
STATUTORY INSTRUMENTS

1999 No. 1517

The Energy Information (Lamps) Regulations 1999

Citation and commencement

1. These Regulations may be cited as the Energy Information (Lamps) Regulations 1999 and shall come into force on 1st July 1999 (but see regulation 13).

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“dealer” means a retailer or other person who offers for sale, displays or sells a regulated lamp to end-users;

“the Directives” means Council Directive [92/75/EEC](#)^{M1} on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances and the Lamps Directive;

“enforcement action” means the instituting of proceedings (whether criminal or otherwise) for failing to observe or comply with these Regulations;

^{F1} ...

“the harmonised standards” means the standards referred to in Article 1(4) of the Lamps Directive, which are technical specifications (European standards or harmonisation documents) adopted by the European Committee for Electrotechnical Standardisation (“Cenelec”), on the basis of—

(a) a mandate from the Commission in accordance with Council Directive [83/189/EEC](#) of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations, as last amended by Commission Decision [96/139/EC](#)^{M2}, and

(b) the general guidelines for co-operation between the Commission, Cenelec and the European Committee for Standardisation signed on 13th November 1984^{M3};

“household electric lamps” means filament and integral compact fluorescent lamps supplied directly from the mains;

“household fluorescent lamps” includes linear and non-integral compact fluorescent lamps;

“information notice”—

(a) in regulation 7(2) and paragraph 6 of Schedule 4 (power of enforcement authority to require technical documentation), means a notice containing information relating to the energy consumption and allied design and performance characteristics of a regulated lamp;

(b) in any other provision of these Regulations, subject to paragraph (c), means a notice in the relevant language version containing information which meets the relevant requirements—

(i) where the notice is in English, of Schedules 1 (the label) and 3 (energy efficiency classes);

- (ii) in any other case, of the Lamps Directive;
- (c) in relation to a supplier, means a notice containing information provided by him in accordance with paragraph (a) or (b);

“label”–

- (a) in regulations 7(2) and 11 (misleading information) and paragraph 6 of Schedule 4 (power of enforcement authority to require technical documentation), means a label, mark, symbol or inscription relating to the energy consumption of a regulated lamp;
- (b) in any other provision of these Regulations, means a label in the relevant language version which meets the relevant requirements–
 - (i) where it is in English, of Schedules 1 (the label) and 3 (energy efficiency classes);
 - (ii) in any other case, of the Lamps Directive;

“the Lamps Directive” means Commission Directive [98/11/EC](#)^{M4} implementing Council Directive [92/75/EEC](#) with regard to energy labelling of household lamps;

[^{F2}“local weights and measures authority” means a local weights and measures authority within the meaning of section 69 of the Weights and Measures Act 1985;]

“purchase” includes acquire on hire or on hire-purchase;

“records” includes any books, documents, marks or symbols and any records in non-documentary form;

“regulated lamp” means–

- (a) any household electric lamp, and
- (b) any household fluorescent lamp,

except where marketed or commercialised as part of a product, the primary purpose of which is not illuminative but, subject to that, even when marketed for non-household use;

“sale” includes hire and hire-purchase;

“supplier” means the manufacturer of a regulated lamp or his authorised representative in the Community or the person who places the lamp on the Community market;

“third person” means any person other than one against whom enforcement action may be, or is being, or has been taken under these Regulations.

(2) Other expressions used in these Regulations and in the Directives, or in one of them, have the same meaning in these Regulations as they have in the Directives or in that one, as the case may be.

Textual Amendments

- F1** Words in reg. 2 omitted (15.10.2009) by virtue of [The Energy Information \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/2559\)](#), regs. 1(b), **5(2)(a)**
- F2** Words in reg. 2 inserted (15.10.2009) by [The Energy Information \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/2559\)](#), regs. 1(b), **5(2)(b)**
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Marginal Citations

- M1** OJ No. L 297, 13.10.92, p. 16.
- M2** OJ No. L 109, 26.4.83, p. 8.
- M3** OJ No. L 32, 10.2.96, p. 31.
- M4** OJ No. L 71, 10.3.98, p. 1.

[^{F3}Enforcement authority

2A.—(1) In these Regulations the enforcement authority means—

- (a) for the purpose of enforcing regulation 9 (dealers' duties) and regulation 10 (information in respect of mail order and other distance sales), in relation to England, Wales and Scotland, the local weights and measures authority, and in relation to Northern Ireland, the Department of Enterprise, Trade and Investment; and
- (b) for the purpose of enforcing regulation 4 (suppliers' duties in respect of labels), regulation 5 (suppliers' duties in respect of product brochures and information notices), regulation 7 (suppliers' responsibility for accuracy of labels and information notices), regulation 8 (suppliers' duties in respect of technical documentation) and regulation 11 (misleading information), the Secretary of State.

(2) The Secretary of State may appoint any person to act on the Secretary of State's behalf for the purposes of regulation 2A(1)(b), subject to any limitations or conditions as the Secretary of State sees fit.

(3) Where the Secretary of State appoints a person under paragraph (2), the Secretary of State must publish details—

- (a) identifying that person, and
- (b) of the extent of the authorisation, including any limitations or conditions,

on the Department for Environment, Food and Rural Affairs website.]

Textual Amendments

F3 Reg. 2A inserted (15.10.2009) by [The Energy Information \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/2559\)](#), regs. 1(b), **5(3)**

Application of Regulations

3.—(1) Subject to paragraph (2), these Regulations shall apply to regulated lamps; but where such a lamp can be taken apart by end-users, they apply to such part of the lamp as emits the light or, where there is more than one such part, to all those parts.

