

Energy Efficiency Legislation and Policies

Hungary

Legal Analysis

Justice and Environment 2011

Energy Efficiency Legislation and Policies

Hungary

Legal Analysis

During the year 2011 J&E analyzed whether certain member states took effective legal measures in order to comply as to the 2020 targets. This is the national report for Hungary.

1. Energy Efficiency Act

1.1. Is there an overarching Energy Efficiency Act in your country?

Presently, there is no overarching Energy Efficiency Act in Hungary.

1.2. Has your national parliament adopted any specific legislation on energy efficiency?

According to the Hungarian legislative hierarchy, acts are adopted by the Parliament, which acts are placed on the top thereof. Furthermore, there are governmental and ministerial decrees containing enforcement rules for the acts or regulating special issues at hand. In addition to energy efficiency the Hungarian regulation contains a number of provisions concerning several areas of law.

The main regulations containing regulation on energy efficiency in Hungary:

Acts:

- The Act LX of 2007 on Enforcement of Framework Convention on the UN Framework Convention on Climate Change and Kyoto Protocol¹.

- The Act LXXXVI of 2007 on Electric Energy² which came into effect in 2008. The Parliament has adopted the Act with a view to setting up an efficient internal electricity market, to promote energy efficiency and energy conservation within the framework of sustainable development, to provide consumers with a secure and reliable supply of electricity of a specified quality at transparent prices.

- The Act XL of 2008 on Natural Gas Supply³ is also aiming energy efficiency and energy conservation within the framework of sustainable development.

¹ 2007. évi LX. törvény az ENSZ Éghajlatváltozási Keretegyezménye és annak Kiotói Jegyzőkönyve végrehajtási keretrendszeréről

² 2007. évi LXXXVI. törvény a villamos energiáról

³ 2008. évi XL. törvény a földgázellátásról

- The Act CVIII of 2011 on Public Procurement⁴ it has incorporated some provisions in order to strive for energy-efficient public procurement although it does not refer to the Directive 2006/32/EC.

Government Decrees:

- Government Decree No. 273/2007 on execution of certain provisions of Act LXXXVI of 2007 on Electric Energy⁵ has – among other rules - the Art 6. par 2-3 of the Directive implemented.

- Government Decree No. 323/2007 (XII.11.) on rules of execution of the Act LX of 2007 on Enforcement of Framework Convention on the UN Framework Convention on Climate Change and Kyoto Protocol⁶ contains the detailed rules on the so called Green Investment Scheme (GIS) which program is to facilitate energy rationalization of residential buildings including the Climate-friendly Home Panel Sub-program and the Energy Efficiency Sub-program.

- The Government Decree No. 176/2008 (VI. 30.) on the Certification of Energetic Characteristics of Buildings⁷ obligates issuing energy certificate in the following cases: occupancy permission of the new estates, long term real estate rentals and buildings with over 1 000 m² net area, occupied by public authorities and institutions providing public services. The certification for existing buildings, flats which are sold is voluntarily until 31st December 2011, after January 1st 2012 the energy certificate will be compulsory.

- Government Decree No. 264/2008 (XI. 6.) on energy review of heat producing and air conditioning systems⁸ requires the review of heat production equipment with an effective nominal performance of over 20 kW; air-conditioning systems with an effective nominal performance of more than 12 kW; and heating systems older than 15 years and with an effective nominal performance of over 20 kW.

- Government Decree No. 19/2009 on execution of Act XL of 2008 on Natural Gas Supply⁹

- Government Decree No. 288/2009 (XII. 15.) on data collected and taken over by the National Statistical Data Collection Program¹⁰ - as it is referred in the decree - implements Articles 3. 6. 3., 6., 12., 13. and 18. of the Directive.

