1. ------IND- 2020 0790 F-- EN- ------ 20201228 --- --- PROJET

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| FRENCH REPUBLIC | | |
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| Ministry of the Ecological Transition  Housing | | |
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Decree No of

On the energy and environmental performance requirements of residential, office or primary or secondary education buildings in metropolitan France

NOR:

***Groups concerned****: building owners, contractors, builders and developers, architects, heating and environment consultants, building economists, technical inspectors, construction companies, manufacturers of building materials and technical building systems and energy providers in metropolitan France.*

***Purpose:*** *to establish requirements on the energy and environmental characteristics and the energy and environmental performance of new buildings and building extensions in metropolitan France.*

*Entry into force: these requirements shall apply from 1 July 2021 to the construction of buildings or parts of buildings for residential, office, or primary or secondary educational use, as well as to temporary constructions and extensions, depending on their surface area, used for the same purposes; they shall also apply to those that do not require a building permit or prior declaration. A regulatory label on energy and environmental performance is introduced, whose entry into force shall be set by Order, no later than 30 June 2022.*

***Notice:*** *the Decree establishes the energy and environmental performance requirements that the above-mentioned buildings located in metropolitan France must meet; in particular, the following five performance requirements: (1) optimisation of the energy design of the building independently of the energy systems implemented; (2) limitation of primary energy consumption, (3) limitation of the impact on climate change associated with this consumption; (4) limitation of the impact of the building components on climate change; (5) limitation of summer discomfort in the building.*

*References:* *the wording of these texts, as amended by this Decree, may be consulted on the Légifrance website* *(*[*http://www.legifrance.gouv.fr*](http://www.legifrance.gouv.fr)*).*

The Prime Minister,

On the basis of the report by the Minister for the Ecological Transition;

Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codified text), and in particular Notification No year/XXX/F;

Having regard to Directive 2010/31/EC of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings, as amended by Directive 2018/844 of the European Parliament and of the Council of 30 May 2018, in particular Articles 3, 4 and 6 thereof;

Having regard to Directive 2018/2001/EU of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, in particular Article 15 thereof;

Having regard to the Construction and Housing Code, in particular Articles L111-9, L134-2 and L151-1 thereof;

Having regard to the Town Planning Code, in particular Article L462-1, R\*421-2 and R\*421-5 thereof;

Having regard to the observations made during the public consultation carried out from XXX to XXX, pursuant to Article L120-1 of the Environmental Code;

Having regard to the opinion of the National Council for the Evaluation of Standards (CNEN), dated XXX;

Having regard to the opinion of the Higher Energy Council (CSE), dated XXX;

Having regard to the opinion of the Higher Council on Construction and Energy Efficiency (CSCEE), dated XXX;

Having regard to the referral letter from the Assembly of Guyana, dated XXX;

Having regard to the referral letter from the Assembly of Martinique, dated XXX;

Having regard to the referral letter from the Departmental Council of Guadeloupe, dated XXX;

Having regard to the referral letter from the Departmental Council of Reunion Island, dated XXX;

Having regard to the referral letter from the Regional Council of Guadeloupe, dated XXX;

Having regard to the referral letter from the Regional Council of Reunion Island, dated XXX;

Having regard to the referral letter from the Departmental Council of Mayotte, dated XXX;

Having heard the Council of State (public works division),

Hereby decrees:

Article 1

Subsections 1 to 4 of Section 4 of Chapter I of Title I of Book I of the Construction and Housing Code are replaced by subsections 1 to 5, worded as follows.

*‘Subsection 1: Energy and environmental performance requirements applicable to the construction of residential, office or primary or secondary education buildings or parts of buildings*

‘*Article R111-20 -* I. - The provisions of this Subsection shall apply to the construction, within the meaning of L111-1, of residential, office or primary or secondary education buildings or parts of buildings requiring a building permit application or prior declaration submitted from 1 July 2021 onwards. They shall also apply to the construction of car parks associated with these buildings.

Tourist residences with a bedroom, a kitchen and toilets shall be subject to the rules applicable to buildings for residential use established in this Subsection.

II. - The provisions of this Subsection shall apply to the construction of residential, office or primary or secondary education buildings exempt from building permit applications and prior declarations as light recreational dwellings within the meaning of Article R\*421-2, b) and temporary constructions within the meaning of Article R\*421-5 of the Town Planning Code.

