

Draft Law “On Energy Efficiency”

English version

This law defines the legal and organizational basis for activities in the the field of energy efficiency and aims to create conditions to reduce energy consumption.

Article 1. Definitions

The terms used in this Law shall have the following meaning:

1) verification - procedure of confirmation of the amount of energy and/or energy costs saved, by comparing the measured and/or estimated consumption before and after the implementation of the energy efficiency improvement measure(s) and projects, ensuring normalisation for external conditions according to state standards and norms;

2) energy services provider – a natural or legal person that delivers energy services according to the contract;

3) Ecodesign requirement - any requirement in relation to a product, or the design of a product, intended to improve its environmental performance, or any requirement for the supply of information with regard to the environmental aspects of a product;

4) voluntary agreements - agreements concluded by business entities with public authorities, local governments and containing the entities’ commitments of meeting agreed targets for energy efficiency and implementing energy efficiency measures;

5) Ecodesign - the integration of environmental aspects into product design with the aim of improving the environmental performance of the product throughout its whole life cycle;

6) energy savings – the amount of energy consumption reduction determined by comparing the measured and/or estimated consumption before and after the implementation of the energy efficiency improvement measure(s) and projects, ensuring normalisation for external conditions according to state standards and norms;

7) energy sector – economic sector which includes the activities of extraction, production, transportation, storage, transmission, distribution and supply of energy;

8) energy efficiency - the ratio between the output of products (performance (operation) results, goods, services and energy) and the amount of energy used to produce such products;

9) energy audit - the procedure of collection and analysis of information on energy consumption pattern (profile) of buildings or groups of buildings, the production of goods (services, works), equipment, resulting in the definition and calculation of cost-effective opportunities to reduce energy consumption or preventing increased energy costs and recommendations presented in an audit report;

10) energy - all forms of fuel and energy used in the national economy, including natural gas, coal, oil, oil products, liquefied gas, renewable energy, heat, electricity;

11) energy auditor – a natural person who is qualified in accordance with legislation and has the right to carry out an energy audit;

12) energy labelling – informing a consumer about the level of efficiency of the product’s energy consumption and other essential resources, and supplementary information by using the energy label;

13) energy efficiency improvement measures - activities, that result in reducing energy input per unit of products (performance (operation) results, goods, services and energy);

14) energy efficiency project - a project aimed at reducing energy consumption and increasing the level of energy efficiency;

15) energy supplier – a legal person that supplies energy to the consumer under the law and according to the contract (including the suppliers of electricity, natural gas, heat);

16) energy distributor - the distribution system operator, heat transportation organization;

17) energy service – a set of technical and organizational energy efficiency improvement measures and other measures aimed to reduce consumption of energy (utilities) and / or costs of energy (utilities) by energy service customer compared to consumption (costs) in the absence of such measures;

18) intelligent metering system - electronic system that is designed to measure energy consumption and provides more information than conventional metering devices and can transmit and receive data via telecommunication networks;

19) final energy consumption - the amount of energy consumed by economic sectors (including industry, transport, agriculture), budgetary institutions, households, excluding energy used by the energy sector to extract, produce, transport, store, transmit, distribute and supply of energy;

20) the rate of specific input of fuel and energy resources (energy) - the amount of fuel and energy resources (energy) required to produce a unit of output (goods, works and services) which is set on the base of industry methodological documents;

21) the transmission system operator - transmission system operator, which operates under the Law of Ukraine "On Electricity Market"; gas transmission system operator, which operates under the Law of Ukraine "On the natural gas market."

22) the distribution system operator - distribution system operator, which operates under the Law of Ukraine "On Electricity Market"; gas distribution system operator, which operates under the Law of Ukraine "On the natural gas market."

23) primary energy consumption - gross (total) amount of energy consumed in the country except the energy used to meet non-energy needs;

24) primary energy resource - energy resource concentrated in natural resources that was not subjected to any artificial changes or transformation.

25) Energy-related product - any good that has an impact on energy consumption during use which is placed on the market and/or put into service, and includes parts intended to be incorporated into energy-related products which are placed on the market and/or put into service as individual parts for end-users and of which the environmental performance can be assessed independently;

26) energy management system – set of interrelated elements that form a system of energy consumption management that includes organizational structure, management functions, duties and responsibilities, strategies, procedures, processes, resources for the formation, implementation and achievement of energy efficiency objectives;

27) consumer - a natural or legal person who purchases energy for own consumption;

28) consumers with small volumes of energy consumption – consumers that consume energy in amount less than 1000 ton of standart fuel per year;

29) legal entities that provide the needs of the state or local community - legal persons (companies, institutions, organizations) and their associations that provide the needs of the state or local community, if such activities are not carried out on an industrial or commercial basis and if any of the following signs exists:

- entity is a spendid unit or a recipient of the budget funds;
- central or local government has the majority of votes in the supreme governing body of the legal entity;
- state or municipal part of shares in the authorized capital of the legal entity exceeds 50 percent.

Other terms shall have the meaning specified in Commercial code of Ukraine, Laws of Ukraine "On the introduction of new investment opportunities, guaranteeing the rights and interests of businesses for major energy modernization", "On the natural gas market",

"On Electricity Market", "On heat supply", "On public procurement", "On the national commission for state regulation in the energy and utilities", "On energy efficiency of buildings".

Article 2. Subject matter and scope

1. This Law regulates the relations arising in the field of energy efficiency, with a view to achieving national objectives of energy efficiency.
2. The energy efficiency field covers energy efficiency measures taken during exploration of primary energy resources, production, transportation, transmission, distribution, supply and consumption of energy.

Article 3. National energy efficiency policy

1. The main goal of the national energy efficiency policy is to create legal, economic and social conditions to ensure the energy efficiency improvement by legal and physical persons, competitive and sustainable economic development and the reduction of greenhouse gas emissions.
2. National energy efficiency policy is an integral part of the national energy, economic and environmental policy.
3. The main objectives and activities of the national energy efficiency policy are:
 - 1) removing the regulatory and non-regulatory barriers during the implementation of energy efficiency measures and energy efficiency projects;
 - 2) strengthening the cooperation between consumers, producers, energy suppliers, energy services providers, central and local governments with a view to achieve the objectives and targets in the field of energy efficiency;
 - 3) promotion and use of highly efficient technology, energy management systems, energy saving monitoring systems;
 - 4) the use of energy from renewable energy sources at energy consumers;
 - 5) legislative implementation of financial and tax stimulation mechanisms to conduct energy efficiency measures;
 - 6) development of the market for energy services.

