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Act of [...] amending the Styrian Construction Act and the Styrian Spatial Planning Act 2010

The Styrian Provincial Parliament has enacted the following:

Article 1

Amendment of the Styrian Construction Act

The Styrian Construction Act, LGBL. [Provincial Law Gazette] No 59/1995, as last amended by LGBL. No 48/2025, is amended as follows:

1. *The table of contents is amended as follows:*

a) *The entry for § 80c reads ‘Prohibition of the use of fossil fuels’.*

b) *The lines ‘§ 80g District heating database’ and ‘§ 80h Quality-assured district heating’ are inserted after the entry ‘§ 80f Installation of systems for building automation and control’.*

2. *The following Subparagraph 4c is inserted after § 4(4b):*

‘4c. **Heat supply installation:** means an installation using energy for the purpose of space heating or hot water production or a combination thereof for one or more buildings, parts of buildings, utilisation units or spaces, except facilities under Subpara. 25c;’

3. *In § 4 (25b), the words ‘or decentral’ are inserted after the word ‘central’.*

4. *§ 4(37a) is deleted.*

5. *The following Subparagraph 53b is inserted after § 4(53a):*

‘53b. **Quality-assured district heating:** District heating which meets the criteria laid down in § 2(1) (13) of the Renewable Heat Act (EEC);’

6. *In §6 (1), the words ‘highly efficient’ is replaced by the words ‘quality-assured’.*

7. *§ 6(1a) reads:*

‘(1a) New buildings that are located in an area which has been declared a district heat connection area by ordinance pursuant to § 22(9)(1a) of the Styrian Spatial Planning Act of 2010, must be connected to district heat systems with quality-assured district heat.’

8. *After § 6(1a), the following Para. 1b is inserted:*

‘(1b) Existing buildings that are located in an area which has been declared a district heat connection area by ordinance pursuant to § 22(9)(1a) of the Styrian Spatial Planning Act of 2010, must be connected to district heat systems.’

9. *In § 6(2), (2a) and (7), the words ‘and 1b’ are inserted after the reference ‘Para. 1a’.*

10. *In § 6(3), after the reference ‘Para. 2’, the words ‘and 2a’ are inserted.*

11. In § 6(5), the reference 'Para. 1a' is replaced by the reference '§ 22(9)(1a) of the Styrian Spatial Planning Act 2010'.

12. In § 21(3)(5), the full stop is replaced by a semicolon and the following Subpara. 6 is inserted after Subpara. 5:

'6. in the case of notifiable projects under Para. 2(10), in addition to Subpara. 1, proof of verification of the technical, environmental and economic feasibility of the use of highly efficient alternative systems within the meaning of Para. 80b(1), provided that the new combustion plant can be operated with fossil fuels.'

13. After § 23(1)(7), the following Subpara. 7a is inserted:

'7a. Information on the heat supply, in the case of a district heating connection, with indication of the district heating system;'

14. § 80c reads:

‘§ 80c

Prohibition of the use of fossil fuels

(1) In the case of new buildings, heat supply installations which are prohibited under § 3 of the Renewable Heat Act (EEC) may not be constructed. The installation of such systems for heat supply is also not permitted in buildings that are conditioned by a change of use.

(2) In the case of new buildings, installations for connection to district heating which are prohibited under § 3 of the Renewable Heat Act (EEC) may not be built.

(3) In buildings other than those referred to in Para. 1, the use of highly efficient alternative systems under § 80b(1) shall be reviewed before existing heat supply installations that can be powered by fossil fuels are replaced. These are to be used if they are available and reasonable.'

15. After § 80f, the following § 80g and § 80h are inserted:

‘§ 80g

District heating database

(1) For the purpose of the systematic recording and monitoring of district heating systems, the review and assessment as a quality-assured district heating system and the provision of this information to the public and the statistical evaluation of said data, the Provincial Government shall establish and maintain a database on district heating systems ('district heat database'). For this purpose, the following data may be processed:

1. Name, master number in accordance with § 6(3) E-GovG [E-Government], address and contact details of the operator of a district heating system and a contact person;
2. Address data and information on the location of a district heating system;
3. Plan showing the properties located in the connection area of the district heating system;
4. Information on the heat generation of a district heating system, in particular on the energy sources used and on the systems used for heat generation;
5. Information on the operating mode, route length, grid connection capacity and number of grid connections of a district heating system;
6. Information on the one-off connection and installation fees and on the tariffs for the supply of heat, including the price components contained therein (labour price, basic price, metering price) together with the statutory or contractually defined provisions on price changes that apply;
7. Data on any decarbonisation plan on hand.