III. - With the exception of buildings on which work was completed before 31 December 2020, buildings that are the subject of a declaration attesting to the completion of works after 31 December 2025 shall comply with the provisions of this Article regardless of the date of the building permit application or the prior declaration of works.

IV. - This Subsection shall not apply in Guadeloupe, Guyana, Martinique, Reunion and Mayotte.

‘*Article R111-20-1*. - For temporary constructions within the meaning of Article R\*421-5 of the Town Planning Code that are envisaged for a period of use of less than two years, alternative requirements established by Order may be implemented to achieve certain minimum results established under this Subsection. This Order shall be issued by the Minister responsible for Energy and the Minister responsible for Construction.

‘*Article R111-20-2.* - In the case of buildings with a surface area of less than 50 m2 and building extensions, depending on their characteristics, alternative requirements established by Order may be implemented to achieve certain minimum results established under this Subsection. This Order shall be issued by the Minister responsible for Energy and the Minister responsible for Construction.

‘*Article R111-20-3.* - In order to meet the general objectives established in Article L111-9 [the future L171-1 and L171-3] and subject to the provisions of Articles R111-20-1 and R111-20-2, the construction of any building or part of a building subject to this Subsection shall achieve the minimum results below.

1. The building’s energy requirements for heating, cooling and lighting, calculated for defined operating conditions, are less than or equal to a maximum energy requirement.

2. The primary energy consumption and non-renewable primary energy consumption of the building for heating, cooling, domestic hot water production, lighting, mobility of building occupants, auxiliary heating, cooling, domestic hot water and ventilation, calculated for defined operating conditions, are less than or equal to a maximum primary energy consumption and a maximum non-renewable primary energy consumption respectively.

3. The impact on climate change of the primary energy consumption referred to in 2. is less than or equal to a maximum impact.

4. The impact on climate change linked to the building components, their transportation, installation and use, excluding the energy and water needs of the operational phase of the building; their maintenance, repair, replacement and end of life, assessed over the entire life cycle of the building, is less than or equal to a maximum impact. The assessment of this impact shall take into account the storage of carbon from the atmosphere during the life of the building, as well as the costs and benefits associated with the recovery of components at the end of their life.

5. The number of degree-hours of summer discomfort is less than or equal to a number of degree-hours of maximum summer discomfort.

6. The impact of the building on climate change, assessed over its entire life cycle, is calculated for information purposes. The assessment of this impact shall take into account the storage of carbon from the atmosphere during the life of the building, as well as the costs and benefits associated with the recovery of components at the end of their life.

7. The quantity of atmospheric carbon stored in the building is calculated for information purposes.

In 4. of this Article, the word ‘components’ includes ‘construction products’, ‘decorative products’ and ‘electrical, electronic and HVAC equipment products’, within the meaning of the following definitions: ‘Construction products’: products incorporated into the construction of a building or part of a building in a sustainable manner; ‘Decorative products’: products used as wall, floor and ceiling coverings; ‘Electrical, electronic and HVAC equipment’: technical systems integrated into the building or part of a building or its plot, contributing to the operation of the building for heating, cooling, ventilation, local energy production, lighting, domestic hot water and other systems relating to sanitation, safety, fire safety, mobility of building occupants, building automation and regulation, and energy and communication networks.

The provisions of 1. to 3., 5. and 6. of this Article shall only apply to those parts of buildings which, in normal use, are heated to a temperature above 12 °C or cooled to a temperature below 30 °C and associated car parks.

‘An order of the Minister responsible for Energy and of the Minister responsible for Construction shall establish the various maximum values mentioned in 1. to 5. according to the categories of buildings and their location. It shall also establish the evolution of the maximum values mentioned in 3. and 4. in order to resort to low greenhouse gas emission energy systems and construction methods, which will be applied from 1 July 2024, from 1 July 2027 and from 1 July 2030.

‘*Article R111-20-4.* - An order of the Minister responsible for Energy and the Minister responsible for Construction shall establish the minimum technical characteristics of certain components or sets of building components contributing to energy and environmental performance, sanitary quality or thermal comfort, depending on the building category and their location.

*‘Article R111-20-5.* - I. - Achievement of the minimum results established under Article R111-20-3, and certain minimum requirements established under Article R111-20-4, is verified according to a calculation method that defines in particular the calculation rules and assumptions to be applied.