Article 4. State regulation in the field of energy efficiency

1. State regulation in the field of energy efficiency aimed at safe and reliable energy supply, sustainable and competitive economic development, and preservation of primary energy resources and reduction of greenhouse gas emissions.
2. In order to ensure effective use of energy, the Cabinet of Ministers of Ukraine shall set a national energy efficiency target till 2020 and beyond, which is determined taking into account the objectives of final energy consumption in 2020 for the countries - members of the Energy Community, the provisions of this law, measures of the National Energy Efficiency Action Plans till 2020 and beyond, other measures to promote energy efficiency.
3. In the report on the national energy efficiency target till 2020 that is sent by the Cabinet of the Ministers of Ukraine to the Energy Community Secretariat the target shall be expressed in terms of an absolute level of primary energy consumption and final energy consumption with explanations of methods and on the basis of which data the national target has been calculated.
4. With the aim to fulfill Energy Efficiency Target, state regulation in the field of energy efficiency is carried out through:
 - creating the legal framework, development of economic mechanisms to support and promote the energy efficiency improvement;

- state support of energy efficiency measures;
- implementation of national, sectoral, regional and local programs on energy efficiency improvement;
- establishing national norms and standards, in line with the EU and ECS practice related to implementation of EU acquis in the field of energy efficiency;
- protection of the rights and interests of consumers and entities in the field of energy efficiency;
- creating conditions for banks and other financial institutions to participate in financing energy efficiency measures and projects on energy efficiency improvement;
- setting limited term preferential taxation for entities that take energy efficiency measures;
- support of the development and operation of modern and efficient energy infrastructure;
- provision of information and advisory support on energy efficiency improvement.

Article 5. The authority of the Verkhovna Rada of Ukraine in the field of energy efficiency

The Verkhovna Rada of Ukraine sets a basis for single national energy efficiency policy, namely:

- creates the legal framework in the field of energy efficiency;
- defines the main directions of the national energy efficiency policy;
- within the State Budget of Ukraine sets the amount of allocations for state support of energy efficiency measures;
- solves other issues relating energy efficiency in accordance with the Constitution and laws of Ukraine.

Article 6. The authority of the Verkhovna Rada of the Autonomous Republic of Crimea and local governments in the field of energy efficiency

1. The Verkhovna Rada of the Autonomous Republic of Crimea, oblast and district councils according to their competence:
 - approve the regional energy efficiency programs financed from the budget of the Autonomous Republic of Crimea, oblast and district budgets;
 - create regional funds for the financial support of energy efficiency programs, projects and measures;
 - determine costs of budget of the Autonomous Republic of Crimea, oblast and district budgets for financial support of regional energy efficiency programs and entrust them to the Council of Ministers of the Autonomous Republic of Crimea, delegate the authority to regional and district state administrations for funding regional energy efficiency programs;
 - control the funding of regional energy efficiency programs funded by the budget of the Autonomous Republic of Crimea, oblast and district budgets;
 - carrying out control over the implementation of energy efficiency measures in the Autonomous Republic of Crimea, oblast, regions that are funded through local budgets, monitoring the realization of energy efficiency measures that are funded through other sources not prohibited by law;
 - promote the establishment and use of energy efficient equipment, technologies and materials in the Autonomous Republic of Crimea, oblasts and districts;
 - popularize the benefits of efficient use of energy and conduct awareness campaigns in the media regarding attraction of financial resources for the implementation of energy efficiency measures;

- attract investment and credit funds to implement energy efficiency programs, projects and measures.
- 2. Bodies of local self-government - village, town, city and city district (if exist) councils within their competence:
 - approve local energy efficiency programs;
 - create local funds for financial support of energy efficiency programs, projects and measures;
 - within the budget, determine costs for financial support of local energy efficiency programs;
 - entrust their executive bodies to finance local energy efficiency programs at the expense of the local budget;
 - control of funding of local programs on energy efficiency at the expense of the local budget;
 - implement energy efficiency measures in their localities, control the implementation of such measures;
 - promote the use of energy efficient equipment, technologies and materials in the territory of local community;
 - popularize the benefits of efficient use of energy and conduct awareness campaigns in the media regarding attraction of financial resources for the implementation of energy efficiency measures;
 - attract investment and credit funds to implement energy efficiency programs, projects and measures.

Article 7. The authority of the Cabinet of Ministers of Ukraine in the field of energy efficiency

The Cabinet of Ministers of Ukraine:

- provides governance, identifies priorities and ensures the implementation of national policy in the field of energy efficiency;
- approves the state target programs in the field of energy efficiency, National Energy Efficiency Action Plans;
- promotes the creation of energy efficient infrastructure;
- promotes the development of market for energy services and implementation of research and development in the field of energy efficiency;
- creates the conditions for the implementation of energy management in budget institutions;
- creates funds for the financial support of energy efficiency programs, projects and measures;
- prepares and submits to the Verkhovna Rada of Ukraine as part of the draft State Budget of Ukraine for the definite year, proposals for budget funds for the financial support of the state programs, projects and measures in the field of energy efficiency;
- annually informs the Energy Community Secretariat about the implementation of the targets indicators in energy efficiency;
- exercise other powers provided by law.

Article 8. The authority of central bodies of executive power in the field of energy efficiency

1. The central body of executive power that ensures the development of national policy in the field of energy efficiency:
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 - directs and coordinates the work in the field of energy efficiency of other central executive authorities;

