

NEW OBLIGATION IN GERMANY: ENERGY AUDIT – SHORT OVERVIEW

On 22 April 2015 the modifications of the EDL-G (German energy service law) became effective. In § 8 – 8d EDL-G it is ruled that every company which is not classified as small or medium company according to the Community Guideline 2003/361/EG of the European Committee, is obliged to conduct an energy audit. The initial audit has to be fulfilled by 5 December 2015 and subsequently it has to be renewed every four years. In case of violation against this obligation, the Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA) can impose a fine up to 50.000 Euro.

Each company is obligated to make an energy audit if:

- they employ more than 250 employee,
- or they employ less than 250 employees, but the annual revenue is higher than 50 Mio Euro or the balance total is higher than 43 Mio Euro

ATTENTION: FOR THE SIZE CRITERIA, THE DATA FROM ASSOCIATED COMPANIES AND PARTNER COMPANIES WILL BE INCLUDED, INDEPENDENTLY OF THE REGISTERED OFFICE.

In course of the energy audit the company must provide at least 90% of the energy consumption; this means the volume of the energy consumption which was used in the audit period. The energy audit has to be done for the Germany located companies only.

The energy audit has to be accomplished by a person who complies with the requirements of the § 8b EDL-G.

There is no reporting obligation for the energy audit. But the BAFA will perform random inspections for 20% of the obligated companies.

Please do not hesitate to contact us if you have any further questions.

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