- Government Decree No. 48/2011. (III.30.) on promotion of procurement of clean and energy-efficient road transport vehicles¹¹ describes that contracting authorities and

⁴ 2011. évi CVIII. törvény a közbeszerzésekről

⁵ 273/2007. (X. 19.) Korm. Rendelet a villamos energiáról szóló 2007. évi LXXXVI. törvény egyes rendelkezéseinek végrehajtásáról

⁶ 323/2007. (XII. 11.) Korm. Rendelet az ENSZ Éghajlatváltozási Keretegyezménye és annak Kiotói Jegyzőkönyve végrehajtási keretrendszeréről szóló 2007. évi LX. törvény végrehajtásának egyes szabályairól

⁷ 176/2008. (VI. 30.) Korm. Rendelet az épületek energetikai jellemzőinek tanúsításáról

⁸ 264/2008. (XI. 6.) Korm. Rendelet a hőtermelő berendezések és légkondicionáló rendszerek energetikai felülvizsgálatáról

⁹ 19/2009. (I. 30.) Korm. Rendelet a földgázellátásról szóló 2008. évi XL. törvény rendelkezéseinek végrehajtásáról

¹⁰ 288/2009 (XII. 15.) Korm. Rendelet az Országos Statisztikai Adatgyűjtési Program adatgyűjtéseiről és adatátvételeiről

¹¹ 48/2011. (III. 30.) Korm. rendelet a környezetkímélő és energiahatékony közúti járművek beszerzésének előmozdításáról

operators, when purchasing road transport vehicles, are obliged to take into account the operational lifetime energy and environmental impacts.

Ministerial Decrees:

- Ministerial Decree 5/2002 (II. 15.) on the energy efficiency requirements for household electric refrigerators, freezers and their combinations.
- Ministerial Decree 6/2002 (II. 15.) on the energy efficiency labeling of household combined washer-dryers.
- Ministerial Decree 7/2002 on the energy efficiency labeling of dishwashers.
- Joint ministerial decree No. 12/2002. (III. 14.)¹² on the fuel efficiency and carbon-dioxide emission requirements for newly distributed cars.
- Ministerial Decree No. 7/2006. (V. 24.) TNM on the establishment of energy characteristics of buildings¹³ elaborated a national methodology for calculating the integrated energy efficiency of buildings; established minimum requirements for the energy efficiency of new buildings with a surface area of over 1000m²; established minimum requirements for large existing buildings (with a surface area of more than 1000 m²) regarding their energy performance in case they are subject to major renovation.

Government decisions:

The Hungarian Government adopted the National Energy Efficiency Action Plan (I. NEEAP) with Gov. Decision 2019/2008 (II. 23)¹⁴ in 2008. The I. NEEAP outlined the existing and planned energy efficiency measures to decrease the energy consumption by 1% per year during the 9 years between 2008-2016.

The objectives of the I. NEEAP were:

- alignment of Hungary's energy policy initiatives with those of the European Union;
- finding the most cost-effective solutions for utilizing energy-saving potential;
- shaping consumer awareness and influencing the market in order to achieve long-term energy efficiency;
- informing market players of the structure and time frame of the plans;
- realization of the EU's energy efficiency expectations of member states; and
- consideration of climate protection aspects.

The plan notes that additional savings could be achieved if other actions can be implemented like:

- extension of state aid in addition to replacing household installations with efficient ones, compact fluorescent tubes, etc.;
- state aid for the development of energy saving awareness activities;
- making the use of energy efficient office installations obligatory;

¹² 12/2002. (III. 14.) GM-KöViM-KöM együttes rendelet az új személygépkocsik üzemanyag-gazdaságossági és szén-dioxid-kibocsátási adatainak közzétételéről

¹³ 7/2006. (V. 24.) TNM rendelet az épületek energetikai jellemzőinek meghatározásáról

¹⁴ 2019/2008. Kormányhatározat Magyarország Nemzeti Energiahatékonysági Cselekvési Tervéről

- promotion of the dissemination of building technologies resulting in the smallest use of energy;
- strengthening of the energy aspect of environmental and traffic safety considerations in connection with the import of used vehicles.

The Gov. Decision 1076/2010. (III. 31.)¹⁵ on the Modified National Energy Efficiency Action Plan of Hungary also includes the energy savings target described earlier. Both NEEAP and MNEEAP mainly focus on consolidating and expanding existing programs.

The Hungarian Government adopted the II. National Energy Efficiency Action Plan 2016, with an outlook to 2020 (II. NEEAP) with Gov. Decision 1374/2011 (XI. 08)¹⁶.