- gives to the Cabinet of Ministers of Ukraine propositions on priorities, adoption of state energy efficiency programs in the field of energy efficiency, and necessary amount of state budget funds for financing of such programs;
 - gives to the Cabinet of Ministers of Ukraine propositions on the establishment of funds for financial support of energy efficiency programs, projects and measures;
 - conducts legal regulation in the field of energy efficiency;
 - provides information and advisory support in energy efficiency improvement; exercises other powers defined by law.
2. The central body of executive power that implements the state policy in the field of energy efficiency:
- develops national target programs in energy efficiency;
 - with involvement of interested central and local authorities develops, monitors implementation and reports to the Cabinet of Ministers of Ukraine on the implementation of the National Energy Efficiency Action Plan;
 - makes proposals to form and improve legislation in the field of energy efficiency;
 - creates conditions for the realization of public-private partnership in the field of energy efficiency;
 - promotes energy management systems and energy audits;
 - conducts the state expertize of energy efficiency in the order established by the Cabinet of Ministers of Ukraine;
 - maintain a system of norming of specific input of fuel and energy resources during production in national economy;
 - develops secondary legal acts on labelling of energy related products;
 - ensures the introduction of ecodesign requirements for energy-related products,
 - disseminates of information on economic, environmental and social benefits of energy efficiency improvement, introduction of energy efficient equipment, technologies and materials;
 - provides administrative services according to the legislation;
 - annually (till 30th of April) provides report to the Cabinet of Ministers of Ukraine on the implementation of the target indicators in the field of energy efficiency;
 - ensures the development of regulations, delegated regulations in the field of energy efficiency;
 - every six months forms and publishes an updated list of energy service providers on its official website;
 - makes proposals to establish target indicators in the field of energy efficiency, calculating their values and determining the measures required to achieve these targets;
 - provides methodological support to central and local governments when developing national target, sectoral, regional and local programs in the field of energy efficiency and implementation of energy efficiency measures funded from state and local budgets;
 - prepares proposals for improving training programs for energy managers;
 - executes other powers defined by law.
3. Other central bodies of executive power:
- prepare proposals on implementation of energy efficiency policy in the relevant industries and create organizational and economic mechanisms to support its implementation;
 - prepare and submit, under their competence and in the established order, the proposals on the priority directions of activity in the field of energy efficiency;
 - within their competence, take part in development, monitoring of implementation and reporting to the Cabinet of Ministers of Ukraine on the implementation of the National Energy Efficiency Action Plan;
 - execute other powers defined by law.

Article 9. The authority of local bodies of executive power in the field of energy efficiency

Local bodies of executive power:

- develop projects of regional energy efficiency programs and submit them for approval by the relevant council and ensure their implementation, report to the relevant council on their implementation;
- develop and submit proposals to the draft state target programs in the field of energy efficiency;
- provide proposals to the relevant councils for creation of regional funds for the financial support of energy efficiency programs, energy efficiency projects and activities;
- popularize the benefits of efficient use of energy and conduct awareness campaigns in the media regarding attraction of financial resources for the implementation of energy efficiency measures;
- attract investment and credit funds to implement energy efficiency programs, projects and measures;
- execute other powers defined by law.

Article 10. Strategy for thermal modernisation of residential and commercial buildings

1. The Cabinet of Ministers of Ukraine approves a long term strategy of thermal modernization of residential and non-residential buildings of all types of property (hereinafter referred to as the Strategy). The Strategy provides funding mechanisms, stages and timing of the relevant programs, projects and measures in the field of energy efficiency of buildings.
2. The Strategy shall be reviewed every three years and submitted to the Energy Community Secretariat along with the National Energy Efficiency Action Plan.

Article 11. Thermal modernisation of buildings, that ensure the activities of central government

1. Starting from 1st of December 2017 central government authorities (including regional and district administrations) are obliged to provide thermal modernization of buildings in which they are located and which are owned by such bodies, in the equivalent of 1% of the total floor area of these buildings per year, with the aim to bring the level of energy efficiency of buildings in line with the minimum energy performance requirements under the Law of Ukraine "On energy efficiency of buildings."
2. The obligation to provide annual thermal modernization applies only to buildings that are heated and/or cooled with the heated area of over 500 square meters (and from January 1st, 2019 - 250 square meters) and the level of energy efficiency of which on December 1st, 2017 did not meet the minimum energy performance requirements according to the Law of Ukraine "On energy efficiency of buildings."
3. The provisions of this Article shall not apply to buildings:
 - attributed to cultural heritage sites under the Law of Ukraine "On Protection of Cultural Heritage" when bringing their level of energy efficiency to the minimum energy performance requirements will change their appearance or negatively affect the design of the building;

- ensuring the activities of the Armed Forces of Ukraine or other state bodies, forming and implementing the state policy on national security and defense, except buildings for living, administrative and domestic purposes;
 - used during worship services, religious rites and ceremonies, religious education.
4. If during the year thermal modernisation was carried out on bigger percent of the total floor area of buildings anticipated in the first part of this article, than the difference between the total floor area which should undergo thermal modernisation under obligations for this year and actually thermally modernised total floor area can be attributed to the next or previous years within the three-year period.
 5. The central body of executive power that ensures the state policy in the field of construction, creates and publishes database (an inventory) of buildings, in which the central government authorities are located in and which are owned by the state authorities and the level of energy efficiency of which does not meet the minimum energy performance requirements according to the Law of Ukraine "On the energy efficiency of buildings" (hereinafter - database of buildings).
 6. The database of buildings should be formed apart from buildings specified in the second paragraph of this article.
The procedure for creation and publication of the database of buildings is set by the the central body of executive power that ensures the state policy in the field of construction.
 7. In order to fulfill obligations referred to in the first paragraph of this article central government authorities (including regional and district administrations) shall:
 - develop and implement national target, sectoral programs (plans, projects) of thermal modernisation of buildings, which include specific targets and measures for energy efficiency improvement;
 - implement an energy management system, conduct energy audits;
 - if necessary, arrange energy performance contracting taking into account legislation on public procurement.

Article 12. Purchase of products, services, purchase and lease (rent) of buildings by central and local governments and legal entities that provide the needs of the state or local community

1. Central and local governments and legal entities that provide the needs of the state or local community are prohibited to purchase energy-related goods and services (when providing such services requires the use of energy-related products) if the energy efficiency class of goods (products) is lower than the highest energy efficiency class set in legal acts in the field of energy labeling and where such a good (product) is not subject to the requirements of regulations in the field of energy labeling if such goods (products) are not compliant with indicative benchmarks that are set in legal acts in the field of ecodesign.
Established in this paragraph requirements for energy efficiency of energy-related products that are used to provide services apply only to new products purchased for the purpose of providing services.
Procurement of energy-related goods' package with energy efficiency class equal to the highest energy efficiency class set in legal acts in the field of energy labeling may be conducted without the assessment of energy efficiency class of each good which is part of this package.
2. Central and local governments and legal entities that provide the needs of the state or local community are prohibited to purchase and make leasing (rental) agreements for buildings with level of energy performance lower than the minimum energy performance requirements in force and which are established according to the Law of Ukraine "On energy efficiency of buildings".

