

Message 001

Communication from the Commission - TRIS/(2026) 1512

Directive (EU) 2015/1535

Notification: 2026/0278/FR

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahtuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261512.EN

1. MSG 001 IND 2026 0278 FR EN 05-06-2026 FR NOTIF

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92055 LA DÉFENSE CEDEX

4. 2026/0278/FR - I20 - Pressure equipment, gas appliances and boilers

5. Decree on the environmental performance requirements applicable to the installation of heating or domestic hot water production equipment in the construction of buildings or parts of buildings

6. Component of a technical system or technical system as a whole having the following characteristics:

- It is incorporated into the building, part of the building or the plot of land on which it stands,
- It contributes to the operation of a building for heating, cooling,

7.

8. The draft decree provides as follows:

- Remove the option to use hybrid systems that rely on fuel oil (amendment to Regulation 171-13 of the French Building and Housing Code (CCH) resulting from Decree No 2022-8 of 5 January 2022);
- Introduce, for new buildings, a ban on the installation of boilers with greenhouse gas emissions above 79 g/kWh, which corresponds to the regulatory threshold for electricity emissions;
- Provide for an exemption from compliance with this threshold for systems used as back-up, as well as for technical systems connected to district heating networks. Buildings subject to specific land-use or property restrictions that make it impossible to implement this measure may also be exempted.

It is intended to transpose Articles 7 and 11 of Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (EPBD). These regulations stipulate that new buildings must not consume any on-site fossil fuels from 2028 onwards for public sector buildings, and from 2030 onwards for the rest of the building stock.

9. The draft decree aims to transpose Articles 7 and 11 of Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (EPBD). These regulations stipulate that new buildings must not consume any on-site fossil fuels from 2028 onwards for public sector buildings, and from 2030 onwards for the rest of the building stock.

Furthermore, in April 2026, the French government presented a national plan for the electrification of end-use sectors, which has three objectives:

- ~ Strengthen the country's energy independence through the use of carbon-free electricity,
- ~ Sustainably reduce energy expenditure by households, businesses and public services,
- ~ Contribute to the reindustrialisation of France by continuing the transformation of the economy.

This plan is implemented, in particular, in the construction sector through Measure 5: 'Ending the use of gas in new buildings'. This measure will come into force on 1 January 2027 for residential properties, and in subsequent years for commercial and public buildings. The draft decree notified constitutes the regulatory implementation of this measure.

Finally, the draft decree removes the option of installing hybrid systems that use heating oil, whether in new buildings or those undergoing renovation. This provision is in line with the National Low-Carbon Strategy, which aims to phase out heavy fuel oil entirely by 2035.

More generally, the public interest objective pursued by these measures is to combat climate change, by reducing the use of fossil fuels in buildings, which account for around 16 % of France's carbon emissions.

9a. The draft decree introduces, for a new building, a ban on the installation of a component of a technical system or of a technical system as a whole having the following characteristics:

- It is an integral part of the building, a part of the building or the plot of land on which it stands,
- It contributes to the operation of a building by providing heating, cooling or domestic hot water,
- Its greenhouse gas emissions exceed 79 grams of CO equivalent per kilowatt-hour of final energy in PCI.

This wording ensures that all fossil fuels, such as methane, butane and propane, used on site are excluded.

Furthermore, the timetable for the implementation of the provision is as follows:

- From 1 January 2027 for building permits for residential properties,
- From 1 January 2028 for buildings owned by public bodies,
- From 1 January 2030 for other types of buildings.

The scope of application is the whole of France.

This wording therefore meets the objective set out in the national plan for the electrification of end-use sectors: 'Ending the use of gas in new-builds'.

Furthermore, the draft decree extends the ban on the installation of equipment in its entirety to include components of a hybrid system, provided that the following condition is met: the greenhouse gas emissions of the equipment or component exceed 300 gCO₂eq/kWh PCI. Such wording therefore supports the objective of phasing out domestic oil-fired heating by 2035.

9b. The draft decree introduces new provisions, which supplement the regulations currently in force. It addresses:

- France's commitments under the Lower Carbon National Strategy,
- The objectives set out in the government's plan for the electrification of end-use sectors, developed in collaboration with all stakeholders,
- The obligations imposed on France under Articles 7 and 11 of Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings.

The measures set out in the draft decree are the least restrictive means of achieving the objectives set. The draft decree is not expected to have a significant impact on the internal market, as the restriction is intended to implement a requirement under Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (EPBD). It is therefore expected that all Member States will introduce similar or equivalent provisions within a comparable timeframe, so as not to create any disparity between France and the rest of the internal market.

9c. The draft decree serves to supplement an already stringent regulatory framework:

- In new-build projects, the 2020 environmental regulations (known as RE2020) no longer permit the installation of gas-fired boilers as the primary heating system; this has been the case since 2022 for detached houses and office buildings, and will apply from 2025 for multi-occupancy residential buildings and primary and secondary schools. Since 1 May 2026 (extension of the scope of RE2020), this ban has also

applied to construction projects for so-called specific non-residential buildings (retail, healthcare, hospitality, sports facilities, etc.) or industrial/craft buildings. However, supplementary gas heating (for heating or domestic hot water) is still an option. It should be noted that the regulatory framework described above excludes any system using fuel oil, even as a supplement.

- In the case of building renovations, regulations have prohibited the installation of oil-fired heating or hot water systems since 1 July 2022. However, supplementary heating oil (for heating or domestic hot water) is still an option.

In addition, mature, cost-effective technical solutions exist. Heat pumps, connection to a district heating network or biomass boilers can, on their own, meet all heating and domestic hot water requirements, and thus replace supplementary heating systems that use fossil fuels, which are still permitted under current regulations.

Consequently, the domestic market will not be significantly disrupted when the decree comes into force. This marks the culmination of a process that began in 2022 and reflects a common European approach to which all Member States have committed. Combating climate change and reducing dependence on fossil fuels, reaffirmed as matters of major public interest in recitals 2 to 6 of Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (EPBD), justify the continuation of such restrictive measures.

10. References to basic texts: 2021/0018/F

The basic texts were forwarded with an earlier notification:
2021/0018/F

11. No

12.

13. No

14. No

15. No

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

The draft has significant impact on international trade

SPS aspects: No

European Commission

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