
STATUTORY INSTRUMENTS

2011 No. 1524

The Energy Information Regulations 2011

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Energy Information Regulations 2011 and come into force on 20th July 2011.

Interpretation **E+W+S**

2.—(1) In these Regulations—

[^{F1}“Article” means, except in Schedules 1 and 2, an Article in the EU Energy Labelling Regulation;]

“authorised person” means a person authorised by the market surveillance authority in accordance with regulation 5;

[^{F2}“the EU Energy Labelling Regulation” means Regulation (EU) 2017/1369 of the European Parliament and of the Council setting a framework for energy labelling and repealing [Directive 2010/30/EU](#);]

^{F3}
...

“local weights and measures authority” means in England, Wales and Scotland a local weights and measures authority within the meaning of section 69 of the Weights and Measures Act 1985(1);

“market surveillance authority” has the meaning given in regulation 4; ^{F4}...

[^{F5}“product-specific measure” means in relation to a product mentioned in column 1 of the table in Schedule 1, the corresponding measure referred to in column 2 of that table; 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(2).

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

- (a) in [^{F6}a product-specific measure];
- (b) in the [^{F7}EU Energy Labelling Regulation]; or
- (c) in RAMS,

(1) 1985. c. 72.

(2) OJ No L 218, 13.8.2008, p 30.

have the meaning they bear in [^{F8}that product-specific measure], [^{F7}EU Energy Labelling Regulation] 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** Words in reg. 2(1) inserted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **3(1)(a)**
- F2** Words in reg. 2(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **3(1)(b)**
- F3** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ecodesign for Energy-Related Products and Energy Information \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/539\)](#), reg. 1(3), **Sch. 3 para. 2(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ecodesign for Energy-Related Products and Energy Information \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/539\)](#), reg. 1(3), **Sch. 3 para. 2(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in reg. 2(1) inserted (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. 3 para. 2(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in reg. 2(2)(a) 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. 3 para. 2(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in reg. 2(2) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **3(2)**
- F8** Words in 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. 3 para. 2(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Interpretation **N.I.**

2.—(1) In these Regulations—

[^{F27}“Article” means, except in Schedules 1 and 2, an Article in the EU Energy Labelling Regulation;]

“authorised person” means a person authorised by the market surveillance authority in accordance with regulation 5;

[^{F28}“the EU Energy Labelling Regulation” means Regulation (EU) 2017/1369 of the European Parliament and of the Council setting a framework for energy labelling and repealing [Directive 2010/30/EU](#);]

“EU measure” means, in relation to a product mentioned in column 1 of the table in Schedule 1, the corresponding EU measure referred to in column 2 of that table;

“local weights and measures authority” means in England, Wales and Scotland a local weights and measures authority within the meaning of section 69 of the Weights and Measures Act 1985(1);

“market surveillance authority” has the meaning given in regulation 4; 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(2).

- (2) Expressions not defined in paragraph (1) which are used in these Regulations and—
- (a) in an EU measure;
 - (b) in the [F29EU Energy Labelling Regulation]; or
 - (c) in RAMS,

have the meaning they bear in that EU measure, [F29EU Energy Labelling Regulation] or RAMS.

Extent Information

- E5** 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

- F27** Words in reg. 2(1) inserted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **3(1)(a)**
- F28** Words in reg. 2(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **3(1)(b)**
- F29** Words in reg. 2(2) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **3(2)**

Scope **E+W+S**

- 3.—[F9(1) These Regulations apply to energy-related products.]
- (2) These Regulations do not apply to—
- (a) second-hand products [F10unless they are imported from [F11outside Great Britain]];
 - (b) any means of transport for persons or goods;
 - ^{F12}(c)

Extent Information

- E2** 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

- F9** Reg. 3(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **4(1)**
- F10** Words in reg. 3(2)(a) inserted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **4(2)(a)**
- F11** Words in reg. 3(2)(a) 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. 3 para. 3** (as amended by [S.I. 2020/1528](#), regs. 1(2), **6(3)(4)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Reg. 3(2)(c) omitted (29.3.2018) by virtue of [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **4(2)(b)**

Scope **N.I.**

- 3.—^{F30}(1) These Regulations apply to energy-related products.]
- (2) These Regulations do not apply to—
- (a) second-hand products ^{F31}unless they are imported from a third country];
 - (b) any means of transport for persons or goods;
 - ^{F32}(c)

Extent Information

E6 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

- F30** Reg. 3(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **4(1)**
- F31** Words in reg. 3(2)(a) inserted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **4(2)(a)**
- F32** Reg. 3(2)(c) omitted (29.3.2018) by virtue of [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **4(2)(b)**