The II. NEEAP includes

- the shortcomings, findings discovered and an action plan aiming to solve those;
- an overarching introduction of the II. NEEAP;
- national energy saving targets and measures in energy end-use;
- detailed presentation of the II. NEEAP – sectoral measures for energy saving;
- the institutions responsible for implementation and monitoring.

1.3. Do drafts for this type of legislation exist?

According to the information available, there are not existing drafts for this type of legislation.

1.4. Does existing and/or planned legislation contain a binding or indicative energy efficiency target?

The I. NEEAP anticipated that Hungary will attain the annual 1% of savings in the use of energy, as provided for in the Directive. The I. NEEAP provides an estimation of the savings that can be achieved by 2013 by maintaining these programs in operation during the period 2007-2013:

- Energy saving credit fund (EHA): 6-6.5 PJ/annum
- Energy efficiency Credit Construction co-financed by PHARE: 5-5.5 PJ/annum
- The energy saving support and credit program “For a successful Hungary” for the residential sector: 3-3.3 PJ/annum
- Development of an environmentally friendly power management under the operational program for environmental protection and infrastructure (KIOP): 11 PJ/annum
- Supporting the energy-saving modernization and renewal of the residential buildings (panel program): 1-2 PJ/annum
- Energy certificate (currently being implemented): 2-3 PJ/annum

The Gov. Decision No. 1076/2010. (III. 31.) on the Modified National Energy Efficiency Action Plan of Hungary also agrees with the annual 1 % energy savings target described earlier.

¹⁵ 1076/2010. (III. 31.) Kormányhatározat Magyarország Módosított Nemzeti Energiahatékonysági Cselekvési Tervéről

¹⁶ 2019 1374/2011. (XI. 8.) Korm. határozat Magyarország II. Nemzeti Energiahatékonysági Cselekvési Tervéről 2016-ig, kitekintéssel 2020-ra

The II. NEEAP has also maintained the annual 1% target regarding to national energy savings to be achieved. The document provides an estimation of the savings that can be achieved by 2016 (9%) with regard to the sectors of the national economy.

Sector	National target
Population	21,00 PJ/annum
Public institutions	14,75 PJ/annum
Industry, production sector	13,05 PJ/annum
Transport	4,60 PJ/annum
Horizontal and intersectoral actions and measures	4,00 PJ/annum
Aggregated savings to be achieved until 2016	57,40 PJ/annum

1.5. If no draft exists, is Energy Efficiency a topic on the political agenda? Have political documents been produced covering the issue of energy efficiency?

The Resolution of the Parliament No. 40/2008 (IV. 17) defined the energy policy for 2008-2020. The Resolution includes the tasks related to energy policy, security of supply, competitiveness and maintenance as well as measures supporting the implementation of community aims defined in the framework of the European Union. In order to implement this, the Resolution states the tasks of the government as well.

The Program of National Cooperation approved by the Government in 2010 contains political commitments on implementation of the “European energy-efficient buildings” initiative that must be promoted in Hungary to support green technologies and the development of energy-efficient systems and materials in new and renovated buildings.

According to the Program a national energy efficiency program would jump-start the construction industry; renovating 10% of flats a year would create 80,000 construction industry jobs, and the investment would pay off in less than 10 years. Furthermore, our environmental commitments would also be solved.

The Program describes that an energy efficiency program can be launched with the participation of local governments through a green bank (block flat renovation with savings of 80%, home insulation, Smart Grid, modernization of public buildings); to promote renewable energy investments (geothermal wind and heat energy) it is necessary to accelerate the implementation of IT systems which replace bureaucracy (e-government, linking government databases, automation of administrative tasks).¹⁷

In October of 2011, the Hungarian Parliament approved the National Energy Strategy for the period up to 2030, with a further projection to 2050 in its Resolution No. 77/2011. (X. 14.)¹⁸

¹⁷ http://www.mkogy.hu/irom39/00047/00047_e.pdf downloaded: 24.08.2011.

