

Commission Regulation (EC) No 107/2009 of 4 February 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for simple set-top boxes (Text with EEA relevance)

*Article 1*

**Subject matter and scope**

This Regulation establishes ecodesign requirements for simple set-top boxes.

*Article 2*

**Definitions**

For the purposes of this Regulation, the definitions set out in Directive 2005/32/EC shall apply. The following definitions shall also apply:

1. 'Simple set-top box' (SSTB) means a stand-alone device which, irrespectively of the interfaces used,
  - (a) has the primary function of converting standard-definition (SD) or high-definition (HD), free-to-air digital broadcast signals to analogue broadcast signals suitable for analogue television or radio;
  - (b) has no 'conditional access' (CA) function;
  - (c) offers no recording function based on removable media in a standard library format.

A SSTB can be equipped with the following additional functions and/or components which do not constitute a minimum specification of an SSTB:

- (a) time-shift and recording functions using an integrated hard disk;
  - (b) conversion of HD broadcast signal reception to HD or SD video output;
  - (c) second tuner.
2. 'Standby mode(s)' means a condition where the equipment is connected to the mains power source, depends on energy input from the mains power source to work as intended and provides *only* the following functions, which may persist for an indefinite time:
  - (a) reactivation function, or reactivation function and only an indication of enabled reactivation function; and/or
  - (b) information or status display.
3. 'Reactivation function' means a function enabling the activation of other modes, including active mode, by remote switch, including remote control, internal sensor, timer to a condition providing additional functions, including the main function.
4. 'Information or status display' means a continuous function providing information or indicating the status of the equipment in a display, including clocks.

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**Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 107/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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5. 'Active mode(s)' means a condition in which the equipment is connected to the mains power source and at least one of the main function(s) providing the intended service of the equipment has been activated.
6. 'Automatic power down' means a function which switches the active mode of an SSTB into standby mode after a period in the active mode following the last user interaction and/or channel change.
7. 'Second tuner' means a part of the SSTB available for independent recording while allowing to watch a different programme.
8. 'Conditional access' (CA) means a provider-controlled broadcasting service requiring a market subscription television service.

### *Article 3*

#### **Ecodesign requirements**

The ecodesign requirements for SSTBs are set out in Annex I.

### *Article 4*

#### **Relationship with Regulation (EC) No 1275/2008**

The requirements laid down in this Regulation shall prevail over the requirements laid down in Regulation (EC) No 1275/2008.

### *Article 5*

#### **Conformity assessment**

The procedure for assessing conformity referred to in Article 8(2) of Directive 2005/32/EC shall be the internal design control system set out in Annex IV to Directive 2005/32/EC or the management system set out in Annex V to Directive 2005/32/EC.

### *Article 6*

#### **Verification procedure for market surveillance purposes**

Surveillance checks shall be carried out in accordance with the verification procedure set out in Annex II.

### *Article 7*

#### **Benchmarks**

The indicative benchmarks for best-performing products and technology currently available on the market are identified in Annex III.

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## Article 8

### Revision

No later than five years after the entry into force of this Regulation the Commission shall review it in the light of technological progress and present the result of this review to the Consultation Forum.

## Article 9

### Entry into force

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Point 1 of Annex I shall apply as from one year after the date referred to in the first paragraph.

Point 2 of Annex I shall apply as from three years after the date referred to in the first paragraph.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

**Changes to legislation:**

There are outstanding changes not yet made to Commission Regulation (EC) No 107/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Annex 3 words substituted by [S.I. 2019/539 Sch. 2 para. 2\(7\)](#)
- Annex 2 word substituted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(e\)\(i\)](#)
- Annex 2 word substituted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(e\)\(ii\)](#)
- Annex 2 words substituted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(a\)](#)
- Annex 2 words substituted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(b\)](#)
- Annex 2 words substituted in earlier amending provision [S.I. 2019/539, Sch. 2 para. 2\(6\)\(a\)](#) by [S.I. 2020/1528 reg. 6\(1\)reg. 6\(2\)\(b\)\(ii\)](#)
- Annex 2 words substituted in earlier amending provision [S.I. 2019/539, Sch. 2 para. 2\(6\)\(b\)](#) by [S.I. 2020/1528 reg. 6\(3\)reg. 6\(4\)\(b\)\(ii\)](#)
- Art. 2 words substituted by [S.I. 2019/539 Sch. 2 para. 2\(2\)](#)
- Art. 2 words substituted in earlier amending provision [S.I. 2019/539, Sch. 2 para. 2\(2\)](#) by [S.I. 2020/1528 reg. 4](#)
- Art. 5 substituted by [S.I. 2019/539 Sch. 2 para. 2\(3\)](#)
- Art. 8 omitted by [S.I. 2019/539 Sch. 2 para. 2\(4\)](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Signature words omitted by [S.I. 2019/539 Sch. 2 para. 2\(5\)](#)
- Annex 2(2)(a) words substituted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(c\)\(i\)](#)
- Annex 2(2)(a) words substituted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(c\)\(ii\)](#)
- Annex 2(7) omitted by [S.I. 2019/539 Sch. 2 para. 2\(6\)\(d\)](#)