3. The prohibition set out in paragraph 1 and 2 of this Article shall not apply to cases when:
 - purchasing goods and services with the value less than the value of procured good (s), service(s) specified in the second paragraph of Article 2 of the Law of Ukraine "On public procurement";
 - purchasing and renting buildings for their renovation or demolition;
 - purchasing buildings for the purpose of resale without use for their own needs;
 - purchasing and renting buildings which are officially protected as an object of architectural or historical merit.
4. The prohibition set out in paragraph 1 and 2 of this Article shall not apply if at the moment of purchasing goods and services, purchasing and hiring (renting) buildings there are reasons proving economic and technical inexpediency of such prohibition, or if such a prohibition will lead to prevention, elimination, restriction or distortion of competition while purchasing goods and services, purchasing and hiring (renting) buildings.

Confirmation of economic and technical inexpediency of the prohibition set out in paragraphs 1 and 2 of this Article, its impact on competition while purchasing goods and services, purchasing and hiring (renting) buildings is carried out in the order and according to methodology set by the central body of executive power that ensures the development of national policy in the field of energy efficiency and the central body of executive power that implements the state policy in the field of public procurement.
5. Central and local governments and legal entities that cover the needs of the state or local community are required to assess the possibility of concluding long term energy performance contracts when when tendering services providing electricity, heat and hot water, natural gas supply.

Assessment of the possibility of concluding long term energy performance contracts is carried out in accordance with the methodology approved by the central body of executive power that ensures the development of national policy in the field of efficient use of energy resources, energy efficiency, renewable energy and alternative fuels.

Article 13. Providing annual end-use energy savings

1. The Cabinet of Ministers of Ukraine shall set the energy savings target that shall be equivalent to achieving the total annual end-use energy savings each year, from the date this Act comes into force to 31 December 2020 of at least 0,7% of total annual sales to consumers of energy suppliers, averaged over the period from 1 January 2012 to 31 December 2014.
2. The sales of energy used in transport sector may be partially or fully excluded in the calculation and setting of the energy savings target referred to in the paragraph 1 of this article.
3. The annual energy savings shall be expressed either in primary or final energy consumption.
4. The achievement of the energy efficiency target is to be provided through policy measures.
5. The policy measures include:
 - 1) development and implementation of state programs in energy efficiency;
 - 2) energy taxes or taxes on greenhouse gas emissions (ecological taxes);
 - 3) state support and / or tax incentives to encourage the application of energy efficient technologies and reducing final energy consumption;
 - 4) voluntary agreements with the aim of the application of energy efficient technologies that lead to the reduction of final energy consumption;
 - 5) adoption of standards, rules and regulations to improve the energy efficiency of goods and services, including buildings and vehicles, except when these are mandatory for compliance with the requirements of legislation of Energy Community;

- 6) the introduction of energy labeling, except when this is mandatory for compliance with the requirements of legislation of Energy Community;
- 7) training and consulting on energy efficiency, resulting in stimulation of energy efficient technologies application and reducing of final energy consumption;
- 8) an energy efficiency fund;
- 9) other measures that result in providing an annual end-use energy savings.

6. The policy measures shall meet the following criteria:

- 1) determining the level of responsibility for violations of the law by persons and entities providing end-use energy savings by the use of policy measures;
- 2) providing transparency in determining annual end-use energy savings to be achieved by the implementation of policy measures;
- 3) the calculation of annual end-use energy savings according to the methodology developed by the Ministry of Energy and Coal Industry in accordance with the legislative acts of the European Union and Energy Community;
- 4) providing an annual report by the participants of voluntary agreements with the results in achieving end-use energy savings;
- 5) monitoring of the results of policy measures and taking actions to improve them, if needed;
- 6) introduction of an policy measures' control system;
- 7) annual publication of information on end-use energy savings during the year.

Policy measures referred to in subparagraph 2) of paragraph 3 of this Article shall take place with regard to the criteria specified in paragraphs 1) –3), 5), 7) of this paragraph.

Policy measures referred to in subparagraph 4) of paragraph 3 of this Article shall take place with regard to the criteria specified in paragraphs 1) – 7) of this paragraph.

The use of policy measures referred to in subparagraphs 1), 3), 5)-9) of paragraph 3 of this Article shall take place with regard to the criteria specified in paragraphs 1) –3), 5), 7) of this paragraph.

7. The monitoring of the results of policy measures is carried out by the SAEE using both statistical data and the methodology of primary information collection ("bottom-up") referred to in paragraph 7 of Article 19.

The participants of voluntary agreements provide to SAEE, by 15 March of next year, annual report with the results in achieving end-use energy savings.

8. SAEE shall publish annually on its web site information about the annual end-use energy savings achieved by the policy measures implementation as well as on the level of achievement of the energy savings target referred to in the paragraph 1 of this article.9. Double counting of results of policy measures is not acceptable.

Article 14. Energy audit and energy management systems

1. The Cabinet of Ministers of Ukraine adopts the National Energy Audit Scheme and establishes the procedure and criteria of energy auditors qualification, procedures and criteria for conduction of the energy audit. These criteria must be transparent and non-discriminator in line with requirements of the Energy Community legislation.

The Cabinet of Ministers of Ukraine shall ensure transparency, reliability of the information contained in the National Energy Audit Scheme and its contribution to achieve national energy efficiency target.

2. The qualification of persons intending to carry out an energy audit is carried out by attestation commissions set up by higher educational institutions or self-regulatory organizations in the field of energy efficiency.

3. SAEE shall provide:

- the National Energy Audit Scheme administration;
- monitoring the quality of energy audits;
- creation, maintenance, updating and regular publication on its official website a list of qualified energy auditors registered in the National Energy Audit Scheme;

- consumer access to information about the procedure and peculiarities of energy auditors qualification defined in the National Energy Audit Scheme;
- availability and promotion of the benefits of energy audits performed in accordance with the procedures and criteria set out in the National Audit Scheme ;
- developing programs to raise awareness among households about the benefits of energy audits;
- promotion the development of training programs for qualified energy auditors, and energy managers;
- organizational, regulatory and methodological support for the functioning of the energy management systems in budget institutions of local governments and public authorities.

4. SAEE evaluates the level of technical competence, objectivity and reliability of the National Energy Audit Scheme application, and submits the report on the results of this assessment to the Cabinet of Ministers of Ukraine.

If the results are negative the Cabinet of Ministers of Ukraine shall take measures to eliminate shortcomings in the functioning of the National Registration and Energy Audit Scheme, as well to increase the availability of qualification procedures.

5. Energy service providers have a guaranteed transparent and non-discriminatory access to the National Energy Audit Scheme.