II. - For certain categories of buildings, a technical solution may be proposed and, after approval by the Minister responsible for Energy and the Minister responsible for Construction, be deemed compliant with the provisions of this Subsection.

III. - When the calculation method is not applicable due to the specificities of the project, a system, or the creation or consequent modification of the energy components consumed from a heating or cooling network, the method used to verify achievement of the results can be adapted to this project, system or network subject to approval by the Minister responsible for Energy and the Minister responsible for Construction.

An order of the Minister responsible for Energy and the Minister responsible for Construction shall establish the method mentioned in I. and determine the conditions of application of the adaptations provided for in II. and III.

*‘Article R111-20-6.* - An order of the Minister responsible for Energy and the Minister responsible for Construction shall determine the data that can be used to justify compliance with the requirements of Articles R111-20-3 to R111-20-5 and establish the rules for using this data.

*‘Article R111-20-7.* - An order of the Minister responsible for Energy and the Minister responsible for Construction shall establish the procedures for submitting the data used to calculate the values mentioned in Article R111-20-3, 1. to 7. in accordance with Article R111-20-6. This data shall be held by the building owner after completion of the works and for at least six years following submission of the declaration provided for in Article L462-1 of the Town Planning Code. It shall be communicated to: the first purchaser of the building and, upon request and within the limit of the data retention period, to: subsequent purchasers; to the authorised persons mentioned in Article L151-1 [the future L181-1] of the Construction and Housing Code; to any person responsible for certifying compliance with the construction rules of this Subsection; and to any person responsible for establishing the energy performance diagnosis mentioned in Article L134-2 [the future L126-27] of the Construction and Housing Code.

*‘Subsection 2: studies and procedures associated with the construction of residential buildings, offices or primary or secondary education buildings or parts of buildings*

[The content of this Section will be subject to change in the context of an additional consultation]

‘*Article R111-20-8*. - I. - The time limit for response to requests submitted on the basis of Article R111-20, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be three months for requests regarding:

1. the approval of operators measuring the air permeability of buildings;

2. the approval of bodies issuing the High Energy and Environmental Performance (*haute performance énergétique et environnementale*)label within the meaning of Article R111-20-23.

II. - The time limit for response to requests for approval of a technical solution equivalent to compliance with the provisions of Subsection 1 submitted on the basis of Article R111-20-5(II), upon the expiry of which tacit acceptance shall be deemed to have been given, shall be four months.

III. - The time limit for response to requests for approval of the performance of a heating or cooling network submitted on the basis of Article R111-20-5(III), upon the expiry of which tacit acceptance shall be deemed to have been given, shall be six months.

IV. - The time limit for response to requests for approval of application software for the thermal regulations submitted on the basis of Article R111-20-5, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be nine months.

V. - The time limit for response to requests for approval of a method of justifying the performance of a system as regards the requirements of the thermal regulations, submitted on the basis of Article R111-20-5(III), upon the expiry of which tacit acceptance shall be deemed to have been given, shall be 12 months.

*‘Subsection 3: Energy performance requirements applicable to the construction of buildings or parts of buildings not covered by Subsection 1*

*‘Article R111-20-9.* - The provisions of this Subsection shall apply to all construction projects for buildings or parts of buildings requiring a building permit application or prior declaration and appearing on the following list:

1. child-minding facilities;
2. accommodation area for secondary education buildings;
3. university teaching and research buildings;
4. hotels;
5. restaurants;
6. businesses;
7. gyms and sports halls, including changing rooms;
8. health establishments;
9. residential homes for the elderly and residential care homes for the elderly;
10. airport terminals;
11. courts, courthouses;
12. buildings for industrial and craft use.

‘*Article R111-20-10.* - I.- The constructions of buildings or parts of buildings not covered under Subsection 1 shall comply with the thermal characteristics as well as the following conditions:

1. the conventional energy consumption of a building for heating, cooling, domestic hot water production, lighting, auxiliary heating, cooling, domestic hot water and ventilation, is less than or equal to maximum consumption;

2. the conventional energy requirement of a building for heating, cooling and lighting does not exceed a maximum value;

3. for certain types of buildings, the conventional interior temperature reached in summer is less than or equal to the conventional interior reference temperature.