(2) The data required under Para. 1 shall be recorded in the database by the operator of a district heating system and shall be updated periodically in the event of changes to the data already recorded, albeit at least within one year. Access to the data of the operator's own district heating system must be granted for this purpose. The Provincial Government shall set up the interfaces to the database necessary for data collection. The collection and modification of data may also be carried out by the Provincial Government at its own initiative.

(3) For the purpose of collecting and checking data in the district heating database pursuant to Para. 1, the Provincial Government shall be entitled to query the following registers by means of automated data processing and to further process the following data:

1. The commercial register, the Central Register of Associations, the supplementary register for other affected parties and the business register: the master data (name, registered office, address), identification numbers and identifying features as well as the persons authorised to represent and sign on behalf of the company (first name, surname, address, time in position at the company), managing directors, partners;
2. Central Registration Register: Names, any preceding and subsequent academic degrees and places of residence.

(4) The Provincial Government may process data pursuant to Para. 1 further for the pursuit of energy policy objectives, for the purposes of spatial planning and for reviewing the eligibility of projects.

(5) The Provincial Government may provide the municipalities with plans pursuant to Para. 1(3) on district heating systems in their municipal area for the implementation of the Styrian Construction Act and for spatial planning purposes. The municipalities may process the data for these purposes.

§ 80h

Quality-assured district heating

(1) The Provincial Government shall determine whether a district heating system meets the requirements for quality-assured district heating (§ 4(53b)) on the basis of the data in the district heating database (§ 80g). The determination is made ex officio or at the request of the operator.

(2) If the data collection in the district heating database is incomplete or if further information and documents are required for a determination pursuant to Para. 1, the Provincial Government shall request the operator of a district heating system to supplement the missing data in the district heating database and to submit the necessary information and documents within a reasonable period of time. If this period expires without result, an application will have to be rejected in accordance with § 13(3) AVG [General Administrative Procedures Act] and any proceedings initiated by the authorities will have to be discontinued.

(3) If, in the course of a review pursuant to Para. 1, it is determined that district heating is quality-assured, the Provincial Government shall record this fact in the district heating database. The Provincial Government shall inform the operator of the district heating system of the result of the reviews by means of informal confirmation and publish the information pursuant to § 80g(1) Subparagraphs 1 and 2 in collected form on the internet on the website of the province of Styria.

(4) If a review pursuant to Para. 1 reveals that the district heating is not quality-assured, the Provincial Government shall issue an official decision to record this fact. Once the decision takes legal effect, this must be recorded in the district heating database.

(5) The Provincial Government may at any time verify ex officio whether the conditions for publication in accordance with Paragraph 3 are still met. If an official review shows that the conditions for publication are no longer met, the Provincial Government shall determine this by decision and withdraw the publication once the decision takes legal effect. Para. 2 shall apply accordingly, although in the event that the reasonable deadline for the subsequent submission of information and documents expires without result, it shall in any case be assumed that the requirements for publication are no longer met.

16. In § 118a(1)(8), the full stop at the end of the sentence is replaced with a semicolon.

17. In § 118a(1), the following Subparagraph 9 shall be appended:

‘9. Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings, OJ L 2024/1275, 08.05.2024, p. 1.’

18. In § 118a, the following Para. 4 is added:

‘(4) This Act has been notified in compliance with the provisions of Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (Notification number [...]).’

19. In § 120a, the following Para. 31 is added:

‘(31) In the version of Act LGBI. No [...], the table of contents, § 4 Subparagraphs 4c, 25b and 53b, § 6 Subparagraphs 1, 1a, 1b, 2, 2a, 3, 5 and 7, § 21(3) Subparagraphs 5 and 6, § 23(1)(7a), § 80c, § 80g, § 80h and § 118a(1) Subparagraphs 8 and 9 and Paragraph 4 shall enter into force on the day following their promulgation, which is the [...]; § 4(37a) shall expire at the same time.’

Article 2

Amendment to the Styrian Spatial Planning Act 2010

The Styrian Spatial Planning Act 2010, LGBL No 49/2010, as most recently amended by LGBL No 48/2025, is amended as follows:

1. In § 22(9)(1), the words ‘District heating system with high-efficiency district heating as per § 4(37a)’ are replaced by the words ‘District heating system with quality-assured district heating as per § 4(53b)’.

2. In § 68a, the following Para. 18 is added:

‘(18) As amended by Act LGBL No. [...], § 22(9)(1) shall enter into force on the day following its promulgation, which is the [...].’