6. Large business entities (companies that are not SMEs) and business entities with the annual energy consumption of more than 1,000 tons of standard fuel are obliged to carry out an energy audit with the following frequency:

a) the first energy audit should be carried out before November 5, 2018;

b) the next audit and subsequent audits shall be carried out within 4 years of the first energy audit.

The energy audits for large business entities (companies that are not SMEs) and business entities with the annual energy consumption of more than 1,000 tons of standard fuel are carried out by qualified external energy auditors or qualified energy auditors who are in direct employment relationship with such entity and who shall provide audit information to the SAEE upon request.

Energy audit is carried out in accordance with the criteria set out in the National Energy Audit Scheme.

7. Large business entities (companies that are not SMEs) and business entities with the annual energy consumption of more than 1,000 tons of standard fuel are exempted from the obligation to carry out an energy audit referred to in paragraph 5 of this Article, if these have implemented an energy or environmental management system that is certified by an independent body in accordance with the harmonized European and international standards and which includes energy audits on the basis of the criteria set out in the National Energy Audit Scheme.

The findings of energy audit can be transferred to any energy service provider on condition that the customer does not object.

8. Business entities that are not obliged to conduct an energy audit pursuant to paragraph 5 of this Article carry out energy audits on a voluntary basis.

In order to spread the practice of energy audits for all business entities SAEE shall:

- take measures for encouraging small and medium business entities to undergo energy audits and implement the recommendations from energy audit reports;
 - promote benefits and positive experience of implementing energy management systems.
- Small and medium business entities may receive state support for energy audits and for implementation of the recommendations from energy audits in accordance with programs and plans developed and approved in accordance with the legally established procedure.

Article 15. Ecodesign requirements for energy-related products

1. The Law provides for setting of ecodesign requirements which certain energy-related products must fulfil in order to be placed on the market and/or put into service.
2. Ecodesign requirements for energy-related products and the framework for the setting of the same requirements shall be established by Technical Regulations based on the relevant EU legislative and regulatory acts.
3. A central national executive authority responsible for the implementation of the governmental policy in the field of energy efficiency shall ensure:
 - provision of information on ecodesign requirements to manufacturers and importers of energy-related products;
 - public awareness activities focused on encouraging business entities manufacturing energy-related products including very small firms, small and medium-sized enterprises to adopt environmentally sound approaches including energy saving (energy efficiency) measures at the stage of the same product design;
 - consumer awareness activities promoting advantages of the energy-related products which are consistent with the ecodesign requirements.

Article 16. Metering and billing

1. Commercial metering of electricity is carried out with use of meter according to the rules prescribed by the Law of Ukraine "On Electricity Market of Ukraine", Market Regulations, Code of commercial metering.
2. Commercial metering of natural gas is carried out with use of meter according to the rules prescribed by the Law of Ukraine "On the natural gas market", Law of Ukraine "On providing commercial metering of natural gas", acts of the Cabinet of Ministers of Ukraine and other legal acts regulating relations in the field of commercial metering of natural gas.
3. Commercial metering of heat and hot water is carried out with use of meter according to the rules and taking into account the peculiarities defined in the Law of Ukraine "On Heat Supply", "On Utilities", "On Commercial Metering of Heat and Water Supply."
4. The Cabinet of Ministers of Ukraine takes measures to encourage the introduction of modern metering and regulation systems, including those enabling consumers to manage their energy consumption.
5. The NEURC takes measures to ensure that consumers of electricity and natural gas are provided with market priced intelligent metering systems that reflect accurate and reliable information about actual energy consumption including the time of use. Customers of electricity and natural gas are provided with intelligent metering systems in so far as it is technically possible and economically reasonable.
6. The NEURC while taking measures to ensure that consumers of electricity and natural gas are provided with intelligent metering systems shall take into account the need to fulfill the following conditions:
 - a. the intelligent metering systems provide to consumers accurate and reliable information about actual energy consumption including the time of use;
 - b. the objectives of energy efficiency and benefits from the intelligent metering systems installation are fully taken into account when establishing the minimum requirements to functionalities of the intelligent metering systems and the obligations imposed on energy market participants;
 - c. the security of data generated, transmitted and received by the intelligent metering systems and consumers' personal data is ensured in line with legislation;

- d. at the request of the consumer the distribution system operator ensures that the intelligent metering systems can account for electricity put into the grid from the consumer's electrical installations to the extent its technically feasible and economically viable;
 - e. if consumers request it, metering data on their electricity input and output from electrical grid is made available to them or to a third party acting on behalf of the consumer in an easily understandable format that they can use the received data for later comparison and matching,
 - f. providing recommendations and information to consumers about the features of such systems use, in particular about their full potential with regard to meter reading management and the monitoring of energy consumption by the person that installs the intelligent metering systems.
7. Energy suppliers shall provide consumer access to information on energy consumption in prior periods on daily, weekly, monthly and annual basis. These data shall be made available to the consumer by way of the internet or the meter interface (indicator unit) for the period of at least the previous 24 months or the period since the start of the supply contract if this is shorter.
 8. Billing of consumed electricity, heat, natural gas and hot water is carried out according to the laws that regulate the relations in the field of commercial metering of relevant products and services.

Article 17. Rationing of fuel and energy resources (energy)

1. Natural monopolies and entities that carry out activities on the markets related to monopolies in the fields of electricity, heating, water supply and sewerage, natural gas, petroleum (associated) gas, natural gas (methane) of coal deposits and shale gas fat, oil and oil products annually develop and establish the rates of specific input of fuel and energy resources (energy) on the base of industry methodologies and in the order set by the Cabinet of the Ministers of Ukraine. The industry methodologies for the rates of specific input of fuel and energy resources (energy) are approved by the central executive bodies, which form the policy in the respective field of activity of natural monopolies and entities that carry out activities in relative markets and published on the official web-sites of such bodies.
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Article 18. Consumer information and empowering programmes

1. Stimulating consumers with small volumes of energy consumption, including households, to implement energy efficiency measures shall include:
 - 1) mechanisms to encourage behavioural change in energy consumption such as:
 - tax benefits;
 - providing access to finance, including grants and subsidies (cheaper loans to implement energy efficiency measures, reimbursement of the cost of energy efficiency measures, providing non-repayable financial and technical aid);
 - provision of information, awareness raising campaigns and the implementation of information and educational measures to increase energy efficiency;
 - the implementation and promotion of pilot (demonstration) projects;
 - stimulating behavioural change in energy consumption at the workplace;
 2. Encouraging consumers and consumer organizations to install intelligent metering systems through communication of :
 - the cost-effective and easily to achieve changes in energy consumption;
 - information on energy efficiency measures.

