

The transposition of this Directive has varied widely from one Member State to another, as it does not set precise quantitative targets. Its contents are partly covered by the new Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels, but it is different in a number of ways, so could be maintained.

The main differences between the two Directives are:

- Directive 78/170 covers all fuels, whereas Directive 92/42 covers only liquid or gaseous fuels;
- Directive 78/170 makes reference to all forms of secondary energy, i.e. all heat generators and not only hot-water boilers;
- Directive 78/170 also covers insulation of heat and hot-water distribution, whereas this is not covered by the new Directive 92/42;
- Directive 78/170 relates to heating installations as a whole, whereas Directive 92/42 covers only water boilers;
- finally, the new Directive 92/42 makes reference only to new hot-water boilers rated at 4 to 400 kW, whereas Directive 78/170 also covers hot-air and steam boilers with no power limit.

The Commission therefore proposes that Directive 78/170/EEC be maintained since it has a broader coverage than Directive 92/42/EEC.

B. Oil legislation

The Commission has also examined certain legislative acts concerning oil, with the following results:

a. *Legislative acts to be repealed*

1. 1038/79 (EEC):

Council Regulation (EEC) of 24 May 1979 on Community support for a hydrocarbon exploration project in Greenland.

The project was abandoned long ago. The act is therefore no longer relevant and the Commission proposes that it be repealed.

2. Other Community acts are no longer of any practical application. They relate to the notification of the Commission of imports and exports of crude oil and natural gas. The application of these acts was suspended in 1981, after consulting the ISAG.

(i) Notification of the Commission of imports of crude oil and natural gas.

The Regulations concerned are:

1. 1055/72:

Regulation (EEC) No of the Council of 18 May 1972 on notifying the Commission of imports of crude oil and natural gas.

2. 3254/74:

Council Regulation (EEC) of 17 December 1974, applying Regulation (EEC) No 1055/72 on notifying the Commission of imports of crude oil and natural gas, to petroleum products falling within subheadings 27.10 A, B, C I and C II of the Common Customs Tariff.

The six-monthly notifications (enterprises' actual figures) and annual notifications (forecasts) required from the Member States under the two above-mentioned Regulations were abandoned for all crude oil and gas imports owing to a structural change in the market (spot contracts replacing long-term contracts for oil). Furthermore, increasingly detailed data for crude oil and natural gas have been obtained on a monthly basis via the Statistical Office of the European Communities (Eurostat) on the basis of the available customs data.

The Commission therefore proposes that these two Regulations be repealed. The two corresponding Commission implementing Regulations (Nos 1068/73 and 2677/75) will also be repealed as a consequence.

(ii) Notification of the Commission of exports of crude oil and natural gas.

1. 388/75:

Regulation (EEC) of the Council of 13 February 1975 on notifying the Commission of exports of crude oil and natural gas to third countries.

These notifications have also been abandoned, since they also proved to be much less detailed than the information available from Eurostat (mainly the customs data) and covered only part of crude oil and natural gas exports.

The Commission therefore considers that the Council should repeal this Regulation to tidy up the legal situation. The corresponding Commission implementing Regulation (No 2678/75) will also be repealed.

b. Acts which should not be repealed

Other legislative acts concerning oil also need to be reviewed regarding their real usefulness.

1. 76/491/EEC:

Council Directive of 4 May 1976 regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community.

This Directive was introduced after the first oil crisis in order to monitor the supply conditions for crude oil and petroleum products, and the operation of the market in the Member States. It helped to make costs and prices of petroleum products more transparent, essential to the smooth operation of the markets, notably the free movement of goods in the Community.

Since the principle of this Directive is still very useful today, the Commission proposes that it be maintained.

On the other hand, the implementing provisions of Directive 76/491/EEC were set out in a Commission Decision (77/190/EEC), and amended several times by subsequent Decisions (Nos 79/607/EEC and 81/883/EEC).