¹⁸ 77/2011. (X. 14.) OGY határozat a Nemzeti Energiastratégjáról

Within this Strategy several potential options have been presented, the “Nuclear-Coal-Green” option is mentioned as the most realistic and preferred one. The Strategy’s key elements are as follows:

- the long-term use of nuclear energy within the energy-mix;
- the preservation of the current contribution level of coal-based energy production;
- the increased use of the renewable energy sources

2. End-use efficiency and energy services

2.1. Has an indicative energy savings target of at least 9% by 2016 been adopted in your country?

In 2008, the Hungarian Government adopted the National Energy Efficiency Action Plan (NEEAP) with Gov. Decision 2019/2008 (II. 23)¹⁹. The NEEAP outlined the existing and planned energy efficiency measures to decrease the energy consumption by 1% per year during the 9 years between 2008-2016. The NEEAP described a number of national energy-saving programs and measures.

The Gov. Decision 1076/2010. (III. 31.)²⁰ on the Modified National Energy Efficiency Action Plan of Hungary agreed with the energy savings target described earlier and the II. NEEAP also repeated the targets mentioned above.

2.2. Which authority has been appointed for the monitoring of the process?

According to the NEEAP and the Government Decree No. 64/2009, in Hungary the Ministry of National Development (former Ministry of Transport, Telecommunication and Energy) is responsible for the preparation of the National Energy Efficiency Action Plans.

The task of monitoring of the process has been delegated to the Energy Centre, making this body responsible for reporting to the EU as the background institution of the Ministry. The coordination of the implementation of NEEAP and the verification of its progress also fall under the responsibility of the Energy Centre²¹.

The „Energy Centre” Energy Efficiency, Environment and Energy Information Agency Non-Profit Company is owned by the Hungarian State and it is the national energy agency responsible for the improvement of the energy efficiency and renewable energy utilization. Energy Centre was assigned to develop the National Energy Efficiency Action Plan. Energy Centre carries out a substantial part of the implementation of Directive 2006/32/EC in Hungary and executes the monitoring requirements²².

Chapter 4. of the II. NEEAP points the institutions and responsibilities thereof in implementation and monitoring out. In addition to the measures and actions described in the II. NEEAP, and in accordance thereto, the Energy Centre Nonprofit Company will be

¹⁹ 2019/2008. Kormányhatározat Magyarország Nemzeti Energiahatékonysági Cselekvési Tervéről

²⁰ 1076/2010. (III. 31.) Kormányhatározat Magyarország Módosított Nemzeti Energiahatékonysági Cselekvési Tervéről

²¹ www.esd-ca.eu/content/download/16686/24522/file/Hungary.doc.pdf

²² <http://www.energiakozpont.hu>

responsible for establishment and actuation of the system for monitoring, evaluating and reporting

2.3. National Energy Efficiency Action Plan

- Has a second National Energy Efficiency Action Plan been adopted in your country?

The Hungarian Government adopted the II. National Energy Efficiency Action Plan 2016, with an outlook to 2020 (II. NEEAP) with Gov. Decision 1374/2011 (XI. 08)²³.

- If yes, does it contain the information necessary according to Art 14 par 224 of Directive 2006/32/EC on energy end-use efficiency and energy services?

The II. NEEAP mainly contains the information necessary according to Art. 14 of the Directive; however the shortcomings discussed before the first Chapter of the II. NEEAP has drawn attention to the lack of

- overarching, nationwide demand-forecast based on reliable forecast of fuel and electricity demand;
- sufficient monitoring of implementation of the measures laid down in the I. NEEAP;
- reliable information on opportunities for energy savings in industry, services and transport;
- buildings energy data basis for dwelling houses;
- reliable data about the energy consumption of public buildings.

The II. NEEAP includes conclusions about the preceding EEAP; the final results with regard to the fulfillment of the energy savings targets set out in Article 4(1) and (2) of the Directive. The II. NEEAP - based on available data, supplemented with estimates - also contains plans and measures supporting the achievement of the targets.

- If no, why is the deadline of 30 June 2011 exceeded and when will the EEAP be provided?

The deadline laid down in the Directive was exceeded, but the II. NEEAP was finally submitted in November of 2011.