(2) These Regulations shall not apply to—

- (a) lamps with a luminous flux of more than 6,500 lumens;
- (b) lamps with an input power of less than 4 watts;
- (c) reflector lamps;
- (d) lamps marketed or commercialised primarily for use with other energy sources, such as batteries;
- (e) lamps marketed or commercialised primarily for the production of light outside the visible range of 400 to 800nm;
- (f) second-hand lamps;
- (g) lamps of which production ceased before 31st March 1998.

Suppliers' duties in respect of labels

4.—(1) A supplier shall not supply a regulated lamp to a dealer unless, subject to paragraph (2), a label is placed or printed on the outside of the individual packaging of the lamp.

(2) Where the packaging is so small that it cannot take a label reduced to 40% (by length) of the size necessary to meet the relevant requirements of Schedule 1, the supplier's duty under paragraph (1) shall be met if a label is attached to the outside of the individual packaging of the lamp.

(3) Whenever, for the purpose of complying with regulation 9(1), a dealer sends to his supplier a request for labels, the supplier shall supply them free of charge and shall ensure that they are delivered promptly but, subject to that, may choose his own system for delivery.

Suppliers' duties in respect of product brochures and information notices

5.—(1) A supplier shall not provide a product brochure with a regulated lamp unless the brochure contains an information notice.

(2) Where a supplier does not provide a product brochure, and subject to paragraph (3), he shall provide an information notice with each regulated lamp which he supplies; and the notice shall be supplied with other literature provided with the lamp.

(3) Nothing in paragraph (2) shall require a supplier who has provided a label with a regulated lamp or its individual packaging, to provide a separate information notice with that lamp or its packaging.

Suppliers' deemed consent to publication of information

6. The supplier shall be deemed to have given his consent to the publication of the information contained in a label or information notice.

Suppliers' responsibility for accuracy of labels and information notices

7. The supplier (and no other person) shall be responsible for the accuracy of the information contained in a label or information notice.

Suppliers' duties in respect of technical documentation

8.—(1) Before a regulated lamp is placed on the Community market the supplier shall have established technical documentation sufficient to enable the accuracy of the information contained in a label or information notice to be assessed.

(2) The technical documentation referred to in paragraph (1) shall include—

- (a) the name, trademark and address of the supplier;
- (b) a general description of the lamp, sufficient for it to be uniquely identified;
- (c) information (including drawings as relevant) on the main design features of the model and, in particular, those which appreciably affect its energy consumption;
- (d) the results of design calculations carried out, where these are relevant;
- (e) reports of relevant measurement tests carried out on the model in accordance with the test procedures of the harmonised standards;
- (f) test reports, where available, including those carried out by relevant notified organisations as defined under other Community legislation;
- (g) where values are derived from those obtained for similar models, the same information for these models; and
- (h) operating instructions (if any).

(3) For the purposes of paragraph (1), the supplier may use documentation already required on the basis of relevant Community legislation.

(4) The supplier shall make the technical documentation available for inspection by an enforcement authority for a period ending five years after the lamp has ceased to be manufactured.

(5) The supplier shall furnish promptly to an enforcement authority such of the technical documentation as the authority may, by notice in writing given to the supplier, reasonably require pursuant to paragraph 6 of Schedule 4 (power of enforcement authority to require technical information).

Dealers' duties

9.—(1) A dealer who displays or offers for sale a regulated lamp shall—

- (a) ensure that there is placed or printed on the outside of the individual packaging of the lamp or,
- (b) in a case to which regulation 4(2) applies, but subject to paragraph (2) below, attach to, or ensure that there is attached to, the outside of the individual packaging of the lamp,

a label referable to the lamp in question.

(2) Nothing in paragraph (1)(b) shall require a dealer to attach a label, or to ensure that a label is attached, to a lamp where he displays a full-size label with the lamp (for example, attached to the shelf on which the lamp is displayed).

(3) The dealer shall ensure that, throughout the period of the offer or display, the label placed, printed or attached, in accordance with paragraph (1), is neither obscured, nor its visibility reduced, by anything attached to, or placed or printed on, the packaging of the lamp.

Information in respect of mail order and other distance sales

10.—(1) Where any person offers a regulated lamp for sale by means of a printed communication, such as a catalogue, in circumstances that imply that the potential customer cannot be expected to see the lamp displayed, that person shall include, or ensure that there is included, in the printed communication, or otherwise provide, or ensure that there is provided—

- (a) a copy of the label referable to the lamp; or
- (b) subject to paragraph (2), a statement containing the information specified in Schedule 2 and presented in the order in which it is so specified.

(2) Nothing in paragraph (1)(b) shall require the inclusion of the information specified in Schedule 2(d) (average rated life of lamp) where no other information on the life of the lamp is given in the catalogue.

Misleading information

11.—(1) Subject to paragraph (2), no person shall display any label, mark, symbol or inscription which relates to the energy consumption of a regulated lamp, if it does not comply with these Regulations and is likely to confuse or mislead.

(2) Nothing in paragraph (1) applies to a label, mark, symbol or inscription displayed under a Community or national environmental labelling scheme.

Enforcement and offences

12.—(1) Subject to paragraph (2), it shall be the duty of an enforcement authority to enforce these Regulations within its area.

(2) Nothing in paragraph (1) authorises a local weights and measures authority in Scotland to bring proceedings in Scotland for an offence.

(3) Schedule 4 (enforcement, offences, etc.) shall have effect.

Transitional provision

13. Nothing in these Regulations shall apply to—

- (a) the supply (whether to a dealer or another person) of a regulated lamp,
- (b) the distribution of any product brochure or printed communication, or
- (c) the display of any regulated lamp;

before 31st December 2000.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Alan Meale
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

Changes to legislation:

There are currently no known outstanding effects for the The Energy Information (Lamps) Regulations 1999.