

Portuguese Legislation regarding Energy Efficiency in buildings and sustainable construction

- **Decree-Law n.º 78/2006, April 4th**

This Decree approves the National Energy Certification and Indoor Air Quality in Buildings (SCE), partially transposing into national law the Directive n.º 2002/91/EC of the European Parliament of 16 December on the energy Performance of Buildings.

This information should be provided to the citizen at the time of construction, sale or lease. Energy certification of buildings allow future users to obtain information on energy consumption potential in the case of new construction or in existing buildings undergoing major rehabilitation interventions, their actual or measured consumption for typical usage patterns, spending discretion of energy costs during the normal operation of the building, integrating all the other important aspects for building characterization.

- **Decree-Law no. No. 79/2006, April 4th**

This legislation approves the Regulation of Energy Systems for Climate in Buildings. Establishes the rules to take into account in the design and installation of energy systems in buildings and HVAC conditions to be observed so that: the requirements of thermal comfort and quality of the environment imposed inside buildings may be secured in a position energy efficiency, are guaranteed the quality and safety of facilities to be safeguarded and respect for the environment.

- **Decree-Law n.º 80/2006, April 4th**

This legislation approves the Regulation of the Thermal Behaviour Characteristics of Buildings, which imposes requirements on the design of new buildings and major renovations in order to safeguard the satisfaction of the conditions of thermal comfort in these buildings without excessive energy needs both in winter or in summer.

- **Decree-Law no. No. 26/2009, January 27th**

This law establishes the framework governing the setting for ecodesign requirements for energy using products, not applicable to transportation of persons or goods.

- **Resolution of the Council of Ministers no. No. 93/2010**

This resolution formalizes the start of work for the development of instruments of climate change policy: the National Low Carbon Roadmap 2020 (RNBC 2020), their low-carbon sector plans for each ministry and the National Climate Change for the period 2013-2020 (PNAC 2020).

- **Decree-Law no. No. 29/2011, February 28th**

This law establishes the legal regime applicable to the formation and implementation of energy performance contracting with a nature of management contracts for energy efficiency, to be concluded between the departments and agencies of the Public Administration, direct and indirect and independent energy service companies, to implement measures to improve energy efficiency in public buildings and equipment allocated to the provision of public services.

- **Decree-Law no. No. 50/2010, May 20th**

This legislation promotes the creation of the Energy Efficiency Fund, under the Ministry of Economy, Innovation and Development. This fund aims to finance the programs and measures under the National Action Plan for Energy Efficiency (PNAEE).

- **Decree-Law no. No. 34/2011, March 8th**

This law establishes the legal regime applicable to electricity production from renewable resources, through micro-production units.

- **Ordinance 303/2010, June 8th**

This ordinance regulates the income tax deduction on expenses incurred by individual taxpayers with equipment energy efficiency, expanding such deductions for equipment and works that contribute to the improvement of the thermal behavior of buildings.

- **Decree-Law no. 232/2007, June 15th**

Defines what type of projects and programs are subject to SEA - Strategic Environmental Assessment.

- **Decree-Law no. 197/2005, November 8th**

Clarifies the requirement for conducting Environmental Impact Assessment (EIA) for certain public or private. Transposing also for the national legal system the Directive n.º 2003/35/EC of the European Parliament and the Council of May 26th on the public participation in certain plans and programs relating to the environment.

- **System LiderA**

This system is a system of assessment of building environmental performance levels with a view to sustainability, which are then compared with values of performance, scaled from A to E, which should be superior to existing practices. If the proven performance of the verification of LiderA reach a final assessment of the sustainability of classes C, B, A, A⁺ or A⁺⁺, are certifiable as a good level of sustainability to buildings or built environments.

The system is designed to:

- ✓ Support the development of plans and projects seeking sustainability;
- ✓ Evaluate its performance and position in the design phase, work and operation, as the search for sustainability;
- ✓ Support the management in the construction phase and operation;
- ✓ Assign a certification trademark, through verification by an independent evaluation;
- ✓ Serve as an instrument of distinctive market for businesses and customers who value sustainability.