Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

10 March 2016 [shall come into force on 5 April 2016];

15 June 2017 [shall come into force on 6 July 2017];

1 November 2018 [shall come into force on 28 November 2018];

8 October 2020 [shall come into force on 2 November 2020].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on the Energy Performance of Buildings**

**Section 1. Terms Used in this Law**

The following terms are used in this Law:

1) **energy performance of a building** – the relative amount of energy which characterises the necessary energy consumption for the supply of heating, ventilation, cooling, lighting and hot water in the typical operating conditions of a specific type of building;

2) **certification of the energy performance of a building** – a process during which the energy performance of an existing building or building unit is determined, and an energy performance certificate of the building is issued or the planned energy performance of a building or building unit to be designed, rebuilt or renewed is determined and a temporary energy performance certificate of the building is issued;

3) **technical building system** – an aggregate of technical equipment and engineering networks which separately or in a common system ensures heating, ventilation, cooling, lighting, hot water supply, building automation and control, on-site electricity generation and supply, or a combination of such systems, including those systems in which energy from renewable sources is used, of a building or building unit;

4) **air conditioning system** – a combination of the components which ensure the maintenance of indoor climatic conditions, including controlling or lowering the temperature;

5) **independent expert** – a person who is entitled to evaluate the energy performance of the building, its elements, and technical systems, to perform certification of the energy performance, and to inspect heating systems and air conditioning systems;

6) [8 October 2020];

7) **effective rated output** – the maximum heat or cold return specified and guaranteed by the manufacturer in kilowatts which may be supplied during continuous operation in conformity with the useful efficiency indicated by the manufacturer.

[*15 June 2017; 8 October 2020*]

**Section 2. Purpose of this Law**

The purpose of this Law is to promote rational use of energy resources, improving the energy performance of buildings, and also to informing society of the energy consumption of buildings.

**Section 3. Scope of the Application of this Law**

(1) The Law prescribes:

1) the minimum energy performance requirements for existing buildings;

2) the requirements for the certification of the energy performance of buildings;

3) the requirements for the inspection of heating systems and air conditioning systems of an existing building;

4) the requirements for the use of high efficiency systems.

(11) The minimum energy performance requirements for the buildings to be designed, rebuilt, or renewed shall be determined by the laws and regulations governing the field of construction by taking into account the exceptions and the requirements laid down in this Law for the use of high efficiency systems.

(2) The requirements of this Law shall not be applicable to buildings:

1) for which energy is not used for regulating indoor climatic conditions;

2) which are cultural monuments or in which cultural monuments are located, and also buildings in the territories of cultural monuments, if the fulfilment of the requirements of the Law endangers the preservation of those cultural monuments or reduces their cultural and historical value;

3) which have been designed and built for religious services and other religious activities;

4) which are residential buildings that are used or are intended for use only for less than four months per year or for a limited time period each year, and the anticipated energy consumption whereof is less than 40 kilowatt-hours per square metre per year (for example, summer cottages, garden-houses);

5) which are free-standing and the total area of inside premises whereof is less than 50 square metres;

6) which are intended for temporary use not longer than two years;

7) which are industrial manufacturing buildings and non-residential buildings of farms with a low energy demand (total energy consumption does not exceed 50 kilowatt-hours per square metre of the total area of inside premises per year);

8) which are buildings of diplomatic and consular missions of the Republic of Latvia abroad. The designing, construction, and supervision of use of such buildings shall be organised by *valsts akciju sabiedrība “Valsts nekustamie īpašumi”* [State joint stock company State Real Estate] which coordinates the conformity with the energy performance principles in buildings, and also taking of energy performance measures according to the climate circumstances of the particular site and the requirements of the legal acts of the host state, if their application is necessary.

[*15 June 2017; 8 October 2020*]

**Section 4. Minimum Energy Performance Requirements for Existing Buildings**

(1) The minimum energy performance requirements for existing buildings shall be determined in relation to:

1) the energy consumption level and primary energy consumption level of buildings;

2) the functionality of automation and control systems of technical building systems, the installation of self-regulating devices for the regulation of microclimate of premises, recording of the energy carrier or energy consumed in the building;

3) the installation of recharging points for electric vehicles.

(2) The Cabinet shall issue regulations regarding the minimum energy performance requirements for existing buildings referred to in Paragraph one of this Section.

