



UNIVERSITÀ  
DEGLI STUDI  
DI TRIESTE

# Regulatory Framework and Building Energy Design

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# Introduction to regulatory hierarchy



## EU LEVEL

European Union acts through three institutions

European Parliament

European Commission

European Council

Members are selected through European election

27 Commissioners  
*(one for each member State of the European Union)*

Composed by the ministers of each member state

Approves Commission's acts

Proposes and implements acts

Works together with the Parliament

# Introduction to regulatory hierarchy



## EU LEVEL

There are 6 main types of documents through which European Union acts:

- **Regulation** – it is binding in all its parts, it does not need to be implemented by member States to come into force
- **Directive** – binds the objectives but not the methods to achieve them, usually member States have 2 years to implement it
- **Decision** – valid only for some States on certain topics, on which it is binding
- **Recommendation** – expresses a **non-binding position**
- **Communication** – adopts strategies, it is a **non-binding act of direction**
- **Opinion** – deals with specific topics, is **not binding**

# Introduction to regulatory hierarchy

## ITALIAN LEVEL

**National Law** – a regulatory act adopted by the legislative power (Parliament), hierarchically superior to all other sources of law, except for the Constitution

**Legislative Decree** – a regulatory act having the force of law adopted by the executive power (Government) by delegation of the legislative power (Parliament)

**(Inter)Ministerial Decree** – an administrative act issued by a Minister in the exercise of his function and within the scope of the matters falling within the competence of his department

**Decree of the President of the Republic** – lower regulatory value than laws, and are issued to implement and complete legislative provisions

Primary sources

Secondary sources

# Introduction to regulatory hierarchy



## REGIONAL LEVEL

**Regional Law** – valid only in one Region, applied in compliance with the superior levels of legislation and depending on the primary competence of the legislative power delegated to the Regional administration



## MUNICIPALITY LEVEL

**General Municipal Master Plan** – an urban territorial planning tool that regulates building activity within a municipal territory, which every Italian municipality must equip itself with