²³ 2019 1374/2011. (XI. 8.) Korm. határozat Magyarország II. Nemzeti Energiahatékonysági Cselekvési Tervéről 2016-ig, kitekintéssel 2020-ra

²⁴ According to this Article the second and third EEAPs shall:

- include a thorough analysis and evaluation of the preceding EEAP;
- include the final results with regard to the fulfilment of the energy savings targets set out in Article 4(1) and (2);
- include plans for – and information on the anticipated effects of – additional measures which address any existing or expected shortfall vis-à-vis the target;
- in accordance with Article 15(4), use and gradually increase the use of harmonised efficiency indicators and benchmarks, both for the evaluation of past measures and estimated effects of planned future measures;
- be based on available data, supplemented with estimates.

Please check if these requirements are fulfilled and possibly provide a short assessment of the quality of information.

2.4. Energy efficient public procurement

- Have at least two energy efficient public procurement measures²⁵ been incorporated into national public procurement legislation?

Legislation concerning energy efficiency in public procurement in Hungary:

- **Act CXXIX of 2003 on Public Procurement** (hereinafter: **PP**, in force from 01.05.2004)

- **Government Decree No. 48/2011. (III.30.) on promotion of procurement of clean and energy-efficient road transport vehicles** (hereinafter **Gov. Decree 48/2011.**, in force from 15.04.2011)

- **Act CVIII of 2011 on Public Procurement** (hereinafter: **new PP**, in force from 21.08.2011;)

- **Government Decree No. 176/2008 (VI. 30.) on the Certification of Energetic Characteristics of Buildings**

PP has not contained energy efficient public procurement measures. The articles regarding to the approximation to the European Community law does not refer to the Directive 2006/32/EC, legislator theoretically left the obligation laid down in Art 4. of the Directive out of consideration.

PP applies to all contracts for the purchase of supplies, construction projects and services, as well as to construction concessions, services concessions, simplified procedures and the design competition procedure if the estimated value of the contract exceeds the thresholds established in the Budget Act annually.

The PP declares that in the course of its procurement the contracting authority shall aim for taking into account the environmental aspects. (Art. 1. par 5. of PP)

PP is divided into eight parts setting out the rules generally applicable to all procurement procedures and the specific rules applicable to procurements by certain organizations and other entities operating in the fields of water management, energy, public transport and electronic telecommunication sectors.

Although sporadically there are provisions aiming the environmental aspects taken into account, these are general or discretionary rules (Art. 4. p.15.; Art. 53. par 7.; Art. 57. par 4 p 7.).

The Gov. Decree 48/2011. aims the implementation of the Directive 2009/33/EC on the promotion of clean and energy-efficient road transport vehicles. Although its provisions do not refer to Directive 2006/32/EC, the Gov. Decree 48/2011. has included measurements aiming energy-efficient public procurement in this regard.

Art. 3. par 1. of the Gov. Decree 48/2011. describes that contracting authorities and operators, when purchasing road transport vehicles, are obliged to take into account the operational lifetime energy and environmental impacts as set out in Art. 3. par 2 and apply at least one of the options set out in Art. 3. par 4.

The operational energy and environmental impacts to be taken into account shall include at least the following:

²⁵ See Art 5 and Annex VI of Directive 2006/32/EC.

- (a) energy consumption;
- (b) emissions of CO₂ ; and
- (c) emissions of NO_x , NMHC and particulate matter.

The requirements shall be fulfilled in accordance with the following options:

- (a) by setting technical specifications for energy and environmental performance in the documentation for the purchase of road transport vehicles on each of the impacts considered, as well as any additional environmental impacts; or
- (b) by including energy and environmental impacts in the purchasing decision, whereby: — in cases where a procurement procedure is applied, this shall be done by using these impacts as award criteria, and — in cases where these impacts are monetized for inclusion in the purchasing decision, the methodology for the calculation of operational lifetime costs (Art. 4.) shall be used.

The main provisions of the **new PP** will come into force on the 1st of January, 2012. Neither this new legislation refers to the Directive 2006/32/EC; however it has incorporated some provisions in addition to striving for energy-efficient public procurement.