PART 2

Enforcement

Enforcement **E+W+S**

- 4.—^{F13}(1) The local weights and measures authority, and in relation to Northern Ireland the Department for the Economy, enforce—
- (a) Article 5 (obligations of dealers);
 - (b) Article 6 (other obligations of suppliers and dealers) insofar as it relates to obligations placed on dealers;
 - (c) Article 9(1) and (4) (procedure at national level for dealing with products presenting a risk) insofar as it relates to obligations placed on dealers;
 - (d) ^{F14}Article 11B (duties placed on suppliers and dealers where labels are rescaled)] insofar as it relates to obligations placed on dealers; and
 - (e) RAMS.]
- ^{F15}(2) The Secretary of State enforces—
- (a) Article 3 (general obligations of suppliers);
 - ^{F16}(b) Article 4(2), (6) and (8) (obligations of suppliers in relation to product information);]
 - (c) Article 6 (other obligations of suppliers and dealers) insofar as it relates to obligations placed on suppliers;
 - (d) Article 9(1) and (4) (procedure at national level for dealing with products presenting a risk) insofar as it relates to obligations placed on suppliers;

- (e) [^{F17}Article 11B (duties placed on suppliers and dealers where labels are rescaled)] insofar as it relates to obligations placed on suppliers;
- (f) Article 12(5) and (6) (product database);
- (g) Article 20(3) (repeal and transitional measures); and
- (h) RAMS.]

(3) Each of these is referred to as a “market surveillance authority”.

[^{F18}(4) The Secretary of State may delegate to the Director of Public Prosecutions functions in relation to the prosecution of an offence under these Regulations.]

Extent Information

E3 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

F13 Reg. 4(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **5(1)**

F14 Words in reg. 4(1)(d) 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. 3 para. 4(2)**; 2020 c. 1, Sch. 5 para. 1(1)

F15 Reg. 4(2) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **5(2)**

F16 Reg. 4(2)(b) 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. 3 para. 4(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F17 Words in reg. 4(2)(e) 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. 3 para. 4(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F18 Reg. 4(4) added (E.W.) (24.12.2012) by [The Agriculture, Animals, Environment and Food etc. \(Miscellaneous Amendments\) Order 2012 \(S.I. 2012/2897\)](#), arts. 1(1), **42**

Enforcement **N.I.**

4.—[^{F33}(1) The local weights and measures authority, and in relation to Northern Ireland the Department for the Economy, enforce—

- (a) Article 5 (obligations of dealers);
- (b) Article 6 (other obligations of suppliers and dealers) insofar as it relates to obligations placed on dealers;
- (c) Article 9(1) and (4) (procedure at national level for dealing with products presenting a risk) insofar as it relates to obligations placed on dealers;
- (d) Article 11(13) (procedure for the introduction and rescaling of labels) insofar as it relates to obligations placed on dealers; and
- (e) RAMS.]

[^{F34}(2) The Secretary of State enforces—

- (a) Article 3 (general obligations of suppliers);
- (b) Article 4(1), (2), (4) and (6) (obligations of suppliers in relation to the product database);

- (c) Article 6 (other obligations of suppliers and dealers) insofar as it relates to obligations placed on suppliers;
- (d) Article 9(1) and (4) (procedure at national level for dealing with products presenting a risk) insofar as it relates to obligations placed on suppliers;
- (e) Article 11(13) (procedure for the introduction and rescaling of labels) insofar as it relates to obligations placed on suppliers;
- (f) Article 12(5) and (6) (product database);
- (g) Article 20(3) (repeal and transitional measures); and
- (h) RAMS.]

(3) Each of these is referred to as a “market surveillance authority”.

[^{F35}(4) The Secretary of State may delegate to the Director of Public Prosecutions functions in relation to the prosecution of an offence under these Regulations.]

Extent Information

- E7** 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

- F33** Reg. 4(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **5(1)**
- F34** Reg. 4(2) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **5(2)**
- F35** Reg. 4(4) added (E.W.) (24.12.2012) by [The Agriculture, Animals, Environment and Food etc. \(Miscellaneous Amendments\) Order 2012 \(S.I. 2012/2897\)](#), arts. 1(1), **42**

Authorised persons

5. A market surveillance authority may authorise in writing any person who appears suitable to act on its behalf to carry out any of its functions and to exercise any of the powers or duties [^{F19}conferred by these Regulations, the EU Energy Labelling Regulation or RAMS].

Textual Amendments

- F19** Words in reg. 5 substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **6**

Schedules **E+W+S**

6. The following have effect—
- (a) Schedule 1 ([^{F20}product-specific measures]);
 - (b) Schedule 2 (powers of entry and warrants);
 - (c) Schedule 3 (testing);
 - (d) Schedule 4 (civil sanctions).

Extent Information

E4 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

F20 Words in [reg. 6\(a\)](#) 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. 3 para. 5](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Schedules **N.I.**

6. The following have effect—
- (a) Schedule 1 (EU measures);
 - (b) Schedule 2 (powers of entry and warrants);
 - (c) Schedule 3 (testing);
 - (d) Schedule 4 (civil sanctions).