Article 19. National Energy Efficiency Action Plan

1. With the aim to achieve a national energy efficiency target, SAEE shall develop and monitor implementation of the National Energy Efficiency Action Plan.
2. National Energy Efficiency Action Plan shall be approved by the Cabinet of Ministers of Ukraine.
3. National Energy Efficiency Action Plan shall be submitted to the Energy Community Secretariat by SAEE every three years no later than 30th of April starting from 2019.
4. SAEE every year by the 10th of the second month following the reporting period, submits to the Cabinet of Ministers of Ukraine a summary of progress in implementation of the National Energy Efficiency Action plan.
5. National Energy Efficiency Action Plan shall include the implementation of energy efficiency measures in the residential sector, service sector, industry and transport.
6. The first National Energy Efficiency Action Plan, which is submitted to the Energy Community Secretariat, shall include measures to significantly increase energy efficiency and identify energy savings in the supply, transmission and distribution, and end-use of energy in order to achieve the national energy efficiency target, as defined in Article 4 of this law.
7. Monitoring of implementation of the National Energy Efficiency Action Plan, reporting on the progress of energy savings during its implementation and also reporting of energy savings achieved as a result of the implementation of national, sectoral, regional and local energy efficiency programs should be carried out using both statistical data and methodology of primary information collection ("bottom-up").

The statistical data shall be obtained on the basis of statistical observations (including sample surveys) and provided by state statistic office. Implementation of methodology of primary information collection ("bottom-up") is carried out using specialized monitoring and verification systems (MVS). The procedure of MVS functioning and the administrator of the MVS is defined by the Cabinet of Ministers of Ukraine

8. The central and local government authorities, legal entities and individuals, responsible for the implementation of projects and programs in the field of energy efficiency, including those, which receive state support or international technical assistance or are funded by international financial institutions are required to provide information on the results of these projects and programs to specialized monitoring and verification systems used during the implementation of of primary information collection ("bottom-up") methodology.

Article 20. Stimulation of energy efficiency in the field of transmission and distribution of electricity, transportation and distribution of natural gas

1. The NEURC shall develop and approve the Methodology of assesment of energy efficiency potential of the gas transportation system, electricity transmission system, gas distribution system, electricity distribution system in Ukraine.
2. The Methodology of assesment of energy efficiency potential includes:
 - 1) the procedure for determination of the energy efficiency indicators of transmission and distribution of electricity, transportation and distribution of natural gas, transportation of heat,
 - 2) the evaluation of:

- management of electrical networks overloads and interoperability;
 - connection to electricity generating stations.
3. The transmission system operators and distribution system operators assess the energy efficiency potential of the gas transportation system, electricity transmission system, gas distribution system, electricity distribution system in Ukraine according to the methodology of assessment of energy efficiency potential and submit assessment results to the NEURC.
 4. The NEURC while setting (approving) tariffs for relevant activities takes into account the costs of assessment of energy efficiency potential of the gas transportation system, electricity transmission system, gas distribution system, electricity distribution system in Ukraine.
 5. No later than 12 months after receiving the assessment results the NEURC shall consider in tariffs for the appropriate activity the sources for compensation of expenditures and investments in measures of energy efficiency improvement of the gas transportation system, electricity transmission system, gas distribution system, electricity distribution system in Ukraine.
 6. In making decisions in the field of transmission and distribution of electricity, transportation and distribution of natural gas the NEURC shall take into account legal requirements for energy efficiency measures, including applying mechanisms to provide incentives to the electricity transmission and distribution system operators to make system support services available to electricity users which allow the implementation of energy efficiency improvement measures.
 7. The NEURC according to its competences shall ensure:
 - a) promotion of demand side resources, including demand response to participate in the wholesale and retail markets;
 - b) promotion of access to and participation of demand response in balancing, reserve support and other system services markets;
 - c) that electricity transmission and distribution tariffs reflect the cost savings achieved in the electricity system arising from energy efficiency measures including investments in electricity grids or more optimal operation and/or from demand-response measures and distributed generation;
 - d) the promotion of smart grids by establishing a system of economic incentives for the transmission and distribution system operators.
 8. Implementation of the provisions of paragraph 6 and 7 of this Article shall be carried out in compliance to the requirements of reliability and safety of the united energy system of Ukraine and on the basis of transparent and non-discriminatory criteria defined by the NEURC.

Article 21. Energy efficiency information and training

SAEE shall:

- a) ensure that information on energy efficiency mechanisms and financial and legal frameworks is available to consumers, persons engaged in the field of construction and architecture, environmental and energy auditors;
- b) encourage the provision of information to banks and other financial institutions on possibilities of participating, including through the creation of public/private partnerships, in the financing of energy efficiency improvement measures and projects;
- c) establish appropriate conditions for energy suppliers to provide actual information and recommendations to energy consumers on energy efficiency improvement measures;
- d) with the participation of other persons and entities, promote information, awareness-raising and training initiatives to inform citizens of the benefits and practice of taking energy efficiency improvement measures.

Article 22. Energy services

1. Natural or legal person can conclude an energy performance contract for energy efficiency improvement or other measures aimed at the reduction of consumption and/or payments for energy resources and/or utilities, compared to consumption and/or payments that would exist in the absence of such measures.
The payment for energy performance contract is carried out by the sum (or part thereof), saved through the reduction of consumption and/or payments for energy resources and/or utilities compared to consumption (payments) in the absence of such measures.
2. SAEE shall promote the energy services market development and access for SMEs to this market by:
 - a) disseminating information on:
 - available energy service contracts and clauses that should be included in such contracts to achieve a reduction in energy consumption and guarantee consumers' rights;
 - financial instruments (grants, loans) and other mechanisms to support energy service market.
 - b) making publicly available and regularly updating a list of energy service providers , or creating an information system containing data on energy service providers.
 - c) supporting the central and local government authorities in public procurement of energy services, by:
 - providing information on practices for energy performance contracting, including, if available, cost- benefit analysis using a life-cycle approach;
 - examining and making recommendations to the Cabinet of the Ministers of Ukraine if there are regulatory and non-regulatory barriers that impede the energy service market;
 - d) undertaking a qualitative review regarding the current state and future development of the energy services market which will impact future versions of the National Energy Efficiency Action Plan;
 - e) identifying and publicising points of contact where the information referred to in points a) - d) can be obtained;
 - f) enabling independent market intermediaries to stimulate consumers and energy service providers to conclude energy service contracts.
3. Distribution system operators, energy suppliers are prohibited from taking any measures that impede the delivery of energy services or other energy efficiency improvement measures, or hinder the development of markets for such services or measures, including limiting access to those markets for other entities, taking other anti-competitive practices or abusing dominant positions.