The rules on the evaluation criteria describe that the contracting authority shall specify the evaluation criteria in the contract notice.

The contract may be awarded based on either of the following two criteria:

- the lowest price tender, or
- the most economically advantageous tender.

If the contracting authority intends to select the most economically advantageous tender, it shall specify the constituent factors for assessing the most economically advantageous tender.

The constituent factors shall always be based on quantifiable elements or elements comparable in some other manner and shall be related to the subject-matter of the public procurement and the material terms of the relevant contract (in addition to the price, e.g.: quality, technical merit, aesthetic and functional characteristics, environmental characteristics, **sustainability**, running costs, economy and cost-effectiveness, after-sale service and technical assistance, supply of spare parts, securing stocks, delivery date or period). The aspect of sustainability is defined inter alia as aspect of energy efficiency. (Art. 4. p 8. and Art. 71. par 4. p c. of the new PP)

The Government Decree No. 176/2008 (VI. 30.) on the Certification of Energetic Characteristics of Buildings obligates issuing energy certificate in the case of buildings with over 1 000 m² net area, occupied by public authorities and institutions providing public services

- Have guidelines on energy efficiency and energy savings as a possible assessment criterion in competitive tendering for public contracts²⁶ been published?

Although both the NEEAP and the MNEEAP contained measures on preparing guidelines on energy efficiency and energy savings as a possible assessment criterion in competitive tendering for public contracts, information about existing this type of documents were not found.

²⁶ See Art 5 of Directive 2006/32/EC.

2.5. Energy distributors, distribution system operators and retail sellers

- Are regulations in place, which ensure that energy distributors, distribution system operators and retail sellers are ready to provide the information defined in Art 6 par 1 a of Directive 2006/32/EC?

According to the Art 159. par 1 of Act LXXXVI of 2007 on Electric Energy, the Hungarian Energy Office is – inter alia - vested with the following responsibilities in connection with the supply of electricity, overseeing the safety of supply and effective functioning of the electricity market, and enforcing the principle of non-discrimination and promoting effective competition:

- to issue and – in cases specified in statutory regulations – amend or withdraw the authorizations required for performing activities which are rendered subject to authorization under this Act, and to render private lines subject to authorization;

- to approve the standard service agreements and the internal regulations adopted by the authorized operators, and their amendments, or to amend or withdraw such agreements and regulations in the cases specified in this Act;

- to approve the compliance programs submitted by the transmission system operator, or by the authorized distribution network operators, and their amendments, and to approve the annual report of compliance.

- to establish – within the legal framework defined by law by way of a resolution – the minimum quality requirements concerning the activities performed by authorized operators and their expected standard for each individual operator, the detailed regulations for the information of end users and public relation requirements, also covering the minimal requirements for authorized network operators relating to safe and reliable operations.

The Government Decree 273/ 2007 on execution of certain provisions of Act LXXXVI of 2007 on Electric Energy²⁷ describes that the National Energy Office shall define the general and special measures of quality (minimal requirements, expected quality).

The decision of the office contains the deadlines and minimal content of supplying data.

- Has one of the requirements referred to in Art 6 par 2 a of Directive 2006/32/EC been implemented?

The Government Decree 273/ 2007 on execution of certain provisions of Act LXXXVI of 2007 on Electric Energy has the Art. 6 par 2 implemented. The Gov. Decree 273/2007 declares in Art. 130. par 1 p. c that its Art. 21/A. and Art 23/A ensure the approximation to provisions laid down in Art 6 par 2 and 3 of the Directive.

- Are energy audit schemes in place as foreseen in Art 12 of Directive 2006/32/EC?

The Government Decree 273/2007 and the Government Decree 19/2009 on execution of Act XL of 2008 on Natural Gas Supply have the definition of energy audit described in Art 3. p. I) of the Directive implemented.

²⁷ 273/2007. (X. 19.) Korm. Rendelet a villamos energiáról szóló 2007. évi LXXXVI. törvény egyes rendelkezéseinek végrehajtásáról

Furthermore, both decrees in their Art 23/A contain that the electricity/gas trader is obliged to disclose the lists and connections of energy auditors on their website and at their customer services.