The implementing provisions contain a number of tables to be filled in, some of which could be eliminated, as the information they contain is no longer relevant. The Commission should simplify these decisions. The group of experts on oil prices has agreed with the Commission to simplify the data required, as set out in an Annex to the report.

c. Legislative acts which should be maintained for the time being.

The Commission has also examined the three other legislative texts mentioned below.

1. 77/186/EEC:

Council Decision of 14 February 1977 on the exporting of crude oil and petroleum products from one Member State to another in the event of supply difficulties.

This Decision is based on former Article 103(4) of the EC Treaty and should allow, with the Commission's authorization, principally:

- exports to another Member State to be made subject to a system of licences to be granted automatically for a minimum period of 15 working days and a maximum of one month (Article 1);
- the suspension of the issue of all export licences to Member States for 10 working days, the shortening of their duration or even their withdrawal (Article 2).

The essential ground for this Decision was initially (in 1977) to restrict or limit oil trade in the event of excessive price disparities between Member States, which would have led to uncontrolled flows.

The Decision has become extremely difficult to implement, however, owing to the abolition of customs formalities and controls. There is no way of checking that petroleum products crossing a "frontier" have received a licence, except by setting up an ad hoc administrative procedure.

This Decision should be repealed eventually, but Member States' experts (in the ISAG) consider that owing to the strategic nature of oil supplies and the difficulties that the Community could face with external supplies, Decision 77/186 should be repealed only in the context of a new directive on crisis measures.

This new directive, which the Commission has at the conception stage, will propose appropriate measures to protect the security of Community supplies in a crisis, while complying with the rules of the Treaty. A proposal along these lines will be made as soon as possible.

2. 77/706/EEC:

Council Decision of 7 November 1977 on the setting of a Community target for a reduction in the consumption of primary sources of energy in the event of difficulties in the supply of crude oil and petroleum products.

This Decision was prepared and adopted in 1977, at a time when France had not yet joined the International Energy Agency (IEA) and was not therefore bound to abide by the Agency's rules, in particular the obligation to reduce oil consumption in case of supply difficulties (Articles 13 and 14 of the IEP). Decision 77/706 therefore set percentage quotas for reducing consumption, harmonized overall with the IEA provisions and applicable to all Member States.

In addition, there was a concern to achieve genuine solidarity between the Member States. Decision 77/706 accordingly provided, in a second phase (known as C2), for a possibility for additional and differentiated reductions of consumption between Member States, according to their ability to substitute other energy sources (coal, etc.) for oil in power stations.

This idea - though an interesting one - was not applied in practice since the possibilities for substituting petroleum products in power stations very quickly became almost insignificant.

Decision 77/706 is therefore no longer relevant, except as regards the provision allowing the coordination of national measures to restrict consumption. It should not therefore be repealed until a new decision, organising reductions in consumption, to be made by the Community as a whole in the framework of the IEA mechanisms, has been adopted and implemented.

3. 75/339/EEC:

Council Directive obliging the Member States to maintain minimum stocks of fossil fuel at thermal power stations.

Several Member States consider that this Directive no longer serves any purpose. Power utilities in fact keep the stocks they need at power stations, regardless of the Directive.

The Directive is nevertheless a useful crisis measure. It would therefore be preferable to assess its usefulness and decide to repeal it, if appropriate, in the broader context of the examination of the new crisis measures adapted to the internal market.

* * *

C. Summary of conclusions

In summary, after examining both fields - rational use of energy and oil - the Commission would propose that the Council:

a. repeal the following acts:

- on the rational use of energy:

1. Council recommendation 76/492/EEC;
2. Council recommendation 76/493/EEC;
3. Council recommendation 77/712/EEC;
4. Council recommendation 79/167/ECSC, EEC, Euratom;

5. Council recommendation 76/496/EEC;

on oil:

1. Council Regulation (EEC) No 1038/79;
2. Regulation (EEC) No 1055/72 of the Council;
3. Council Regulation (EEC) No 3254/74;
4. Regulation (EEC) No 388/75 of the Council.

