

# Energy Management Systems and the Recast EED: Legal Implications for Rail

Ethem Pekin, Head of Economic Policy and Sustainability

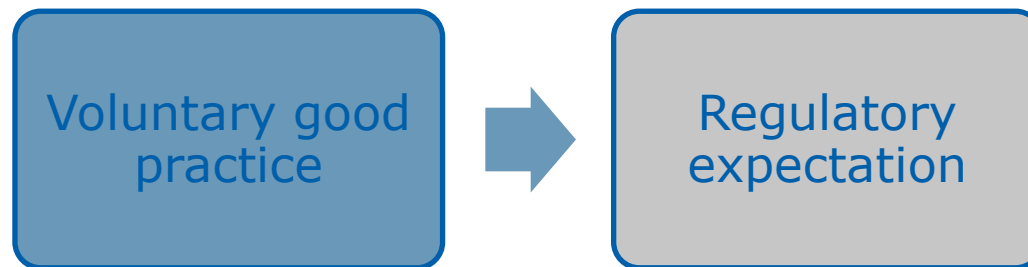
UIC – Energy Management Systems - Webinar

05 June 2026



# Why EnMS is now a legal and business issue

- The recast Energy Efficiency Directive, Directive (EU) 2023/1791, significantly raised the EU's ambition on energy efficiency and made "energy efficiency first" a fundamental principle of EU energy policy
- The legislation being transposed into national law impacts railway companies
- The legal focus for companies is mainly Article 11 on energy management systems and energy audits



# What changed under Article 11?

- Under the Commission's Article 11 guidance, the main change is that the scope is no longer based on whether a company is an SME or not; it is based on average annual energy consumption over the previous three years
- Enterprises with average annual consumption above 85 TJ, taking all energy carriers together, must implement an EnMS
- Enterprises with average annual consumption above 10 TJ that do not implement an EnMS must undergo energy audits
- This as a company-level obligation, not a sector-specific rail rule

# Thresholds, perimeter and scope

- The Commission guidance says the criterion is final energy consumption, averaged over the previous three years
- It also says all energy carriers and all energy uses should be taken into account, including uses such as ventilation, lighting, heating, cooling, transport, data storage and production processes
- The guidance states that Article 11 does not exclude sectors based on activity
- The same guidance says that, when assessing energy consumption, linked enterprises within the territory of the EU should be considered

- The deadline for Member State transposition of the revised Directive was 11 October 2025
- The Commission's Article 11 guidance says the provisions on first energy audits for newly obliged companies are to be transposed by 11 October 2026
- The first implementation of EnMS for newly obliged companies is to be transposed by 11 October 2027
- It is time to act with operational deadlines 2026-2027 as compliance

# What qualifies as EnMS?

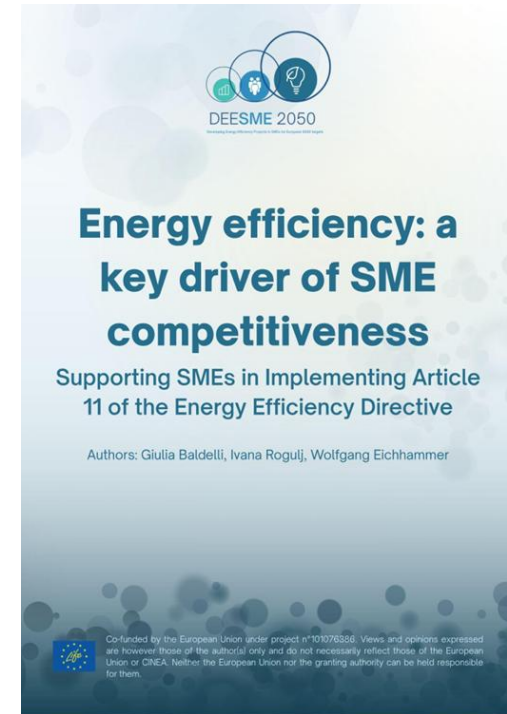
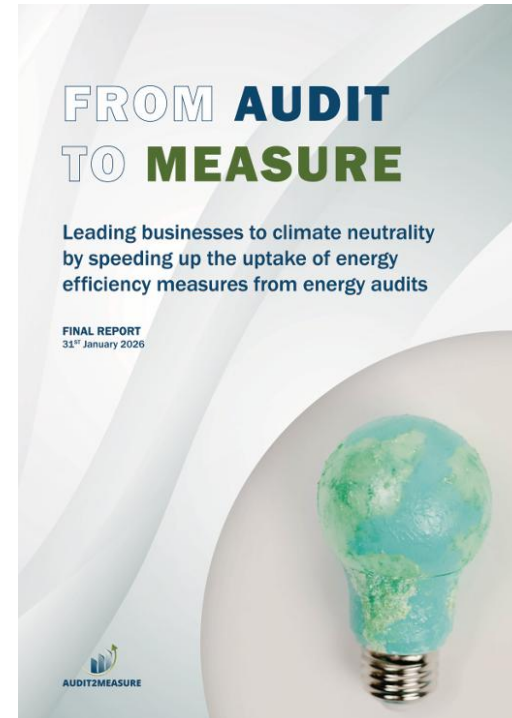
- The Commission guidance defines an EnMS as a set of interrelated elements of a strategy that sets an energy efficiency objective and a plan to achieve it, including monitoring actual energy consumption, actions to increase energy efficiency and measurement of progress
- The guidance says Member States should ensure that EnMS and audits take into account relevant European or international standards such as EN ISO 50001 and EN 16247-1

# Practical takeaways for RUs and IMs

- The legal obligation is consumption-based and economy-wide, not written specifically for rail, but rail companies can clearly fall within scope because no sectors are excluded under Article 11
- Legal compliance starts with knowing your energy perimeter and consumption data
- Article 3(2) of the recast EED raises a broader question, namely that Member States must ensure energy efficiency solutions are assessed in planning, policy and major investment decisions

# Best practices?

- The comparative EU-country work under AUDIT2MEASURE says audit methodologies are “largely harmonised” in accordance with EN 16247-1, and that many countries also use additional national guidance, templates and reporting requirements
- For large or multi-site enterprises, the audit system becomes much more workable if clustering/sampling is allowed under clear parameters





# For further information:

**Ethem Pekin**

Head of Economic Policy and Sustainability

Tel: +32 496 599 316

E-mail: [ethem.pekin@cer.be](mailto:ethem.pekin@cer.be)

For regular updates on CER activities,  
visit our website: [www.cer.be](http://www.cer.be)

or follow     