II.- An order of the Minister responsible for Energy and of the Minister responsible for Construction shall establish the following, according to the categories of buildings:

1. the thermal characteristics involved in the energy performance of the building;

2. the method used to calculate the conventional energy consumption of a building and the main conventions taken into account in this method;

3. the value of the maximum consumption;

4. the method used to calculate the conventional energy requirements of a building for heating, cooling and lighting and the main conventions taken into account in this method;

5. the value of the maximum energy requirements;

6. buildings for which the conventional interior temperature reached in summer must not be higher than a conventional interior reference temperature;

7. for the buildings referred to in I, 3., the method used to calculate the conventional interior temperature reached in summer;

8. the reference thermal characteristics used to calculate the conventional interior reference temperature reached in summer;

9. the special conditions for assessing the thermal performance of construction systems or projects to which the minimum thermal characteristics or calculation methods do not apply due to their specificity;

10. the conditions for approving the simplified procedures and application methods whereby the conditions defined in I. can be regarded as fulfilled;

11. The procedures for transmitting the data used for these calculations and communicated upon request to: the authorised persons referred to in Article L151-1; to any purchaser; to any person responsible for certifying compliance with the thermal regulations; and to any person responsible for establishing the energy performance diagnosis referred to in Article L134-2.

III. - The provisions of this Article shall not apply to buildings and parts of buildings whose normal temperature of use is less than or equal to 12 °C or to temporary constructions intended for a period of use of less than two years.

*‘Subsection 4: Studies and procedures associated with the construction of buildings or parts of buildings covered by Subsection 3*

‘*Article R111-20-11*. - The building owner responsible for any construction of buildings or parts of buildings covered by Subsection 3 and located in metropolitan France shall establish a document for each building concerned, certifying that they have taken into account or had the contractor take into account, if the latter is in charge of designing an operation mission, the thermal regulations defined in Article R111-20-10 and especially:

- the requirement concerning the conventional energy requirements of a building for heating, cooling and lighting, mentioned in Article R111-20-10(I), 2.;

- the requirements for the thermal characteristics involved in the energy performance of the building mentioned in Article R111-20-10(II), 1. and which are specified by order.

This attestation shall be written up using a form that complies with the requirements established by order. It shall be attached to the building permit application under the conditions provided for in Article R\*431-16, j) of the Town Planning Code.

‘*Article R111-20-12.* - The building owner responsible for any construction of buildings or parts of buildings covered by Subsection 3 and located in metropolitan France shall establish a document for each building concerned by the tenth paragraph of Article L111-9, attesting that a feasibility study has been carried out for energy supplies, that includes in particular:

- the system planned by the building owner at the end of the feasibility study, justifying it;

- the primary energy consumption value for the planned system, in kilowatt-hours;

- the annual operating cost of the planned system.

This attestation shall be written up using a form that complies with the requirements established by order. It shall be attached to the building permit application under the conditions provided for in Article R\*431-16, j) of the Town Planning Code.

‘*Article R111-20-13.* - Upon completion of work on the construction of buildings or parts of buildings covered by Subsection 3, subject to building permits and located in metropolitan France:

- if the contractor for the construction operation is responsible for the design of the operation and the execution of the works, the building owner shall provide a document for each building concerned attesting to the fact that the contractor has taken the thermal regulations into account;

- if the task entrusted to the contractor is limited to the design of the operation or if the building owner has not designated a contractor, the building owner shall provide a document for each building concerned, attesting to the fact that they have taken the thermal regulations into account.

The document thus drawn up shall attest that the following have been taken into account:

- the requirement concerning the conventional energy consumption of a building for heating, cooling, domestic hot water production, lighting, auxiliary heating, cooling, domestic hot water and ventilation, mentioned in Article R111-20-10(I), 1.;

- the requirement concerning the conventional energy requirements of a building for heating, cooling and lighting, mentioned in Article R111-20-10(I), 2.;

- for certain types of buildings, the requirement concerning the conventional indoor temperature reached in summer, mentioned in Article R111-20-10 (I), 3.;

- requirements for the thermal characteristics involved in the energy performance of the building mentioned in Article R111-20-10(II), 1. and which are specified by order.

This attestation shall be written up using a form that complies with the requirements established by order. It shall be attached with the declaration of completion of works under the conditions provided for in Article R462-4-1 of the Town Planning Code.