Ministerial Decree No. 7/2006. (V. 24.) TNM on the establishment of energy characteristics of buildings elaborated a national methodology for calculating the integrated energy efficiency of buildings.

The methodology included in the annex to the decree is to be applied, as of 1 September 2006, among the supporting technical calculations included in the licensing design documentation of the building (earlier the calculation had to be made in accordance with standard No. MSZ-04-140/2:1992). The calculation is checked during the licensing procedure.

The Government Decree No. 176/2008 (VI. 30.) on the Certification of Energetic Characteristics of Buildings obligates issuing energy certificate in the cases mentioned in addition to the point No. 1.2. The certification for existing buildings, flats which are sold is voluntarily until 31st December 2011, after January 1st 2012 the energy certificate will be compulsory.

Certification of the Building Energetic contains defining the energy consumption systems; surveying the execution; determination of the energy consumption and definition of the requirements according to 7/2006. (V.24.) TNM Decree; energy labeling according to 176/2008. (VI. 30.) Government Decree; preparation of the energy saving suggestions according to 176/2008. (VI. 30.) Government Decree; energy certificate.

2.6. Please list any other relevant measure or legislation

The Art 163. par 3 of Act LXXXVI of 2007 on Electric Energy describes that the Hungarian Energy Office cooperates with non-governmental organizations representing consumer interests to:

- organize and conduct consultations between non-governmental organizations representing consumer interests and service providers; and resolve the disputes that remain pending after such consultations;
- provide non-governmental organizations representing consumer interests and the consumer protection authority with all of the public data and information, as defined in specific other legislation, that are related to those activities of an authorized operator that are subject to authorization and the enforcement of users' and household consumers' interests.

3. Energy Consumption Labeling

3.1. Has legislation been put in place, which obliges suppliers to provide technical information as well as labels and fiches (standard table of information relating to the product) in accordance with Art 5 of Directive 2010/30/EU²⁸?

In February of 2002 the Ministry of Economic Affairs issued the following ministerial decrees on appliance energy efficiency:

- the Ministerial Decree 5/2002 (II. 15.) on the energy efficiency requirements for household electric refrigerators, freezers and their combinations are in line with the Directive 96/57/EC of the European Parliament and of the Council;
- the Ministerial Decree 6/2002 (II. 15.) on the energy efficiency labeling of household combined washer-dryers is in line with the Commission Directive 96/60/EC; and
- the Ministerial Decree 7/2002 on the energy efficiency labeling of dishwashers is in line with the EU 97/17/EC directive.

Furthermore, the Government Decree No. 193/2011. (IX. 22.) on the indication by labeling and standard product information of the consumption of energy and other resources by energy-related products has the provisions of the Directive implemented in the Hungarian legislation.

The provisions of Article 5 of the Directive have been transposed by the Articles 3-4. of the Gov. Decree and the conditions of the technical documents demanded by the Directive, are in the Annex No. 1 of the Gov. Decree.

3.2. Has legislation been put in place which ensures that dealers (retailers) display labels properly and provide for fiches in accordance with Art 6 of Directive 2010/30/EU?

In accordance with the EU Directive 1999/94/EC, the joint ministerial decree 12/2002. (III. 14.) on the fuel efficiency and carbon-dioxide emission requirements for newly distributed cars was approved. Based on this regulation it is obligatory for car dealers to indicate clearly – by labeling and advertising – the fuel consumption and carbon-dioxide emission data of vehicles based on technical documentation. This data must be displayed on all advertisements.

Article 5. of the Government Decree No. 193/2011. mentioned in the point 3.1. contains the provisions implementing the Article 6 of the Directive.

²⁸ Directive 2010/30/EU on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products

Contact information:

name: dr. Ágnes Gajdics
organization: J&E
address: 1076 Budapest, Garay u. 29-31.
tel/fax: 36 1 3228462/36 1 4130300
e-mail: info@justiceandenvironment.org
web: www.justiceandenvironment.org

The Work Plan of J&E has received funding from the European Union through its LIFE+ funding scheme. The sole responsibility for the present document lies with the author and the European Commission is not responsible for any use that may be made of the information contained therein.

