
STATUTORY INSTRUMENTS

2010 No. 2617

The Ecodesign for Energy-Related Products Regulations 2010

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Ecodesign for Energy-Related Products Regulations 2010 and come into force on 20th November 2010.

Interpretation **E+W+S**

[^{F12}2.—(1) In these Regulations—

“applicable implementing measure” means in relation to an energy-related product mentioned in the left hand column of the table in paragraph 4 of Schedule 1, the corresponding implementing measure referred to in the right hand column of that table;

“approved body” has the meaning given to it in paragraph 1(1) of Schedule 1B;

“authorised person” means a person authorised by the market surveillance authority in accordance with regulation 12;

“authorised representative” means—

(a) a person who—

(i) immediately before IP completion day was established in the United Kingdom or an EEA state and was appointed by a manufacturer by written mandate to act on its behalf in relation to such tasks as are specified in the mandate with regard to the manufacturer's obligations under these Regulations, an implementing measure, or RAMS; and

(ii) on or after IP completion day continues to be so established and appointed by the manufacturer to perform those tasks; or

(b) a person who, on or after IP completion day, is established in Great Britain and is appointed by a manufacturer by written mandate to act on its behalf in relation to such tasks as are specified in the mandate with regard to the manufacturer's obligations under these Regulations, an implementing measure, or RAMS;

“companies qualifying as small or medium-sized” means a company that qualifies as small under section 382 of the Companies Act 2006 or as medium-sized under section 465 of that Act;

“components and sub-assemblies” means parts which are intended to be incorporated into products and—

(a) which are not placed on the market or put into service as individual parts for end-users; or

(b) the environmental performance of which cannot be assessed independently;

“conformity assessment activities” means any activities connected with conformity assessment, including calibration, testing, certification and inspection;

“conformity assessment body” means a body that performs conformity assessment activities;

“designated standard” has the meaning given to it by regulation 2A;

“the Decision” means Decision No [768/2008/EC](#) of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, as it had effect immediately before IP completion day;

“the Directive” means Directive [2009/125/EC](#) of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products as it had effect immediately before IP completion day;

“ecodesign requirement” means any requirement in relation to a product, or the design of a product, intended to improve its environmental performance, or any requirement for the supply of information with regard to the environmental aspects of a product;

“ecological profile” means a description, in accordance with the implementing measure applicable to the product, of the inputs and outputs (such as materials, emissions and waste) associated with a product throughout its life cycle which are significant from the point of view of its environmental impact, expressed in physical quantities that can be measured;

“energy-related product” means—

- (a) any good that has an impact on energy consumption during use which is placed on the market or put into service; and
- (b) parts—
 - (i) which are intended to be incorporated into any good that has an impact on energy consumption during use which is placed on the market or put into service;
 - (ii) which are placed on the market or put into service as individual parts for end-users; and
 - (iii) of which the environmental performance can be assessed independently;

“environmental aspect” means an element or function of a product that can interact with the environment during its life cycle;

“environmental impact” means any change to the environment wholly or partially resulting from a product during its life cycle;

“environmental performance” of a product means the results of the manufacturer's management of the environmental aspects of the product, as reflected in its technical documentation file where a technical documentation file is required for that product;

“identification number” means the number which identifies an approved body and follows a UK marking affixed to a product pursuant to regulation 4, which is affixed—

- (a) by the approved body; or
- (b) where instructed to do so by the approved body, by the manufacturer or the manufacturer's authorised representative;

“implementing measure” means a measure made under the Directive before IP completion day, or regulations made under regulation 22 on or after IP completion day;

“importer” means a person who—

- (a) is established in the United Kingdom and places a product from a country outside of the United Kingdom on the market; or

(b) is established in Northern Ireland and places a product on the market that has been supplied to them for distribution, consumption or use in the course of a commercial activity, whether in return for payment or free of charge, from an EEA state;

“life cycle” means the consecutive and interlinked stages of a product from raw material use to final disposal;

“make available on the market” means to supply a product for distribution or use on the market of Great Britain in the course of a commercial activity, whether in return for payment or free of charge;

“manufacturer” means a person who—

- (a) manufactures a product; or
- (b) has a product designed or manufactured;

and markets that product under its name or trademark;

“place on the market” except in regulation 20A, means the first making available of a product on the market of Great Britain, and related expressions must be construed accordingly;

“product” means an energy-related product;

“product design” means the set of processes that transform legal, technical, safety, functional, market or other requirements to be met by a product into the technical specification for that product;

“put into service” except in regulation 20A, means the first use of a product for its intended purpose on the Great Britain market, and related expressions must be construed accordingly;

“RAMS” means Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation EEC No 339/93;

“self-regulation” includes voluntary agreements; and

“technical specification” means, except in regulation 2A, a document that prescribes technical requirements to be fulfilled by a product, process, service or system.]

[^{F2}(2) Expressions not defined in paragraph (1) which are used in these Regulations and—

- (a) in an implementing measure;
- (b) in the Directive; or
- (c) in RAMS;

have the meaning they bear in that implementing measure, Directive, or RAMS.]

Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

- F1** Reg. 2(1) substituted (E.W.S.) (31.12.2020) by [The Ecodesign for Energy-Related Products and Energy Information \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/539\)](#), reg. 1(3), **Sch. 1 para. 2(2)**; 2020 c. 1, **Sch. 5 para. 1(1)** (as amended by S.I. 2020/1528, regs. 1(2), 4, 6(1)(2)(a)(3)(4)(a), 7(a))
- F2** Reg. 2(2) substituted (E.W.S) (31.12.2020) by [The Ecodesign for Energy-Related Products and Energy Information \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/539\)](#), reg. 1(3), **Sch. 1 para. 2(3)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Interpretation **N.I.**

2.—(1) In these Regulations—

“applicable implementing measure” means in relation to an energy-related product mentioned in the left hand column of the table in paragraph 4 of Schedule 1, the implementing measure referred to in the right hand column of that table;

“authorised person” means a person authorised by the market surveillance authority in accordance with regulation 12;

“the Marketing Decision” means Decision No [768/2008/EC](#) of the European Parliament and of the Council on a common framework for the marketing of products and repealing Council Decision [93/465/EEC](#); and

“RAMS” means Regulation [EC\) No 765/2008](#) of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation EEC No 339/93 of the European Parliament and of the Council.

[^{F8}“UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;]

(2) Expressions not defined in paragraph (1) which are used in these Regulations and—

- (a) in an implementing measure;
- (b) in Directive [2009/125/EC](#) of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-related products;
- (c) in RAMS; or
- (d) in the Marketing Decision,

have the meaning they bear in that implementing measure, Directive, RAMS or the Marketing Decision.

Extent Information

E2 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

F8 Words in reg. 2(1) inserted (N.I.) (31.12.2020) by [The Ecodesign for Energy-Related Products and Energy Information \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1528\)](#), regs. 1(4), **12**

[^{F3} **Designated standards**

2A.—(1) Subject to paragraphs (6) and (7), in these Regulations a “designated standard” is a reference to a technical specification which is—

- (a) adopted by a recognised standardisation body [^{F4}or an international standardising body], for repeated or continuous application, with which compliance is not compulsory; and
- (b) designated by the Secretary of State by publishing the reference to the standard and maintaining that publication in a manner the Secretary of State considers appropriate.

(2) For the purposes of paragraph (1), a “technical specification” means a document that prescribes technical requirements to be fulfilled by a product, process, service or system and which lays down one or more of the following—

- (a) the characteristics required of a product, including—
 - (i) levels of quality, performance, interoperability, environmental protection, health, safety or dimensions;
 - (ii) the requirements applicable to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures;
 - (b) the characteristics required of a service including levels of quality, performance, interoperability, environmental protection, health or safety; and
 - (c) production methods and processes relating to the product, where these have an effect on the characteristics of the product.
- (3) For the purposes of this regulation a “recognised standardisation body” means any one of the following organisations—
- (a) the European Committee for Standardization (CEN);
 - (b) the European Committee for Electrotechnical Standardization (CENELEC);
 - (c) the European Telecommunications Standards Institute (ETSI);
 - (d) the International Organization for Standardization (ISO);
 - (e) the International Electrotechnical Commission (IEC);
 - (f) the International Telecommunication Union (ITU);
 - (g) the British Standards Institution (BSI).

[^{F5}(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).]

(4) When considering whether the manner of publication of a reference is appropriate in accordance with paragraph (1)(b), the Secretary of State must have regard to whether the publication will draw sufficient attention to the standard to all persons who may have an interest in the standard.

(5) Before publishing the reference to a standard adopted by the British Standards Institution, the Secretary of State must have regard to whether the standard is consistent with [^{F6}such] standards adopted by the other recognised standardisation bodies [^{F7}or by international standardising bodies as the Secretary of State considers to be relevant.]

(6) The Secretary of State may remove from publication the reference to a standard which has been published in accordance with paragraph (1)(b).

(7) Where the Secretary of State removes the reference to a standard from publication, that standard is no longer a designated standard.

(8) The Secretary of State may by regulations amend paragraph (3) to reflect any changes in the name or structure of a recognised standardisation body.

(9) Regulations made under paragraph (8) are to be made by statutory instrument.

(10) A statutory instrument containing regulations made under paragraph (8) is subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F3** Reg. 2A inserted (31.12.2020) by [The Ecodesign for Energy-Related Products and Energy Information \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/539\)](#), reg. 1(3), **Sch. 1 para. 3**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 2A(1)(a) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), s. 40(7), **Sch. 4 para. 4(a)**; S.I. 2020/1662, reg. 2(ee)
- F5** Reg. 2A(3A) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), s. 40(7), **Sch. 4 para. 4(b)**; S.I. 2020/1662, reg. 2(ee)
- F6** Word in reg. 2A(5) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), s. 40(7), **Sch. 4 para. 4(c)(i)**; S.I. 2020/1662, reg. 2(ee)
- F7** Words in reg. 2A(5) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), s. 40(7), **Sch. 4 para. 4(c)(ii)**; S.I. 2020/1662, reg. 2(ee)

Changes to legislation:

There are currently no known outstanding effects for the The Ecodesign for Energy-Related Products Regulations 2010, PART 1.