

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE MINISTRY OF HOUSING AND URBAN-RURAL  
DEVELOPMENT OF THE PEOPLE'S REPUBLIC OF CHINA  
AND  
THE MINISTRY OF CLIMATE, ENERGY AND BUILDING OF THE  
KINGDOM OF DENMARK  
ON COOPERATION  
IN THE AREA OF ENERGY EFFICIENCY IN BUILDINGS**

The Ministry of Housing and Urban-Rural Development of the People's Republic of China,

and

The Ministry of Climate, Energy and Building of the Kingdom of Denmark  
(hereinafter referred to as "the Parties");

Recognizing the common interests shared by the Parties toward sustainable development, the efficient use of energy sources and transition to low carbon economies;

Considering the strategic role of energy efficiency, in addressing current global challenges and development needs;

Wishing to promote mutually beneficial cooperation in the field of development and promotion of energy efficient and sustainable buildings, energy efficient building materials;

Recognizing the importance of promoting low carbon solutions and the urgency of finding cost effective and lasting solutions to energy issues that are compatible with the need for economic growth and the fight against poverty;

Bearing in mind the agreed Memorandum of Understanding between the National Development and Reform Commission of The People's Republic of China and

the Royal Danish Ministry of Foreign Affairs on Cooperation in the Area of Climate Change and Development and Implementation of Projects under the Clean Development Mechanism of the Kyoto Protocol, signed on the 26 February 2004;

Considering the Joint Statement on the Establishment of a Comprehensive Strategic Partnership between the Government of the People's Republic of China and the Government of the Kingdom of Denmark (Renewable Energy Development Programme), signed on 25 October 2008;

Recognizing the Cooperation Agreement between the China National Renewable Energy Centre and the Danish Energy Agency signed on 23 February 2012; further a framework agreement is signed between the two parties to develop and promote capacity building;

Bearing in mind that this Memorandum of Understanding is intended to provide a general framework for cooperation and to express the cooperative intent of the Parties;

Have agreed as follows:

### **Article 1**

The objective of this Memorandum of Understanding is to promote a mutually beneficial partnership between the Parties in the field of energy efficiency in the building sector.

### **Article 2**

The following topics have been identified as high priority areas for cooperation and capacity building between the Parties under the framework of this Memorandum of Understanding:

- Development and promotion of energy efficiency in the building sector and measurement of energy use in relation to buildings.
- Concepts for and examples of new and retrofitted low energy and sustainable buildings.
- The regulation of energy efficient buildings as a driver for innovation.

- Standards and minimum requirements for building components and materials, including energy and safety issues, including strategies for standard development.
- Market surveillance of standards for construction products.
- Enforcement of standards and minimum requirement for building components and materials.
- The possibility of collaboration on the establishment of a low energy demonstration building, will be explored, including an effort to motivate private companies' economic participation.
- Cooperation on energy efficient district heating, as a mean to ensure reliable, cheap and environmentally friendly heating in Chinese cities.

### **Article 3**

The Parties have decided to establish a Working Party Mechanism to enhance cooperation and exchange of views on energy efficient and sustainable building and energy efficient building materials.

The program of activities could be specified in a Work Plan, taking into account Article 2 and Article 4 of this Memorandum of Understanding. The Work Plan should be decided upon in writing between the Parties.

### **Article 4**

Cooperation between the Parties under this Memorandum of Understanding may be conducted in the form of:

- a) exchange of information and documentation;
- b) exchange visits by experts, and delegations involving experts, scientists, private companies and other relevant agencies, e.g. to share experiences through training seminars for decision-makers on energy efficient building regulations, management and technology;
- c) other forms of cooperation as mutually agreed upon.

## **Article 5**

Both Parties shall encourage organizations, private companies, government institutions at all levels and research institutions on both sides to establish cooperation activities aimed at fulfilling the objectives of this Memorandum of Understanding.

## **Article 6**

1. Costs related to the activities under this Memorandum of Understanding are subject to the availability of appropriate funds, in conformity with budgetary provisions and the relevant laws of each Party.
2. The implementation of each particular activity under this Memorandum of Understanding will require that the Parties put into writing the terms and conditions for the necessary funding, in accordance with each Party's relevant national legislation.
3. All costs resulting from cooperation under this Memorandum of Understanding are to be borne by the Party that incurs them, unless otherwise mutually agreed.

## **Article 7**

This Memorandum of Understanding may be amended at any time by the mutual written consent of the Parties.

## **Article 8**

Any dispute about the interpretation or implementation of this Memorandum of Understanding will be resolved through consultations between the Parties.

## **Article 9**

1. According to national legislation and international agreements in force in both countries, the Parties shall adopt the appropriate measures to protect the intellectual property rights arising under the implementation of this Memorandum of

Understanding.

2. The conditions for the acquisition, maintenance and commercial exploitation of intellectual property rights over possible products and/or processes that might be obtained under this Memorandum of Understanding will be defined in the specific programs, contracts or working plans, which shall also set out the conditions regarding the confidentiality of information whose publication and/or disclosure might jeopardize the acquisition, maintenance and commercial exploitation of intellectual property rights obtained under this Memorandum of Understanding.

