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STATUTORY INSTRUMENTS

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**1999 No. 1676**

**The Energy Information (Dishwashers) Regulations 1999**

**Citation and commencement**

1. These Regulations may be cited as the Energy Information (Dishwashers) Regulations 1999 and shall come into force on 8th July 1999.

**Interpretation**

2. In these Regulations, expressions used which are also used in the Directives have the same meaning as in the Directives and—

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

“the Directives” means Council Directive [92/75/EEC\(1\)](#) on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances and Commission Directive [97/17/EC\(2\)](#) as amended by Commission Directive [99/9/EC\(3\)](#);

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

“enforcement authority” means—

(a) in England and Wales and Scotland, a local weights and measures authority within the meaning of section 69 of the Weights and Measures Act 1985 (local weights and measures authorities)(4); and

(b) in Northern Ireland, the Department of Economic Development;

“the harmonised standards” means the standards referred to in article 1(2) of Commission Directive [97/17/EC](#) (measurement of required information), which are technical specifications (European standards of 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(5) as last amended by Commission Directive [96/139/EC\(6\)](#), and

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

“information notice” means—

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(1) OJNo. L297, 13.10.92, p. 16.

(2) OJ No. L118, 7.5.97, p. 1.

(3) OJ No. L56, 4.3.99, p. 46.

(4) [1985 c. 72](#), as amended by paragraph 144 of Schedule 13 to the Local Government (Scotland) Act [1994 \(c. 39\)](#).

(5) OJ No. L109, 26.4.83, p. 8.

(6) OJ No. L32, 10.2.96, p. 31.

- (a) subject to paragraph (b), a standard table of information relating to a regulated dishwasher and complying with regulation 5(2) (form, content and language of information notice);
- (b) in paragraph 6 of Schedule 5 (power of enforcement authority to require technical documentation), a standard table of information relating to the energy consumption and allied design and performance characteristics of a regulated dishwasher;

“label” means—

- (a) subject to paragraph (b), a label relating to a regulated dishwasher and complying with regulation 4(2) (form, content and language of label);
- (b) in regulation 11 (misleading information) and in paragraph 6 of Schedule 5 (power of enforcement authority to require technical documentation), a label relating to the energy consumption and allied design and performance characteristics of a regulated dishwasher;

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

“regulated dishwasher” means any household dishwasher which is—

- (a) electric mains operated, and
- (b) unable to use other energy sources, even where marketed for non-household use;

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

“sale” includes hire and hire-purchase;

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

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

### **Application**

- 3.—**(1) Subject to paragraph (2), these Regulations shall apply to regulated dishwashers.
- (2) These Regulations shall not apply—
- (a) to second-hand dishwashers,
  - (b) to dishwashers of which production ceased before 7th March 1999, or
  - (c) in respect of the rating plate or its equivalent affixed for safety purposes to a dishwasher.

### **Suppliers' duties in respect of labels**

**4.—**(1) A supplier of a regulated dishwasher shall provide free of charge to a dealer a label which complies with paragraph (2).

(2) The label shall be in the relevant language version and, where it is in English, shall comply with Schedules 1 (the label) and 4 (energy efficiency and washing performance class) and, in any other case, with Commission Directive [97/17/EC](#).

(3) Where the dealer requests labels from the supplier, the supplier shall ensure that the requested labels are delivered promptly.

(4) A supplier may choose his own system for delivery of labels.

### **Suppliers' duties in respect of information notices**

5.—(1) A supplier of a regulated dishwasher shall provide an information notice in accordance with this regulation.

(2) The information notice shall be in the relevant language version and, where it is in English, shall comply with Schedules 2 (the information notice) and 4 (energy efficiency and cleaning and drying performance class) and, in any other case, with Commission Directive 97/17/EC.

(3) Where the supplier provides a product brochure, the brochure shall contain an information notice.

(4) Where a product brochure is not provided by the supplier, the supplier shall provide an information notice with any other literature provided with the dishwasher.

### **Suppliers' deemed consent to publication of information**

6. The supplier shall be deemed to consent to the publication of the information given on a label or in an information notice.

### **Suppliers' responsibility for accuracy of labels and information notices**

7. Only the supplier shall be responsible for the accuracy of the information given on a label which he supplies to a dealer or in an information notice.

### **Suppliers' duties in respect of technical documentation**

8.—(1) Before a regulated dishwasher 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 and address of the supplier;
- (b) a general description of the regulated dishwasher, sufficient for it to be identified;
- (c) information (including drawings as relevant) on the main design features of the dishwasher and, in particular, items 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 regulated dishwasher 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 those models; and
- (h) operating instructions (if any).

(3) For the purposes of paragraphs (1) and (2), 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 enforcement authorities for a period ending five years after the regulated dishwasher has ceased to be manufactured.

(5) The supplier shall furnish promptly to an enforcement authority such of the technical documentation as the authority requires pursuant to paragraph 6 of Schedule 5 (power of enforcement authority to require technical information).

### **Dealers' duty in respect of displayed regulated dishwashers**

9. A dealer who displays a regulated dishwasher to end-users shall attach a label to the outside front or top of the dishwasher so that the label remains clearly visible and not obscured whenever the dishwasher is displayed.

### **Information in respect of mail order and other distance sales**

10. Where a person offers a regulated dishwasher for sale by means of a printed communication, such as a mail order catalogue (but not an advertisement or short printed list of dishwashers), in circumstances which imply that the potential purchaser cannot be expected to see the dishwasher displayed, that person shall ensure that the printed communication is in the relevant language version and—

- (a) if it is in English, includes the information specified in Schedule 3 (mail order and other distance selling) and describes the dishwasher in accordance with Schedule 4 (energy efficiency and washing performance class), and
- (b) in any other case, it complies with Commission Directive [97/17/EC](#).

### **Misleading information**

11.—(1) A person shall not display a label, mark, symbol or inscription which relates to the energy consumption of a regulated dishwasher which does not comply with these Regulations, if such display is likely to mislead or confuse.

(2) Paragraph (1) shall not apply to a label, mark, symbol or inscription displayed under a Community or national environmental labelling scheme.

### **Enforcement and offences**

12.—(1) Subject to paragraph (3), it shall be the duty of every enforcement authority to enforce these Regulations within its area.

(2) Nothing in these Regulations shall authorise a local weights and measures authority in Scotland to bring proceedings in Scotland for an offence.

(3) Schedule 5 shall have effect with regard to offences, enforcement of these Regulations and other matters.

### **Transitional provisions**

13. Nothing in these Regulations shall apply to:

- (a) the supply (whether to a dealer or another person) of a regulated dishwasher;
- (b) any printed communication within the meaning of regulation 10 (printed communications) distributed to potential purchasers; or
- (c) the display of any regulated dishwasher

before 31st July 1999.

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

11th June 1999

*Michael Meacher*  
Minister of State,  
Department of the Environment, Transport and  
the Regions