Art. 23. State expertise of energy efficiency

1. State expertise of energy efficiency is a system of measures for establishing the compliance of energy efficiency projects, project calculations of the rates of specific input of fuel and energy resources with legislation, state standards of Ukraine, state construction regulations and another legal technical documents governing the issues of designing and energy efficiency.

2. State expertise of energy efficiency is carried out by the central executive body that ensures the implementation of state policy in the field of energy efficiency in accordance with the order of the Cabinet of Ministers of Ukraine.

State expertise of energy efficiency is carried out on voluntary basis.

3. The fee for state expertise of energy efficiency should be equal to 1 minimum wage.

If the applicant for the state expertise is central government body, local self-government body or entity financed from state or local budget the fee should be equal to 0,0001 of minimum wage.

The fee for state expertise of energy efficiency should be transferred to State budget of Ukraine.

The calculation of fee for state expertise of energy efficiency is based on the minimum wage set at 1 January of year in which the documents are given for expertise.

5. State expertise of energy efficiency should be provided with the following documents in paper or electronic form:

a) in case of project calculation of the rates of specific input of fuel and energy resources (energy) to be expertised:

- application for state expertise on energy efficiency in form that is set by the Cabinet of the Ministers of Ukraine;

- the calculation of the rates of specific input of fuel and energy resources (energy) that is done according to the industry methodological documents;

- information about annual consumption of fuel and energy resources (energy) based on statistical reports;

- a copy of document confirming the payment for state expertise of energy efficiency;

- data on the range and volume of production based on statistical reports;

- data on the planned use of fuel and energy resources (energy);

- plan of organizational and technical measures to save energy for the planned year;

- report on organizational and technical measures to save energy in the past year;

- explanatory note to the calculations of the rates of specific input of fuel and energy resources (energy) that is formed according to the industry methodological documents;

- passport details of technological and energy equipment;

- energy equipment specifications, drawings of initially-normative specific input of fuel and energy resources (energy), model calculations of the normative specific input and savings of fuel and energy resources (energy) that is done according to the industry methodological documents;

b) in case of energy efficiency projects to be expertised:

- application for state expertise on energy efficiency in form that is set by the Cabinet of the Ministers of Ukraine;

- Project documentation that is compliant with state standards of Ukraine;

- Input data and technic specification for project documentation development that is compliant with state standards of Ukraine;

- Information about annual fuel and energy resources (energy) consumption;

- a copy of document confirming the payment for state expertise of energy efficiency.

6. State expertise of energy efficiency provides research, review, analysis and evaluation of energy efficiency project and project calculation of the rates of specific input of fuel and energy resources (energy), preparation of a grounded and objective expert report.

The procedure of state expertise of energy efficiency should include:

- checking of availability, credibility and completeness of documents on state expertise of energy efficiency object;

- Analytical processing of documents or materials on state expertise of energy efficiency object, analyzing its compliance with legislation, state standards, rules and regulations;

- Preparing the state expertise of energy efficiency report and its submission to applicant.

7. The term of state expertise of energy efficiency should be 30 calendar days after receipt by the central executive body that ensures the implementation of state policy in the field of energy efficiency all necessary documents.

8. Exceptional reasons for refusal in conduction of state expertise of energy efficiency should be:

- Failure to provide all documents necessary for state expertise of energy efficiency;
- Revealing the non-credibility of the documents submitted for for state expertise of energy efficiency.

Decision to refuse the state expertise of energy efficiency with simultaneous notification about necessity to supplement the documents and information for state expertise should be made within 15 working days from the day of the receipt by the central executive body that ensures the implementation of state policy in the field of energy efficiency documents needed for the state expertise.

9. The central executive body that ensures the implementation of state policy in the field of energy efficiency should issue the state expertise of energy efficiency conclusion as a result of state expertise. The form of the conclusion is set by the Cabinet of the Ministers of Ukraine.

If the object of state expertise of energy efficiency complies with legislation, state standards of Ukraine, state construction regulations and another legal technical documents governing the issues of designing and energy efficiency the central executive body that ensures the implementation of state policy in the field of energy efficiency issues a positive conclusion on state expertise of energy efficiency.

The general validity of positive conclusion of state expertise of energy efficiency should be 3 years from the day of the issue.

If the object of state expertise of energy efficiency does not comply with legislation, state standards of Ukraine, state construction regulations and another regulatory technical and instructional documents governing the issues of designing and energy efficiency, the central executive body that ensures the implementation of state policy in the field of energy efficiency should issue a negative conclusion on state expertise of energy efficiency.

The validity of negative conclusion of state expertise of energy efficiency should be perpetual.

The negative conclusion of state expertise of energy efficiency is not an obstacle for re-expertise after eliminating the shortcomings.

Article 24. Other measures to promote energy efficiency

1. The Ministry of Regional Development, Building, Housing and Utilities and SAEE shall evaluate and, if necessary, provide proposals to the Cabinet of the Ministers of Ukraine to take measures to remove regulatory and non-regulatory barriers to energy efficiency. Such measures should not interfere with the rights of ownership and tenancy, and may include:
 - optimization of division of benefits and costs among the owners of the building, between the owner (s) of the building and the tenant when implementing energy efficiency measures;
 - improving the legislation in the field of public procurement, budgeting in order to foster public bodies to implement energy efficiency measures and minimize the cost of energy consumption by concluding energy service contracts or use other financial mechanisms that operate on a long term basis.
2. Measures referred to in paragraph 1 of this article may include the provision of financial and economic incentives, simplifying administrative procedures, provision of education, training, information and technical assistance on energy efficiency measures and projects.

3. The evaluation of barriers and measures referred to in paragraphs 1 and 2 shall be notified to the Energy Community Secretariat in the first National Energy Efficiency Action Plan.
4. The promotion of high-efficiency cogeneration and increasing energy efficiency in central heating or cooling systems is carried out according to law.

Article 25. Energy Efficiency Fund

1. Energy Efficiency Fund shall be established in order to implement state support for energy efficiency measures and projects.

The procedure and conditions of the Energy Efficiency Fund activity is established by law.