b. to maintain Council Directive 76/491/EEC, subject to the necessary amendments to the Commission implementing Decision (77/190/EEC), as set out in the annex to the report.

c. to maintain:

- regarding rational use of energy:

1. Council Recommendation 77/713/EEC;
2. Council Directive 78/170/EEC;

d. to maintain for the time being

- regarding oil:

1. Council Decision 77/186/EEC;
2. Council Decision 77/706/EEC;
3. Council Directive 75/339/EEC.

If it is decided to repeal the measures as proposed above, the Commission, for its part, will have to repeal the following acts:

- regarding the rational use of energy:

1. Commission recommendation 88/285/EEC;
2. Commission recommendation 80/823/EEC.

- regarding oil:

1. Regulation (EEC) No 1068/73 of the Commission;
2. Regulation (EEC) No 2677/75 of the Commission;
3. Regulation (EEC) No 2678/75 of the Commission.

D. Additional declaration by the Commission

Although resolutions are not legislative acts and cannot therefore be repealed, the Commission thought fit to express its view on the usefulness of each of the resolutions that the Council presidency had submitted to the Commission for review and possible repeal.

The Commission feels that the following resolutions, already incorporated into a binding legislative act, namely the SAVE Directive, are no longer of use. There is therefore no longer any need to continue publishing them or make reference to them in future legislative acts:

1. Council Resolution of 17 December 1974 on a Community action programme on the rational utilization of energy;
2. Council resolution of 15 March 1985 on the rational use of energy in the building sector.

The position of the following resolution on the other hand is a little different, since its annex contains useful reference information, such as recommended measures for encouraging energy savings in agriculture, commerce, transport, etc.:

3. Council resolution of 9 June 1980 concerning new lines of action by the Community in the field of energy saving.

The Commission would therefore prefer that this resolution be maintained.

ANNEX on the proposed modifications to the application Decision 77/190/EEC of Directive 76/491/EEC concerning an information and consultation procedure for oil prices

Application Decision 77/190/EEC and its subsequent amendments could be simplified by eliminating certain tables which are no longer useful, namely tables 1 and 3 annexed to the implementing Decision:

- table 1: - crude oil prices - import prices FOB.

Many countries no longer have this information and it is no longer of interest in the present context.

- crude oil prices - import prices CIF

Countries send this information every month as part of the crude oil records. The quarterly information can therefore be eliminated;

- table 3: - prices of imported petroleum products.

The information sent by the Member States is not uniform and is not very representative in certain cases.

On the other hand, we feel that tables 2 and 5 must be retained, so as to be able to follow the trend of the margin at the refinery stage, which is very useful information also given in the document on refining:

- table 2: - crude oil supply cost (CIF) (imports and local production).

This table gives a global figure for all supplies in tonnes and barrels and the relevant CIF price. This information is not available from the Statistical Office or other bodies;

- table 5: - inland market net sales proceeds and ex-refinery netback including distribution costs.

The information sent by the Member States corresponds to the accounting data sent by the oil companies on a basis clearly defined in the Directive's implementing decision. Moreover, in many Member States, the companies are bound to send this information to the Ministries concerned.

Table 4 should also be retained as it provides for the monthly notification of consumer prices:

- table 4: - consumer prices of petroleum products on the 15th of the month (including taxes).

This information is notified on a monthly basis and published in the oil bulletin. In view of the interest of the information to the Commission and the Ministries and professional organisations, which enables monitoring of trends in consumer prices on various markets, the table should be retained.

