
STATUTORY INSTRUMENTS

2003 No. 750

**The Energy Information (Household
Air Conditioners) Regulations 2003**

Citation and commencement

1. These Regulations may be cited as the Energy Information (Household Air Conditioners) Regulations 2003 and shall come into force on 4th April 2003.

Interpretation

2.—(1) In these Regulations—

- (a) “the Air Conditioners Directive” means Commission Directive [2002/31/EC](#)(1) implementing Council Directive [92/75/EEC](#) with regard to energy labelling of household air-conditioners;
- (b) “the Parent Directive” means Council Directive [92/75/EEC](#)(2) on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances; and
- (c) “the Directives” means the Air Conditioners Directive and the Parent Directive.

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

“communication”, as a means by way of which appliances are offered for sale, means a printed or written communication or other means whereby the potential customer cannot be expected to see the appliance displayed, such as a written offer, a mail order catalogue, advertisements on the Internet or other electronic media;

“the Community” means (except in the title of the Council Regulation referred to in the definition of “Community language”) the European Community(3);

“Community language” has the meaning given by Council Regulation 1958/1/EEC determining the languages to be used by the European Economic Community(4);

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

“enforcement authority” means—

- (a) in England and Wales and Scotland, a local weights and measures authority within the meaning of section 69 (local weights and measures authorities) of the Weights and Measures Act 1985(5); and

(1) OJNo. L86, 3.4.2002, p. 86.

(2) OJ No. L297, 13.10.1992, p. 16.

(3) The parent Directive was extended to the European Economic Area by EEA Joint Committee Decision No 7/94 of 21.3.94 (OJ No. L160, 28.6.1994, p. 1); the Air Conditioners Directive, though a text with EEA relevance, has not at the date of making these Regulations been so extended.

(4) OJ No. B017, 6.10.1958, p. 385, as last amended by the Act of Accession of Austria, Sweden and Finland (OJ No. C241, 29.8.1994, p. 21).

(5) [1985 c. 72](#), as amended by paragraph 144 of Schedule 13 to the Local Government (Scotland) Act [1994 \(c. 39\)](#).

- (b) in Northern Ireland, the Department of Enterprise, Trade and Investment;
- “the harmonised standards” means EN 255 - 1(6) and EN 814 - 1(7);
- “information notice” means a standard table of information relating to a regulated household air conditioner;
- “label” means a label relating to a regulated household air conditioner which contains information on its consumption of energy (whether or not it also contains other information);
- “records” includes any books, documents, marks or symbols and any records in non-documentary form;
- “regulated household air conditioner” has the meaning given by regulation 3(5);
- “sale” includes hire and hire-purchase and related expressions shall be construed accordingly; and
- “supplier” means the manufacturer of a regulated household air conditioner or his authorised representative in the Community or the person who places the regulated household air conditioner on the Community market.

Scope

3.—(1) Subject to the following provisions of this regulation and regulation 4, these Regulations apply to electric mains operated household air conditioners of the following descriptions—

- (a) air cooled air conditioners;
- (b) water cooled air conditioners;
- (c) liquid chilling packages;
- (d) air/air, water/air, air/water and water/water heat pumps with electrically driven compressors,

whether used in heating mode or for space cooling.

(2) In relation to air conditioners of a description falling within paragraph (1)—

- (a) these Regulations apply to factory-made units which can be ducted;
- (b) in the case of units consisting of several parts, these Regulations apply only to those designed and supplied as a complete package;
- (c) units having two or more indoor sections connected to a single outdoor unit (multiple split system air conditioners or heat pumps) are excluded from the scope of these Regulations;
- (d) these Regulations do not apply to continuously variable control units;
- (e) in relation to liquid chilling packages, these Regulations apply only to cooling mode (and not to heating mode); and
- (f) without prejudice to paragraph (4), these Regulations do not apply to installations for use in industrial processes.

(3) These Regulations do not apply to—

- (a) appliances that can also use other energy sources;
- (b) air-to-water and water-to-water appliances; or

(6) European standard EN 255-1 of February 1997 entitled “Air conditioners, liquid chilling packages and heat pumps with electrically driven compressors - Heating mode—Part 1: Terms, definitions and designations”, which is transposed in the United Kingdom by British Standard BS EN 255-1:1997 of the same title published by the British Standards Institution on 15th August 1997.

(7) European standard EN 814-1 of February 1997 entitled “Air conditioners and heat pumps with electrically driven compressors —Cooling mode—Part 1: Terms, definitions and designations”, which is transposed in the United Kingdom by British Standard BS EN 814-1: 1997 of the same title published by the British Standards Institution on 15th July 1997.

(c) units with an output (cooling power) greater than 12 kW.

(4) These Regulations apply to household air conditioners notwithstanding that they are sold or displayed for non-household use.

(5) A household air conditioner to which these Regulations apply is referred to as a regulated household air conditioner.

Other exclusions

4.—(1) Nothing in these Regulations applies to the rating plate or its equivalent affixed for safety purposes to a regulated household air conditioner.

(2) There shall be no obligation on any person to label or provide information notices in accordance with these Regulations in respect of models of household air conditioners of which production has ceased before 1st January 2003, but if an appliance has been labelled or an information notice provided in respect of it, these Regulations shall apply.