‘*Article R111-20-14.* - The attestation provided for in Article R111-20-13 shall be established by one of the following persons:

- a technical inspector mentioned in Article L111-23 for all types of building;

- a person meeting the required conditions to perform the energy performance diagnosis provided for in Article L134-1 in the case of a detached or semi-detached house;

- an organisation that has certified, within the meaning of Articles L433-3 to L433-10 of the Consumer Code, the energy performance of the new building or new part of the building and has signed an agreement with the Minister responsible for Construction for all types of building;

- an architect within the meaning of Article 2 of Law No 77-2 of 3 January 1977 on architecture for all types of building.

An order shall define the information that the building owner should provide to the above-mentioned persons, depending on the building categories, in order to permit establishment of the document described in Article R111-20-13.

‘*Article R111-20-15*. - An order of the Minister responsible for Construction shall specify the procedures for applying Articles R111-20-11 to R111-20-14.

‘*Article R111-20-16.* - I. - The time limit for response to requests regarding the approval of operators measuring the air permeability of buildings, submitted on the basis of Article R111-20-10, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be three months;

II. - The time limit for response to requests submitted on the basis of Article R111-20-10, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be four months for requests regarding the approval of:

1. a simplified method of applying the thermal regulations in the case of individual houses;

2. a technical solution for compliance with the thermal regulations for existing buildings.

III. - The time limit for response to requests for approval of the performance of a heating or cooling network submitted on the basis of Article R111-20-10, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be six months.

IV. - The time limit for response to requests for approval of application software for the thermal regulations, submitted on the basis of Article R111-20-10, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be nine months.

V. - The time limit for response to requests for approval of a method of justifying the performance of a system as regards the requirements of the thermal regulations, submitted on the basis of Article R111-20-10, upon the expiry of which tacit acceptance shall be deemed to have been given, shall be 12 months.

‘*Article R111-20-17.* - Before submitting the building permit application, the building owner shall carry out a technical and economic feasibility study of the various energy supply solutions for heating, ventilation, cooling, domestic hot water production and lighting on the premises.

This study shall examine in particular:

- the recourse to solar energy and other renewable energies mentioned in Article 29 of Law No 2005-781 of 13 July 2005;

- connection to a collective or district heating or cooling network, if one exists near the site of the building or operation;

- the use of heat pumps and condensing boilers;

- the recourse to combined heat and electricity production.

It shall present the advantages and disadvantages of each of the solutions studied, in terms of the management conditions of the device, the investment and operating costs, the amortisation period of the investment and the expected impact on greenhouse gas emissions. For building extensions, it shall take into account the energy supply methods.

This study shall specify the reasons why the building owner has adopted the chosen supply solution.

Within the scope of priority development of a heating or cooling network that has been the subject of a classification decision in force in accordance with the provisions of Articles L712-1 to L712-3 of the Energy Code, the technical and economic feasibility study provided for in the first paragraph shall only be required for buildings to which the obligation to connect to the network does not apply and those that have obtained an exemption from the network connection obligation.

‘*Article R111-20-18*. - The requirements of Article R111-20-17 shall apply to the construction of buildings or parts of buildings covered by Subsection 3, with the exception of the following categories:

a) temporary constructions intended to be used for a duration less than or equal to two years;

b) buildings for agricultural, craft or industrial use, other than premises used for housing, which only require a small amount of energy for heating, domestic hot water production or cooling;

c) buildings used as places of worship;

d) extensions of historic monuments classified or registered in the inventory pursuant to the Heritage Code;

e) independent buildings whose total new floor area is less than 50 m²;

f) Buildings for which the thermal regulations defined in Article R111-20-10 require the use of a renewable energy source.

‘*Article R111-20-19*. - A joint order of the Ministers responsible for Construction and Energy shall determine the procedures for applying Articles R111-20-17 and R111-20-18.

*‘Subsection 5: Energy and environmental exemplarity in construction*

‘*Article R111-20-20*. - To benefit from going beyond the construction rules provided for in Article L151-28, 3. of the Town Planning Code, buildings covered by Subsection 3 must demonstrate energy exemplarity under the conditions defined in I, or environmental construction exemplarity under the conditions defined in II or be considered energy positive under the conditions defined in III.

I. - The building demonstrates energy exemplarity if its conventional energy consumption is at least 20% lower than the conventional energy consumption defined in Article R111-20-10(I), 1. of this Code.