COMMUNICATION FROM THE COMMISSION

CONCERNING THE REPEAL OF SEVERAL COMMUNITY LEGISLATIVE TEXTS

IN THE FIELD OF ENERGY POLICY

As a follow-up to the conclusions reached in the Commission's report on the Review of Community Energy legislation on energy the Commission proposes that the following acts be repealed :

- Regulation 388/75/EEC on notifying the Commission of export of crude oil and natural gas to third countries
- Regulation 1055/72/EEC on notifying the Commission of imports of crude oil and natural gas and Regulation 3254/74/EEC applying Regulation 1055/72/EEC
- Regulation 1038/79/EEC on Community support for a hydrocarbon exploration project in Greenland
- Recommendation 76/492/EEC on the rational use of energy by promoting the thermal insulation of buildings
- Recommendation 76/493/EEC on the rational use of energy in the heating systems of existing buildings
- Recommendation 77/712/EEC on the regulating of space heating, the production of domestic hot water and the metering of heat in new buildings
- Recommendation 79/167/ECSC, EEC, Euratom on the reduction of energy requirements for buildings in the Community
- Recommendation 76/496/EEC on the rational use of energy for electrical household appliances

The legislative proposals necessary for repealing these acts are annexed to the Communication.

It is proposed that the Council adopts these proposals as appropriate, according to the relevant procedures laid down by the Treaties, following receipt of the opinions of the European Parliament and the Economic and Social Committee.

COUNCIL REGULATION

of

95/0214 (CNS)

repealing Regulation No 388/75/EEC on notifying the Commission of exports of crude oil and natural gas to third countries

The Council of the European Union,

Having regard to the Treaty establishing the European Community and in particular Articles 5 and 213 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Regulation No 388/75/EEC was adopted at a time when the structure of the market was very different from today's, being based mainly on long-term crude-oil supply contracts, now replaced by "spot" contracts;

Whereas the six-monthly and annual notifications are no longer requested for all crude oil and natural gas;

Whereas more detailed monthly information on crude oil and natural gas is now obtained via the Statistical Office of the European Communities, notably on the basis of the available customs data;

Whereas Regulation 388/75/EEC was designed to give the Commission access to reliable information as required to define a prudent Community oil supply policy;

Whereas the required information currently covers only a part of crude oil and natural gas exports;

Whereas the application of Regulation 388/75/EEC was suspended in 1981; whereas it has never proved necessary to reactivate it;

Whereas there is therefore no need to maintain it, since it is no longer relevant,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation 388/75/EEC is hereby repealed.

Article 2

This Regulation is addressed to the Member States.

Done at Brussels,

**For the Council
The President**

COUNCIL REGULATION
of

95/0215 (CNS)

repealing Regulation No 1055/72 (EEC)
on notifying the Commission of
imports of crude oil and natural gas

The Council of the European Union,

Having regard to the Treaty establishing the European Community and in particular Articles 5 and 213 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Regulation No 1055/72/EEC was adopted at a time when the structure of the market was very different from today's, being based mainly on long-term crude-oil supply contracts, now replaced by "spot" contracts;

Whereas the six-monthly and annual notifications are no longer requested for all crude oil and natural gas;

Whereas more detailed monthly information on crude oil and natural gas is now obtained via the Statistical Office of the European Communities, notably on the basis of the available customs data;

Whereas Regulation 1055/72/EEC was designed to give the Commission access to reliable information as required to define a prudent Community oil supply policy;

Whereas the required information currently covers only a part of crude oil and natural gas exports;

Whereas the application of Regulation 1055/72/EEC was suspended in 1981; whereas it has never seemed necessary to reactivate it;

Whereas there is therefore no need to maintain the Regulation, since it is no longer relevant,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation 1055/72/EEC is hereby repealed.

Article 2

As a consequence, Council Regulation No 3254/74, the implementing act, is also hereby repealed.

Article 3

This Regulation is addressed to the Member States.

Done at Brussels,

For the Council
The President

COUNCIL REGULATION

of

95/0216(ONS)

repealing Regulation No 1038/79/EEC on Community support for a hydrocarbon exploration project in Greenland

The Council of the European Union,

Having regard to the Treaty establishing the European Community and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Regulation No 1038/79/EEC was adopted to implement a specific hydrocarbon exploration project in Greenland;

Whereas the project was completed in the time planned;

Whereas, in view of the results obtained on completion of the project, it was not exploited commercially;

Whereas there is therefore no need to maintain a legislative act which is no longer useful,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation 1038/79/EEC is hereby repealed.