(3) The minimum energy performance requirements for existing buildings shall not be applicable to technical building systems, if the application of these requirements is not possible technically or functionally, or is not economically justified.

[*8 October 2020*]

**Section 5. Use of High Efficiency Systems**

(1) When designing buildings, the option of using the following high efficiency systems therein shall be evaluated:

1) decentralised energy supply systems in which renewable energy resources are used;

2) systems using cogeneration for simultaneous generation in one process of thermal energy and electrical or mechanical energy;

3) systems using heat pumps which transfer heat from natural surroundings to buildings or technical building systems by reversing the natural flow of heat;

4) district heat supply or district cooling systems, in particular those which use renewable energy resources and which, when supplied with power from a central source of energy production, may be used for several buildings or territories.

(2) If it is planned to rebuild the technical building systems of buildings to be rebuilt or renewed, the options of using high efficiency systems shall be evaluated.

(3) When evaluating the options of using high efficiency systems, the technical, environmental and economic considerations of using such systems shall be indicated.

(4) The evaluation of using high efficiency systems shall be included in the building design, if such analysis has not been performed in the local government spatial planning documents or if the local government has not provided for restrictions in the use of the relevant high efficiency system.

[*15 June 2017*]

**Section 6. Evaluation of the Energy Performance of Buildings**

(1) An independent expert shall evaluate the calculated and measured energy performance for existing buildings.

(2) An independent expert shall evaluate the calculated energy performance for buildings to be designed, rebuilt and renewed.

(3) In evaluating the energy performance of a building or a part thereof, the following shall be taken into account:

1) the thermal capacity of the building envelope;

2) the heating system and cooling system;

3) the hot water supply system;

4) the air conditioning system;

5) the built-in lighting systems;

6) the ventilation and air permeability;

7) the location and orientation to cardinal points;

8) the impact of the sun;

9) outdoor climatic conditions and indoor microclimate;

10) internal loads.

(4) [8 October 2020]

(5) The energy performance of a building shall be evaluated in accordance with the methodology for calculating the energy performance of a building. The methodology for calculating the energy performance of a building shall be determined by the Cabinet.

[*15 June 2017; 8 October 2020*]

**Section 7. Certification of the Energy Performance of a Building**

(1) The certification of the energy performance of a building shall be performed:

1) for a building to be designed, rebuilt, or renewed in order to accept it for service or sell it;

2) for a building unit in a building to be designed, rebuilt, or renewed in order to sell this building unit, if an individual accounting of energy carrier or thermal energy is provided for it;

3) for an existing building in order to sell, rent, or lease it;

4) for an existing building unit, the total area of premises whereof exceeds 50 square metres, in order to sell, rent, or lease it, if this building unit has an individual accounting of energy carrier or thermal energy;

5) [8 October 2020];

6) in cases where a building owner has taken a decision on certification of the energy performance of the building;

7) for a public building the area of inside premises of which exceeds 250 square metres and which is used by a State or local government institution;

8) for a public building belonging to the State or local government the area of inside premises of which exceeds 250 square metres;

9) for a residential building, except for the case when all parts thereof have an individual heating system.

(2) Certification of the energy performance of an existing building need not be performed in order to sell, rent, or lease the building unit which does not have an individual accounting of energy carrier or thermal energy.

(21) Certification of the energy performance of an existing building unit need not be performed in order to sell, rent, or lease the building, if there is a valid energy performance certificate or a temporary energy performance certificate of the respective building.

(3) The procedures for the certification of the energy performance of buildings shall be determined by the Cabinet.

[*15 June 2017; 8 October 2020 /* *See Paragraph 11 of Transitional Provisions*]

**Section 8. Information to be Included in the Energy Performance Certificate of a Building and the Term of Validity of an Energy Performance Certificate**

(1) The following shall be included in the energy performance certificate of a building:

1) the evaluation of the energy performance of the building for the calculated energy performance;

2) the evaluation of the energy performance of the building for the measured energy performance;

3) information on the building and characterisation of the building;

4) information on the issuer of the energy performance certificate of the building.

(2) The following shall be included in the temporary energy performance certificate of a building:

1) the evaluation of the energy performance of the building for the calculated energy performance;

2) information on the building and characterisation of the building;

3) information on the issuer of the temporary energy performance certificate of the building.