#### Article 10

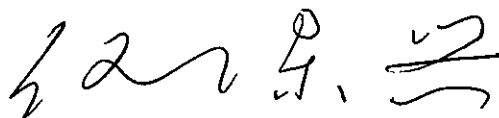
This Memorandum of Understanding shall enter into force upon notification by the Parties through diplomatic channels, once their respective internal legal procedures have been fulfilled. This Memorandum of Understanding shall be valid for two (2) years, automatically renewed for a further period of two (2) years. Either Party may terminate this Memorandum of Understanding by means of a written notice to the other Party. Termination will take effect three months following the date of notification and will not affect activities already under implementation.

This MoU is signed in Beijing on April the 24<sup>th</sup> 2014 in the Chinese and English languages, both texts having equal validity. This Memorandum of Understanding replaces the MoU signed in Copenhagen on 16 June 2012.

FOR THE MINISTRY OF CLIMATE,  
ENERGY AND BUILDING OF  
THE KINGDOM OF DENMARK:

FOR THE MINISTRY OF HOUSING AND  
URBAN-RURAL DEVELOPMENT OF  
THE PEOPLE'S REPUBLIC OF CHINA:

  
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# 中华人民共和国住房和城乡建设部 与 丹麦王国气候能源和建筑部 关于建筑节能合作谅解备忘录

中华人民共和国住房和城乡建设部与丹麦王国气候能源和建筑部（以下简称“双方”），

认识到双方在可持续发展、能源有效利用及向低碳经济转换方面的共同兴趣，

考虑到节能在解决全球挑战及发展需求方面扮演的战略角色，

希望在发展和促进节能与可持续建筑及节能建筑材料领域开展互利合作，

认识到对于经济发展和消除贫困，推进低碳解决方案的重要性和尽快找到低成本且持久的能源问题解决方案的紧迫性；

谨记中国国家发展和改革委员会与丹麦外交部于2004年2月26日签署的应对气候变化领域合作谅解备忘录，以及在京都议定书清

洁发展机制框架下实施的有关项目；

考虑到中华人民共和国政府与丹麦王国政府于2008年10月25日发表的建立全面战略伙伴关系的联合声明（可再生能源开发项目）；

认识到中国国家可再生能源中心与丹麦能源署于2012年2月23日签署的合作协议，以及随后上述两方签署的发展和促进能力建设的框架协议；

牢记此谅解备忘录旨在提供一个合作框架，并表达双方的合作意愿；

就以下所列内容达成一致：

## 第一条

本谅解备忘录的目的是提升双方在建筑节能领域的互利伙伴关系。

## 第二条

在本谅解备忘录框架下，确定双方优先合作和能力建设领域包括以下主题：

- 建筑节能和建筑能耗监测的发展与促进。
- 新建和改造低能耗和可持续建筑的概念和范例。
- 促进创新的建筑节能法规。
- 建筑构件及材料在能源、安全方面的标准及最低要求，包

括标准制订相关战略。

- 建筑产品标准实施的市场化监管。
- 建筑构件及材料标准和最低要求的强制执行管理。
- 探索开展低能耗建筑示范工程的可能性，并鼓励企业的参与。
- 开展节能型区域供热合作，作为中国城市实现可靠廉价且环境友好的一种供热解决方案。

### 第三条

双方将建立一个工作组机制，以加强在节能与可持续建筑和节能建筑材料方面的交流与合作。

项目活动将通过工作计划予以细化，并考虑本谅解备忘录第2及第4条的有关内容。工作计划将由双方通过书面形式予以确认。

### 第四条

双方根据本谅解备忘录可以下列形式开展合作：

- 信息及资料交流；
- 专家及代表团互访，代表团成员可包括：专家、科研工作者、企业及其他相关机构。如通过对决策者开展建筑节能技术、法律法规和管理方面的培训来分享经验；
- 双方同意的其他合作形式。



## 第五条

双方将鼓励有关组织、企业、各级别政府机构及科研机构开展合作活动，以实现本谅解备忘录的目标。

## 第六条

1. 本谅解备忘录框架下开展的活动相关成本限于符合双方各自的预算规定和有关法律条件下所能提供的相应资金。

2. 根据本谅解备忘录实施的每一个特定活动，都需要双方就资金达成书面协议，并符合双方相关的国家法令。

3. 根据本谅解备忘录的合作所造成的全部费用由发生方承担，除非双方另有约定。

## 第七条

在双方书面同意的情况下，本谅解备忘录可随时修改。

## 第八条

任何关于本谅解备忘录翻译或履行方面的争议将通过双方协商解决。

## 第九条

1. 根据国家法律及两国均适用的国际协定，双方应采取适当手段来保护在本谅解备忘录实施中产生的知识产权。

2. 根据本谅解备忘录可能产生的产品和/或过程的知识产权的取得、维护及商业开发的相关条款将在专门的方案、合同或工作计划中定义，并将同时明确信息保密的有关条款，包括何种信息的公开或披露会危害知识产权的获得、维护及商业开发。

## 第十条

双方在各自完成国内法律程序并通过外交渠道通知对方后，本谅解备忘录生效。本谅解备忘录的有效期两年，并自动续期两年。任何一方均可以书面通知对方的形式终止本谅解备忘录。通知之日起三个月后，终止生效，但不会影响正在执行的活动。

于2014年4月24日，在北京签署，用中文和英文写成，具有同等效力。此合作谅解备忘录替代2012年6月16日在哥本哈根签署的合作谅解备忘录。

中华人民共和国  
住房和城乡建设部

丹麦王国  
气候能源和建筑部