Article 2

This Regulation is addressed to the Member States.

Done at Brussels,

For the Council
The President.

COUNCIL DECISION
of

repealing recommendation 76/492/EEC
on the rational use of energy by promoting
the thermal insulation of buildings

The Council of the European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Whereas recommendation 76/492/EEC was adopted to implement the organization of public information campaigns, so as to publicize the most suitable means of improving the insulation of dwellings and adopt harmonised reference standards for thermal insulation at Community level;

Whereas the field covered by the recommendation has again been covered by Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency;¹

Whereas recommendation 76/492/EEC has been overtaken by the Community legislative process and therefore no longer serves any useful purpose,

HAS ADOPTED THIS DECISION:

Article 1

Recommendation 76/492/EEC is hereby repealed.

Done at Brussels,

For the Council
The President

COUNCIL DECISION
of

repealing recommendation 76/493/EEC
on the rational use of energy in the
heating systems of existing buildings

The Council of the European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Whereas recommendation 76/493/EEC was adopted to vary heat and hot-water consumption in buildings occupied part time or as dwellings;

Whereas the field covered by the recommendation has again been covered by Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency;¹

Whereas recommendation 76/493/EEC has been overtaken by the Community legislative process and therefore no longer serves any useful purpose,

HAS ADOPTED THIS DECISION:

Article 1

Recommendation 76/493/EEC is hereby repealed.

Done at Brussels,

For the Council
The President

¹ OJ L 237, 22.9.1993, p. 28.

COUNCIL DECISION
of

**repealing recommendation 77/712/EEC
on the regulating of space heating,
the production of domestic hot water and
the metering of heat in new buildings**

The Council of the European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Whereas recommendation 77/712/EEC was adopted to promote the variation and monitoring of heat consumption in buildings, and of temperatures while premises are occupied or unoccupied with a view to making sufficient energy savings;

Whereas the field covered by the recommendation has again been covered by Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency;¹

Whereas recommendation 77/712/EEC has been overtaken by the Community legislative process and therefore no longer serves any useful purpose,

HAS ADOPTED THIS DECISION:

Article 1

Recommendation 77/712/EEC is hereby repealed.

Done at Brussels,

For the Council
The President

¹ OJ L 237, 22.9.1993, p. 28.

COUNCIL DECISION

of

95)0217(CNS)

**repealing recommendation 79/167/ECSC, EEC, Euratom
on the reduction of energy requirements for
buildings in the Community**

The Council of the European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas recommendation 79/167/ECSC, EEC, Euratom was adopted to propose investment programmes up to 1985 aimed at reducing energy demand by improving thermal insulation in buildings, reducing superfluous ventilation and improving the efficiency of heating and cooling systems;

Whereas the field covered by the recommendation has again been covered by Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency;¹

Whereas recommendation 79/167/ECSC, EEC, Euratom has been overtaken by the Community legislative process and therefore no longer serves any useful purpose;

Whereas the period of application of the recommendation (1979-85) has now expired,

HAS ADOPTED THIS DECISION:

Article 1

Recommendation 79/167/ECSC, EEC, Euratom is hereby repealed.

Done at Brussels,

For the Council
The President

¹ OJ L 237, 22.9.1993, p. 28.

COUNCIL DECISION
of

**repealing recommendation 76/496/EEC
on the rational use of energy for
electrical household appliances**

The Council of the European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Whereas recommendation 76/496/EEC was adopted to propose all appropriate measures to inform purchasers of the energy consumption of each appliance by means of labelling and national information campaigns;

Whereas the field covered by the recommendation has again been covered by Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances;¹

Whereas recommendation 76/496/EEC has been overtaken by the Community legislative process and therefore no longer serves any useful purpose,

HAS ADOPTED THIS DECISION:

Article 1

Recommendation 76/496/EEC is hereby repealed.

Done at Brussels,

For the Council
The President

¹ OJ L 297, 13.10.1992, p. 16.

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