Article 26. Responsibility for violation of law in the field of energy efficiency

1. Legal entities and individuals, guilty for violating law in the field of energy efficiency shall bear the responsibility according to the law.
2. Offences in the field of energy efficiency are in particular:
 - energy audit was not carried out when it is obligatory according to this law;
 - violation of the prohibition to take any measures that impede the delivery of energy services or other energy efficiency improvement measures, or hinder the development of markets for such services or measures, bear responsibility according to the law (including limiting access to those markets for other entities, taking other anti-competitive practices or abusing dominant positions).
3. If the prohibition to take any measures that impede the delivery of energy services or other energy efficiency improvement measures, or hinder the development of markets for such services or measures are violated energy suppliers, distribution system operators are entailed with sanctions in the form of fines.
4. The NEURC in the case of the offense provided for in paragraph 2 of this article takes within its authority the decision to impose fines on energy suppliers, distribution system operators ranging from 3,000 to 50,000 of non-taxed minimum income of citizens.
5. When determining sanctions for violations under this Article, the NEURC takes into account the gravity and duration of the offense, mitigating and aggravating circumstances.

The behavior of the offender, aimed at reducing the negative consequences of the offense, the immediate suspension of offense after its detecting, facilitating the detection of violations by the NEURC during the inspection are considered as mitigating circumstances.

The behavior of the offender, aimed at concealing the offense and its negative consequences and the continuation of the offense and repeat of the offense is considered as aggravating circumstances.

6. Decisions of the NEURC on sanctions for violations under this Article may be taken within thirty days of detecting offenses by the NEURC.
Imposing sanctions under this Article is not allowed if the violation has been detected in three or more years after its commitment (in case of continuing violation - its suspension) or detecting its effects.
7. The decision on sanctions by the NEURC can be challenged in court.
8. The amounts of levied fines are transferred to the State Budget of Ukraine.
The amounts of fines in case of non-payment are charged in court.

Article 27. Final and transitional provisions

1. This Law shall enter into force on the day following the day of its publication.
2. The Law of Ukraine "On Energy Saving" shall be repealed on the day this Law shall enter into force.
3. In Code of Ukraine about administrative offence (Official Gazette of Verkhovna Rada of USSR, year 1984, annex to number 51, Article 1122) the following amendments shall be introduced:

add Articles 98¹-98² with following content:

Articles 98¹. Violation of legislation requirements in the field of energy efficiency

Violation by the energy suppliers, distribution system operators of the established by the Law of Ukraine "On energy efficiency" prohibition to take any measures that impede the delivery of energy services or other energy efficiency improvement measures, or hinder the development of markets for such services or measures, -

entails a fine on officials of such energy suppliers and operators in the amount from two hundred to one thousand of non-taxed minimums of income of citizens.

Note. The terms "energy supplier", "distribution system operator" used in this article shall have the meaning specified in the Law of Ukraine "On energy efficiency".

Articles 98². Violation of legislation requirements on mandatory energy audit

Violation by the large business entities (companies that are not SMEs) of the established in the Law of Ukraine "On energy efficiency" requirements to conduct mandatory energy audit, - entails a fine on officials of such entities in the amount of one thousand of non-taxed minimums of income of citizens.”;

in Article 218:

first part after number “92” add with numbers “, 98²”;

second part after words and numbers “by Article 92” add with words and numbers “, by Article 98²”;

Article 219 (1) after word and number “ articles 92” add with numbers “, 98²”;

Article 221 after word and number “ articles 98” add with numbers “, 98²”;

In article 244¹⁸ words and numbers “by article 188³⁶” are replaced by words and numbers “by articles 188³⁶ та 98¹”;

in Article 255 (1):

add point 2⁶ with a following content:

“2⁶) Officials, authorized by executive committees of village, city councils or local state administrations (Article 98²)”;

in point 18 of part one words and numbers “article 188³⁶” are replaced by words and numbers “articles 188³⁶ and 98¹”;

4. In Law of Ukraine “On The National Commission for state regulation in the field of energy and utilities” (Official Gazette of Verkhovna Rada of Ukraine, year 2016, #51, Article 833):

Fourth part of Article 22 after words and marks “On heat supply” add with the words and marks “, “On energy efficiency”.

5. Till 15 October 2018 TSO and DSO shall assess the energy efficiency potential of GTS, electricity transmission system, gas distribution system, electricity distribution system, in Ukraine and submit results of such assessment to the NEURC.

6. The Cabinet of the Ministers of Ukraine shall:

- adopt before 30 November 2017 a long term strategy of thermal modernization of residential and non-residential buildings;
- set national energy efficiency target by 15 October 2017 and report it to the Energy Community Secretariat by 31 December 2017;
- introduce before 31 December 2017 the National Energy Audit Scheme referred to in Article 14 of this Law;
- within six months from the date this Law came into force to adopt legal acts necessary to implement this Law and to bring its legal acts in compliance with this Law;
- ensure that Ministries and other central bodies of executive power revise their legal acts, bring them in compliance to this Law and adopt acts necessary to implement this Law.

7. The central body of executive power that ensures the state policy in the field of construction shall:

- create and publish database (an inventory) of buildings, in which the central government authorities are located in and which are owned by the state authorities and the level of energy efficiency of which does not meet the minimum energy performance requirements according to the Law of Ukraine "On the energy efficiency of buildings", with the following deadlines:
- by 1st of October 2017 - buildings that are heated and/or cooled with the heated area over 500 square meters;
- by 1st of January 2019 - buildings that are heated and/or cooled with the heated area over 250 square meters.

8. SAEE shall:

- no later than 15 October 2017 notify the Energy Community Secretariat on:
- policy measures that are planned to be implemented for achieving the energy efficiency target;
- the way to ensure an annual end-use energy savings, which is achieved by the implementation of policy measures;
- the compliance of policy measures planned for introduction, with the criteria specified in Article 13 (6) of this Law;
- no later than 9 months after the establishment of the National Energy Audit Scheme SAEE shall evaluate the level of technical competence, objectivity and reliability of its application, and submits the report on the results of this assessment to the Cabinet of Ministers of Ukraine;
- no later than 30th of April 2019 submit to the Energy Community Secretariat the first National Energy Efficiency Action Plan, under the Energy Efficiency Law.
- no later than 01 July 2018 undertake a qualitative review regarding the current state and future development of the energy services market.

9. The NEURC shall by 15 October 2017 develop and approve the Methodology of assesment of energy efficiency potential of the gas transportation system, electricity transmission system, gas distribution system, electricity distribution system in Ukraine.