II. - A building demonstrates environmental exemplarity if it meets the performance requirement of 1., below, and two of the performance criteria listed in 2., 3, and 4. below:

1. the quantity of greenhouse gas emissions during the entire life cycle of the building is less than a threshold expressed in kilograms of carbon dioxide equivalent per square metre;

2. the quantity of site waste recovered for the construction of the building exceeds a threshold fixed by order;

3. the building contains a minimal proportion of materials that are low emitters of volatile organic compounds and the ventilation installations are subject to a quality approach provided for by order;

4. the building includes the minimal level of bio-based materials mentioned in Article R111-20-22.

III. - A building that aims to achieve a balance between its consumption of non-renewable energy and its production of renewable energy injected into the network, whose energy balance is below a threshold defined by order, which can be modulated according to the location, characteristics and use of the building, shall be deemed to be energy positive.

This balance is defined by the difference, expressed in primary energy, between the quantity of energy that is neither renewable nor recovered that is consumed by the building and the quantity of renewable or recovered energy produced and injected into the network by the building and its adjoining spaces. Renewable and recovered energies are those defined in Article R712-1, 1. and 2. of the Energy Code. The energy balance covers all energy uses in the building.

IV. - In order to justify energy exemplarity, the building owner shall attach a document with the building permit application, in accordance with Article R431-18 of the Town Planning Code, certifying that it has taken into account or had the contractor take into account, when the latter is in charge of an operation design mission, the required energy performance criteria.

In order to justify environmental exemplarity or the energy positive building qualification, the building shall be subject to certification, within the meaning of Articles L433-3 to L433-10 of the Consumer Code, by a body accredited according to standard NF EN ISO/IEC 17065 for this certification activity by the French Accreditation Committee (COFRAC) or by any other accreditation body signatory to the multilateral agreement made within the framework of European coordination accreditation bodies and having signed an agreement to this effect with the Minister responsible for Construction. The building owner shall, in accordance with Article R431-18 of the Town Planning Code, enclose with their building permit application a document issued by the certification body attesting that the required criteria mentioned in II and III of this Article respectively have been taken into account at the building permit stage.

V. - A joint order of the Ministers responsible for Construction and Energy shall lay down the procedures for applying this Article.

‘*Article R111-20-21*. - Without prejudice to the application, where appropriate, of the more severe penalties provided for in Articles L152-2 to L152-9, any building permit holder, or their rights-holder who has benefited from the provisions of Article L151-28, 3. of the Town Planning Code but who has not constructed a building meeting the required performance criteria or has not respected their commitment to install renewable energy production equipment within three years of completion of the works shall be punished with the established fine for Class 5 offences.

The person convicted of these offences shall also incur the additional penalty of posting or dissemination of the decision pronounced, in the written press or by any means of audiovisual communication, under the conditions provided for in Articles 131-35 and 131-48 of the Penal Code.

Repeat offences shall be punished in accordance with the provisions of Articles 132-11 and 132-15 of the Penal Code.

‘*Article R111-20-22*. - Constructions of buildings or parts of buildings containing a minimal quantity of atmospheric carbon stored in construction or decoration products can apply to obtain a “bio-based building” label. An order of the Minister responsible for Construction shall determine the conditions for the award of this label.’

**Article 2**

An Article R111-20-23 is inserted in Subsection 5 after Article R111-20-22. It is worded as follows:

*Article R111-20-23.* - An order of the Minister responsible for Energy, the Minister responsible for the Environment and the Minister responsible for Construction shall determine the conditions for award of the “high energy and environmental performance” label to constructions of buildings or parts of buildings subject to Subsection 1.’

**Article 3**

Subsection 5 of Section 4 of Chapter I of Title I of Book I of the Construction and Housing Code shall become Subsection 6 of the same Section.

**Article 4**

I. - The provisions of Articles 1 and 3 of this Decree shall enter into force on 1 July 2021.

II. - The provisions of Article 2 of this Decree shall enter into force on a date defined by order and no later than 30 June 2022.

**Article 5**

The Minister for the Ecological Transition and the Minister Delegate for Housing, attached to the Minister for the Ecological Transition shall be responsible, each within the scope of their respective competences, for the implementation of this Decree, which shall be published in the Official Journal of the French Republic.

By the Prime Minister:

The Minister for the Ecological Transition,

Barbara POMPILI

The Minister Delegate for Housing, attached to the Minister for the Ecological Transition,

Emmanuelle Wargon