(3) Information shall be included in the energy performance certificate of the building or the temporary energy performance certificate of the building regarding the energy performance class of the building, the reference markers according to which the building owner, tenant or lessee could compare the energy performance of the building.

(4) When evaluating a building unit, the information referred to in Paragraph one or two of this Section shall be indicated for the relevant building unit.

(5) Measures for improving the energy performance shall be developed in compliance with the requirements laid down in laws and regulations in respect of the indoor air quality and the level of comfort.

(6) A report shall be appended to the energy performance certificate of a building, indicating therein economically justified measures improving the energy performance, the implementation costs of which are cost-effective during the anticipated (planned) period of service.

(7) The term of validity of the energy performance certificate of a building shall be 10 years and the term of validity of the temporary energy performance certificate of a building shall be three years. The energy performance certificate of a building or the temporary energy performance certificate of a building shall cease to be in effect if a new energy performance certificate of the building or new temporary energy performance certificate of the building is issued for the building or building unit.

(8) A sample energy performance certificate of a building and a temporary energy performance certificate of a building, the procedures for registration and the system for the comparability of the energy performance of buildings shall be determined by the Cabinet.

[*15 June 2017* / *Amendments to Paragraph seven in respect of the term of validity of the temporary energy performance certificate of the buildings shall come into force on 1 August 2017.* *See Paragraph 9 of Transitional Provisions*]

**Section 9. Classes of Energy Performance of Buildings**

(1) Buildings shall be classified in conformity with the quantity of energy necessary in a building. Classification shall include the following indicators:

1) the heating energy performance evaluation;

2) the primary energy evaluation of the building.

(2) The conformity of a building with an energy performance class shall be determined by performing certification of the energy performance of the building.

(3) The requirements for the use of systems for the classification of energy performance of buildings, including energy performance and high performance systems, and also the requirements for a nearly zero-energy building shall be determined by the Cabinet.

[*8 October 2020*]

**Section 10. High Energy Performance Class Buildings**

[8 October 2020]

**Section 11. Inspection of Heating and Air Conditioning Systems**

(1) An inspection of the heating system and air conditioning system shall be performed:

1) for a heating system and for a heating system which has been joined with a ventilation system the total effective rated output of which exceeds 70 kilowatts;

2) for an air conditioning system and for an air conditioning system which has been joined with a ventilation system the total effective rated output of which exceeds 70 kilowatts.

(2) In performing the inspection referred to in Paragraph one of this Section, an independent expert shall draw up an inspection deed which shall include the results of inspection and recommendations for the improvement of energy performance of the inspected system, and also shall indicate the costs and savings of implementation of energy performance measures.

(3) The procedures and time periods for the inspection of a heating system and air conditioning system shall be determined by the Cabinet.

(4) The requirements of Paragraph one of this Section need not be applied if the owner of a building has entered into an energy performance service contract on taking of energy performance measures in the building in conformity with the requirements of the Energy Efficiency Law.

[*8 October 2020*]

**Section 12. Independent Experts**

(1) A person with an appropriate competence – an independent expert – is entitled to perform the evaluation of energy performance of a building or a part thereof, the certification of the energy performance of buildings, and the inspection of heating systems and air conditioning systems.

(2) When performing the certification of the energy performance of a building and the inspection of a heating system or air conditioning system, the independent expert shall use the necessary methods and applicable standards for the performance of the relevant work, and also perform the quality control of the data required for calculations in order to ensure the accuracy of the calculation results and the impartiality and reliability of the evaluation. The certification of the energy performance and inspection dossiers shall be stored for 10 years.

(3) An independent expert shall not allow actions which could reduce the accuracy of the results acquired or the impartiality and reliability of evaluations in the interests of the commissioning party or another person.

(4) The requirements for the competence of an independent expert and the procedures for the certification of the competence, the procedures for the registration and monitoring of an independent expert, and also the content and procedures for the use of the Independent Expert Register data, shall be determined by the Cabinet.

(5) The competence certification test and the task of monitoring the professional activity of an independent expert shall be delegated to a private individual in accordance with the procedures laid down in the State Administration Structure Law. In completing the delegated task, a private individual shall be under the subordination of the Ministry of Economics.