(3) There shall be no obligation on any person to label or provide information notices in accordance with these Regulations in respect of second hand household air conditioners; but if a second hand appliance sold or displayed by a dealer is labelled or an information notice is provided in respect of it, these Regulations apply to the extent that they impose obligations on the dealer.

(4) These Regulations do not impose obligations on a supplier or dealer in relation to a household air conditioner which the supplier or dealer has reasonable grounds to believe is for use by an end user in a country outside the Community.

Obtaining the information required by these Regulations

5.—(1) The information required by regulations 6 to 9 shall, where applicable, be obtained by measurements made in accordance with the harmonised standards.

(2) Information obtained other than in accordance with paragraph (1) shall be taken for the purposes of these Regulations not to meet the relevant requirement.

Placing on the market: technical documentation

6.—(1) No supplier shall place on the market a regulated household air conditioner unless he has 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 model, sufficient for it to be unequivocally and easily identified;
- (c) information (including drawings as relevant) on the main design features of the air conditioner 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 air conditioner 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 Community legislation other than the Directives;
- (g) where values are derived from those obtained for similar models, the same information for those models; and
- (h) operating instructions, if any.

(3) Where the information relating to a particular model combination has been obtained by calculation on the basis of design, extrapolation from other combinations or both, the documentation shall include details of such calculations extrapolations or both, as the case may require, and of tests undertaken to verify the accuracy of the calculations undertaken (details of the mathematical model for calculating performance of split systems, and of measurements taken to verify this model).

(4) For the purposes of paragraphs (1) and (2), the supplier may use documentation already required on the basis of relevant Community legislation.

(5) The supplier shall make the technical documentation available for inspection by enforcement authorities for a period ending five years after the last regulated household air conditioner of the model has been manufactured.

Supplier's duties in respect of labels

7.—(1) All suppliers placing on the market regulated household air conditioners shall supply a label in accordance with the following provisions of this regulation.

(2) The label shall in all respects comply with Schedules 1 (the label) and 3 (energy efficiency classification).

(3) The supplier shall supply the necessary labels free of charge to dealers.

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

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

Supplier's duties in respect of the information notice

8.—(1) A supplier of a regulated household air conditioner shall provide an information notice in accordance with this regulation.

(2) The information notice shall be in the relevant language version and shall comply with Schedules 2 (the information notice) and 3 (energy efficiency classification).

(3) Where the supplier provides a product brochure, the brochure shall contain an information notice, and the supplier shall provide the product brochure with each air conditioner free of charge.

(4) Where the supplier does not provide a product brochure, he shall provide an information notice free of charge with the air conditioner, with any other literature provided therewith.

Supplier's deemed consent to publication of information

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

Supplier's duties in respect of the accuracy of labels and information notices

10.—(1) The supplier shall ensure that the information in an information notice or on a label which he supplies to a dealer is accurate.

(2) Paragraph (1) is without prejudice to any right of action which any person may have apart from these Regulations whether against the supplier, dealer or any other person arising from any inaccuracy of information in an information notice or a label.

Dealer's duty in respect of displayed regulated household air conditioners

11. A dealer who displays a regulated household air conditioner to end-users shall attach the appropriate label (that is to say, the label supplied by the supplier in accordance with regulation 7 or,

where the supply is in another member State, in accordance with Article 3(1) of the Parent Directive) to the outside front or top of the air conditioner so that the label remains clearly visible and is not obscured whenever the air conditioner is displayed.

Information in respect of mail order and other distance sales

12. Where a person offers a regulated household air conditioner for sale by means of a communication, that person shall ensure that the communication—

- (a) is in the relevant language version; and
- (b) includes the information specified in Schedule 2 (the information notice) and describes the air conditioner in accordance with Schedule 3 (energy efficiency classification).

Information in other Community languages

13. Schedule 4 (which sets out Annex V (Translation of Terms to be used in the Label and Fiche) to the Air Conditioners Directive) has effect for the purpose of making provision for the equivalent in other Community languages of the terms in English given in Schedules 1 and 2.

Misleading information

14.—(1) A person shall not display any label, mark, symbol or inscription (other than those required by these Regulations) which relates to the energy consumption of a regulated household air conditioner and which does not comply with the requirements of 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⁽⁸⁾.

Presumption of compliance

15. Unless there is evidence to the contrary, labels and information notices shall be deemed to comply with the provisions of these Regulations.

Enforcement and offences

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

(2) Nothing in these Regulations shall authorise an enforcement authority in Scotland to bring proceedings for an offence.

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

Transitional provisions

17. On or before 30th June 2003—

- (a) the placing on the market, the offering for sale or display of regulated household air conditioners; or
- (b) the distribution of communications relating thereto,

⁽⁸⁾ See, for example, Regulation (EC) No 1980/2000 on a revised Community eco-label award scheme (OJ No. L237, 21.9.2000, p. 1).

in respect of which the requirements of these Regulations are not complied with shall be permitted; provided that where a regulated household air conditioner is offered for sale or displayed or a communication is distributed in respect of it and it has—

- (a) a label placed on it containing (or purporting to contain) the information required by regulation 7; or
- (b) an information notice or product brochure provided in respect of it containing (or purporting to contain) the information required by regulation 8,

the remaining requirements of these Regulations shall apply.

14th March 2003

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