Extent Information

E8 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

F21PART 3

Responsibilities of suppliers and dealers

Textual Amendments

F21 Pt. 3 omitted (29.3.2018) by virtue of [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), [regs. 1, 7](#)

F22PART 4

Information

Textual Amendments

F22 Pt. 4 omitted (29.3.2018) by virtue of [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), [regs. 1, 7](#)

PART 5

Offences and penalties

Offences and penalties

- 11.**—^{F23}(1) It is an offence for—
- (a) a dealer to fail to comply with any of the obligations placed on the dealer by virtue of the Articles listed in regulation 4(1);
 - (b) a supplier to fail to comply with any of the obligations placed on the supplier by virtue of the Articles listed in regulation 4(2).]
- (2) Any person guilty of an offence under paragraph (1) is liable—
- ^{F24}(a) on summary conviction—
- (i) in England and Wales, to a fine;
 - (ii) in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum;]
- (b) on conviction on indictment, to a fine.

Textual Amendments

- F23** Reg. 11(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **8(1)**
- F24** Reg. 11(2)(a) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, **8(2)**

Obstruction etc.

- 12.**—(1) It is an offence for any person—
- (a) intentionally to fail to comply with any instruction given by an authorised person acting in pursuance of their powers or duties under ^{F25}these Regulations, the EU Energy Labelling Regulation or RAMS];
 - (b) intentionally to obstruct an authorised person acting in pursuance of their powers or duties under ^{F25}these Regulations, the EU Energy Labelling Regulation or RAMS];
 - (c) knowingly or recklessly to make a statement which is false or misleading in purported compliance with any requirement imposed under ^{F25}these Regulations, the EU Energy Labelling Regulation or RAMS];
 - (d) without reasonable cause fail to give an authorised person any other assistance or information which that authorised person may reasonably require for the purposes of the exercise of their powers or duties under ^{F25}these Regulations, the EU Energy Labelling Regulation or RAMS].
- (2) Any person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) In this regulation, “powers or duties” includes powers or duties exercisable by virtue of a warrant under Schedule 2.

Textual Amendments

F25 Words in reg. 12(1) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, 9

Time limit for prosecution of offences

13.—(1) An offence under these Regulations may be tried by summary proceedings if—

- (a) in England and Wales, the information is laid;
- (b) in Northern Ireland, the complaint is made; or
- (c) in Scotland, the proceedings are begun,

before the end of the period of 12 months beginning on the day after the date on which evidence which the market surveillance authority thinks is sufficient to justify the proceedings comes to the market surveillance authority's knowledge.

(2) For the purposes of paragraph (1)—

- (a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence came to the market surveillance authority's knowledge is to be conclusive evidence of that fact; and
- (b) a certificate stating that matter and purporting to be so signed is to be treated as so signed unless the contrary is proved.

Bodies corporate

14.—(1) If an offence under these Regulations committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer, or
- (b) to be attributable to any neglect on the part of the officer,

the officer, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) "Officer", in relation to a body corporate, means—

- (a) a director, manager, secretary or other similar officer of the body, or
- (b) a person purporting to act in any such capacity.

(3) If the affairs of the body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as it applies to an officer of a body corporate.

(4) If an offence under these Regulations committed by a partnership in Scotland is proved—

- (a) to have been committed with the consent or connivance of a partner, or
- (b) to be attributable to any neglect on the part of the partner,

the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.

(5) In paragraph (4) "partner" includes a person purporting to act as a partner.

Recovery of expenses of enforcement

15.—(1) This regulation applies where a court convicts a person of an offence under these Regulations.

(2) The court may (in addition to any other order it may make as to costs or expenses) order the person convicted to reimburse the market surveillance authority for any expenditure which it or any authorised person has reasonably incurred in investigating the offence, including in purchasing, testing or examining any product, or any part of it, in respect of which the offence was committed.

PART 6

Revocations and review

Revocations

16. The Regulations in column 1 of the table in Schedule 5 are revoked on the corresponding date in column 3 of that table.

Review

17.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how [^{F26}the EU Energy Labelling Regulation] is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) In this regulation “review period” means—

- (a) the period of 5 years beginning with the day on which these Regulations come into force; and
- (b) subject to paragraph (5), each successive period of 5 years.

(5) If a report under this regulation is published before the last day of the review period to which it relates, the following review period begins with the day on which that report is published.

Textual Amendments

F26 Words in reg. 17(2) substituted (29.3.2018) by [The Energy Information \(Amendment\) Regulations 2018 \(S.I. 2018/255\)](#), regs. 1, 10

Changes to legislation: *There are currently no known outstanding effects for the
The Energy Information Regulations 2011. (See end of Document for details)*

Henley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

Changes to legislation:

There are currently no known outstanding effects for the The Energy Information Regulations 2011.