(6) The Cabinet shall approve the price list of paid services for the assessment of the competence and monitoring the professional activity of an individual expert, and also shall determine the procedures for payment and the use of the received funds.

[*15 June 2017; 8 October 2020*]

**Section 13. Duties and Rights of a Building Owner**

(1) A building owner:

1) in the cases specified in this Law, shall ensure certification of the energy performance of an existing building or building unit and a building to be designed, and also the inspection of the heating system and air conditioning system;

2) shall ensure the conformity of an existing building with the minimum requirements for the energy performance of buildings;

3) if the certification of the energy performance of a public building has been performed, it shall be ensured that the energy performance certificate or the temporary energy performance certificate of the building is placed in the respective building in a place visible to visitors;

4) the announcement or advertisement regarding the sale, rent, or lease of the building or building unit shall include the energy performance indicators of the building or building unit, if certification of the energy performance of the building has been performed in accordance with the procedures laid down in this Law;

5) if the building is a residential house, shall append the documents prepared in accordance with this Law to the file of the residential house (for example, energy performance certificate of the building, opinions);

6) if a tenant or lessee requires the certification of the energy performance of a building or building unit, the necessary circumstances and relevant documentation shall be ensured.

(2) In accordance with the procedures and amount specified by laws and regulations, a building owner is entitled to receive co-financing from the European Union funds, the State or local government for the certification of the energy performance of the building, and also for improvement measures of the energy performance of the building.

(3) The monitoring and control of the fulfilment of the obligations referred to in Paragraph one, Clause 3 of this Section shall be performed by the State Construction Control Bureau according to the competence thereof. Taking and execution of a decision in respect of a private individual and derived public person shall take place in accordance with the procedures laid down in the Administrative Procedure Law.

(4) The monitoring and control of the fulfilment of the obligations referred to in Paragraph one, Clause 4 of this Section and Section 14, Paragraphs one and two shall be performed by the Consumer Rights Protection Centre in compliance with the laws and regulations governing the field of advertising and the protection of consumer rights.

[*15 June 2017; 1 November 2018*]

**Section 14. Rights and Duties of Other Persons**

(1) The purchaser, tenant, or lessee of an existing building or building unit or the purchaser of a building to be designed is entitled to become acquainted with the energy performance certificate of the building or the temporary energy performance certificate of the building, if certification of the energy performance of the building is anticipated for the relevant building or building unit in accordance with the requirements of this Law.

(2) The purchaser of an existing building or building unit or the purchaser of a building to be designed is entitled to become acquainted with the energy performance certificate of the building or the temporary energy performance certificate of the building following the acquisition of the building or building unit, if certification of the energy performance is anticipated for the relevant existing building or building unit or the building to be designed in accordance with the requirements of this Law and if the relevant document has not been appended to the file of the residential house.

(3) The State shall purchase or lease only such buildings which comply with the minimum energy performance requirements laid down in the laws and regulations governing construction which is attested by the energy performance certificate of the building.

(31) The requirements laid down in Paragraph three of this Section shall be applied to contracts the value of which is equal to the threshold values laid down in Article 4 of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, or exceeds them.

(4) The requirements laid down in Paragraph three of this Section need not be applied if the State purchases a building which is necessary for the performance of State administration functions and which, prior to starting the use thereof, is planned to be renewed or rebuilt in conformity with the requirements laid down in the laws and regulations governing construction, or is planned to be demolished.

(5) The requirements laid down in Paragraph three of this Section need not be applied, if at least one of the following conditions exists:

1) it is either technically or functionally impossible to ensure the compliance of the building with the minimum energy performance requirements laid down in the laws and regulations governing construction;

2) there is insufficient competition between the sellers or lessors of the immovable properties;

3) the purchase or lease of a building which meets higher energy efficiency criteria is not economically feasible.

[*10 March 2016; 15 June 2017; 8 October 2020*]

**Section 15. Competence of the Authorities Responsible for the Energy Performance of Buildings**

(1) The general supervision and co-ordination of the energy performance of buildings shall be performed by the Ministry of Economics.

