

# IFLR

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## Slovak Republic

Futej &amp; Partners

### Energy efficiency of buildings

As of January 1 2013, an amendment to the Slovak Act on energy efficiency of buildings came into force introducing several changes with respect to energy efficiency and certification of buildings.

According to new legislation, provisions of the Act will not apply to buildings which are used for only a limited time during the year (during weekends or in summer, for example). The non-application is subject to the condition that the expected energy consumption of the building does not exceed 25% of the yearly expected energy consumption.

Under the new rules, the minimum efficiency requirements in case of new buildings do not apply only to big buildings (more than 1,000m<sup>2</sup>), as was the case before the amendment, but to any new building unless exempt by law.

In the case of substantial renovation of a building affecting its external cladding and energy efficiency (specifically construction changes to an existing building affecting more than 25% of its external cladding, mainly by insulating external cladding and roof cladding and replacing the original fillings), such building has to meet the energy requirements as imposed on a new building with the same functionality and location.

Energy efficiency should not be achieved at any cost, however. Based on new provisions, the energy efficiency should go hand in hand with the optimal level of costs as defined by Act. The aim is to prevent costs relating to improving the energy efficiency being higher than the gains achieved.

The amendment also imposes new obligations regarding energy certification.

Apart from the sale and renting of a building as whole, energy certification is also obligatory in case of sale or rental of independent parts of the building and in case of buildings in which a public entity uses a floor area of more than 250m<sup>2</sup> and such premises are often visited by the public (until July 9 2015, energy certification will apply only for public buildings where the size of the space is more than 500m<sup>2</sup>). Energy certification of individual parts of buildings and flats will be obligatory as of January 1 2016.

The owner of a building which is subject to mandatory energy certification is obliged to have an energy certificate:

- by the start of the final inspection procedure by the authorities in case of a new building or substantial renovation (defined by the Act), unless decided different by the building office;
- within two months of the lapse of the old energy certificate due to construction changes to the building affecting its energy efficiency; or
- as at the date of conclusion of the sales or rental contract for the building or independent part of it. The energy certificate must be handed over to the new owner or tenant (usually as an annex to the sales or rental contract). Moreover, in the case of advertising of sale or rental of building in commercial media, an integrated energy efficiency indicator must be included. The same obligation with respect to advertising applies also to an individual part of building for which an energy certificate was prepared.

In case of the sale of a building under construction for which an energy certificate has not yet been obtained, the seller must provide the buyer with a project energy assessment.

In order to inform the public, the owner of a public building or building with a floor space of more than 500m<sup>2</sup> which is often visited by the public must display an energy label in a place visible to the public.

In order to support the higher energy



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efficiency of buildings, it is possible to apply for subsidies from the Ministry of Transport, Construction and Regional Development. The specifications of conditions for the subsidy will be stated in an announcement published by the Ministry. So far, no such announcement has been published.

In case of breach of the obligations stated above, the authorities may impose a penalty on a legal person or natural person-entrepreneur ranging from €500 (\$650) to €3,000.

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