

WORLD TRADE ORGANIZATION

G/TBT/N/FRA/124

18 April 2011

(11-1975)

Committee on Technical Barriers to Trade

Original: French

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1. Member to Agreement notifying: <u>FRANCE</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: <i>Direction Générale de l'Aménagement, du Logement et de la Nature</i> (Directorate-General for Planning, Housing and Nature) <i>Direction de l'Habitat, de l'Urbanisme et des Paysages</i> (Housing, Urban Planning and Landscape Department) <i>Sous-Direction de la Qualité et du Développement Durable dans la Construction</i> (Unit for Quality and Sustainable Development in Construction) <i>Bureau de la Qualité Technique et de la Réglementation Technique de la Construction</i> (Office for the Technical Quality and Technical Regulation of Construction) Arche Sud, 92055 LA DEFENSE cedex FRANCE Name and address (including telephone and fax numbers and E-mail and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Building envelope components, heating systems, domestic hot water systems, cooling systems, equipment for generating energy using renewable energy sources, ventilation systems, lighting systems.
5. Title, number of pages and language(s) of the notified document: <i>Arrêté portant approbation de la méthode de calcul Th-B-C-E prévue aux articles 4, 5 et 6 de l'arrêté du 26 octobre 2010 relatif aux caractéristiques thermiques et aux exigences de performance énergétique des bâtiments nouveaux et des parties nouvelles de bâtiments</i> (Order approving the Th-B-C-E calculation method provided for in Articles 4, 5 and 6 of the Order of 26 October 2010 concerning the thermal characteristics of and energy performance requirements for new buildings and new parts of buildings) (1,421 pages, in French).
6. Description of content: The Order of 26 October 2010 concerning the thermal characteristics of and energy performance requirements for new buildings and new parts of buildings establishes a limit on energy consumption for five types of appliance, a limit on energy requirements in terms of heating, cooling and artificial lighting, and a summertime discomfort limit. The notified draft Order approves the regulatory calculation method used to determine the three above-mentioned indicators in respect of new buildings subject to these regulations.

7. Objective and rationale, including the nature of urgent problems where applicable:

The Framework Law of 13 July 2005 outlining French energy policy seeks to reduce CO₂ emissions from the building sector by 75% by 2050. The Law of 3 August 2009 concerning the implementation of the results of the Environment Round Table (*Grenelle de l'environnement*) supplemented and clarified energy performance targets for new buildings. It most notably sets the target of reducing the average annual energy consumption of new buildings to 50 kWh/m². Thermal regulation requirements must therefore be enhanced so as to reduce energy consumption and resulting inequalities and improve household purchasing power. It must be ensured that all new buildings attain a very high energy performance level, therefore consuming very low levels of energy, with a view to complying with the "positive energy" concept by 2020. Within the framework of the transposition of Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings, the regulatory methods used to calculate the energy performance of new buildings must be specified. In order to quantify the energy performance of a building, it must be possible to estimate its normal energy consumption. A calculation method is therefore needed which makes it possible to assess the energy consumption of buildings in normal conditions of use.

8. Relevant documents:

- Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings;
- Directive 2009/28/EC of 23 April 2009 on the promotion of the use of energy from renewable sources;
- *Loi n° 2009-967 du 3 août 2009 de programmation relative à la mise en oeuvre du Grenelle de l'environnement* (Law No. 2009-967 of 3 August 2009 concerning the implementation of the results of the Environment Round Table);
- *Code de la construction et de l'habitation* (Building and housing code) (Articles L.111-9, L.134-2, L.151-1, *R.111-2, R.111-20, R.131-28, *R.111-2, R.111-6, R.111-20);
- *Code de l'urbanisme* (Urban planning code) (Article R.112-2);
- *Décret n° 92-647 du 8 juillet 1992 modifié concernant l'aptitude à l'usage des produits de construction* (Decree No. 92-647 of 8 July 1992, as amended, concerning the suitability for use of construction products);
- *Décret n° 95-21 du 9 janvier 1995 relatif au classement des infrastructures de transports terrestres et modifiant le code de l'urbanisme et le code de la construction et de l'habitation* (Decree No. 95-21 of 9 January 1995 concerning the classification of land transport infrastructure and amending the urban planning and building and housing codes);
- *Arrêté du 30 mai 1996 relatif aux modalités de classement des infrastructures de transports terrestres et à l'isolement acoustique des bâtiments d'habitation dans les secteurs affectés par le bruit* (Order of 30 May 1996 concerning procedures for the classification of land transport infrastructure and the soundproofing of residential buildings in areas affected by noise);
- *Décret du 26 octobre 2010 relatif aux caractéristiques thermiques et à la performance énergétique des constructions* (Decree of 26 October 2010 concerning the thermal characteristics and energy performance of buildings);
- *Arrêté du 26 octobre 2010 relatif aux caractéristiques thermiques et aux exigences de performance énergétique des bâtiments nouveaux et des parties nouvelles de bâtiments* (Decree of 26 October 2010 concerning the thermal characteristics of and energy performance requirements for new buildings and new parts of buildings).

9.	Proposed date of adoption:	1 August 2011
	Proposed date of entry into force:	28 October 2011
10.	Final date for comments: 60 days from the date of notification.	
11.	Texts available from: National enquiry point [X] or address, telephone and fax numbers, E-mail and website addresses, if available, of other body:	
	National enquiry point:	
	CINORTECH	
	AFNOR	
	11 avenue Francis Pressensé	
	93571 Saint Denis La Plaine Cedex	
	Texts also available at:	
	http://members.wto.org/crnattachments/2011/tbt/FRA/11_1074_00_f.pdf	
	http://members.wto.org/crnattachments/2011/tbt/FRA/11_1074_01_f.pdf	
	http://members.wto.org/crnattachments/2011/tbt/FRA/11_1074_02_f.pdf	