(2) The Ministry of Economics shall:

1) develop and implement the policy for the energy performance of buildings;

2) [15 June 2017];

3) perform measures in order to inform the society of various methods and practice, and also draw up and administrate support instruments which serve to improve the energy performance of buildings;

4) perform measures which promote the renewal of buildings and the construction of low or nearly zero-energy buildings;

5) perform measures so that users are provided with recommendations in respect of inspection of heating systems and air conditioning systems and improvement of the performance thereof;

6) perform other tasks related to the policy for the energy performance of buildings specified in other laws and regulations or policy planning documents.

(3) The information systems necessary for the administration of the certification of the energy performance and the inspection of heating systems and air conditioning systems of buildings shall be maintained by the State Construction Control Bureau.

[*15 June 2017*]

**Transitional Provisions**

1. With the coming into force of this Law, the Law on the Energy Performance of Buildings (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2008, No. 9; *Latvijas Vēstnesis*, 2010, No. 43) is repealed.

2. Until 9 July 2015, the certification of the energy performance specified in Section 7, Paragraph one, Clause 5 of this Law shall be performed for public buildings in the State or local government ownership, the heating area of which exceeds 500 square metres.

3. Until 31 December 2015, the certification of the energy performance of building units specified in Section 7, Paragraph one, Clause 4 of this Law shall not be applicable if the relevant building unit is rented or leased.

4. Until 31 December 2015, the certification of the energy performance of building units specified in Section 7, Paragraph one, Clause 4 of this Law shall not be applicable to the relevant building unit if it is rented or leased until the day of the coming into force of this Law.

5. Until 30 June 2013 the Cabinet shall issue the regulations specified in Section 6, Paragraph five, Section 7, Paragraph three, Section 8, Paragraph seven, Section 9, Paragraph five, Section 10, Paragraph three, Section 11, Paragraph three and Section 12, Paragraph four of this Law.

6. Until the day of the new Cabinet regulations coming into force, but not later than until 30 June 2013, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 26 of 13 January 2009, Regulations Regarding Energy Auditors;

2) Cabinet Regulation No. 39 of 13 January 2009, Regulations Regarding the Methodology for Calculating the Energy Performance of Buildings;

3) Cabinet Regulation No. 504 of 8 June 2010, Regulations Regarding the Energy Certification of Buildings.

7. At least three measures improving the energy performance which are specified in the report of the energy performance certificate of the respective building and are cost-effective during the anticipated (planned) period of service shall be introduced within the period of three years from the date of entering into a lease contract in buildings that from 1 April 2016 are transferred for use to an institution of direct administration and which do not meet the minimum energy performance requirements.

[*10 March 2016*]

8. During the term of validity of the lease contract, the buildings which have been transferred for use to an institution of direct administration by 31 March 2016 shall not be subject to the application of the requirement specified in Section 13, Paragraph one, Clause 2 of this Law.

[*10 March 2016*]

9. Amendments to Section 8, Paragraph seven of this Law in respect of the term of validity of the temporary energy performance certificate of the buildings shall come into force on 1 August 2017. The term of validity of temporary energy performance certificates issued before 1 August 2017 shall be three years, if the temporary energy performance certificate of the building is still valid.

[*15 June 2017*]

10. Section 12, Paragraphs five and six of this Law shall come into force on 1 January 2018.

[*15 June 2017*]

11. The certification of the energy performance of buildings referred to in Section 7, Paragraph one, Clause 9 of this Law shall be performed:

1) until 31 December 2040 if the building is a multiapartment building;

2) until 31 December 2050 if the building is a single-apartment building.

[*8 October 2020*]

12. The Cabinet shall, by 31 March 2021, issue the regulations referred to in Section 4, Paragraph two, Section 9, Paragraph three, and Section 11, Paragraph three of this Law. Until the day of coming into force of this Regulation, but not longer than until 31 March 2021, Cabinet Regulation No. 348 of 25 June 2013, Methodology for Calculating the Energy Performance of a Building, and Cabinet Regulation No. 383 of 9 July 2013, Regulations Regarding Energy Certification of Buildings, shall be applied, insofar as they are not in contradiction with this Law.

[*8 October 2020*]

**Informative Reference to European Union Directives**

[*10 March 2016; 8 October 2020*]

This Law contains legal norms arising from:

1) Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings;

2) Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC, requirements in respect of the procurement of buildings performed by the State;

3) Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency.

The Law shall come into force on 9 January 2013.

The Law has been adopted by the *Saeima* on 6 December 2012.

President A. Bērziņš

Rīga, 21 December 2012