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STATUTORY INSTRUMENTS

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**2020 No. 1528**

**The Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2020**

**PART 1**

**INTRODUCTION**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2020.

(2) This Part and Part 2 come into force immediately before IP completion day.

(3) Regulation 28 (revocations) comes into force on 1st March 2021.

(4) The remainder of these Regulations come into force on IP completion day.

**Extent**

2.—(1) Part 3 of these Regulations extends to Northern Ireland only.

(2) Part 6 of these Regulations extends to England and Wales and Scotland only.

(3) Any amendment made by Part 2 of these Regulations has the same extent as the provision amended.

(4) The remainder of these Regulations extend to England and Wales, Scotland and Northern Ireland.

**PART 2**

**AMENDMENTS TO THE ECODESIGN FOR ENERGY-RELATED PRODUCTS AND ENERGY INFORMATION (AMENDMENT) (EU EXIT) REGULATIONS 2019**

**Amendments to the Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019**

3. The Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019(1) are amended as follows.

4. For “exit day”, in each place it occurs, substitute “IP completion day”.

5. In regulation 1 (citation and commencement)—

(a) for the heading, substitute—

*“Citation, commencement and extent”;*

(b) after paragraph (3) insert—

“(4) Regulations 3 and 5 and Schedules 1 and 3 extend to England and Wales and Scotland only.

(5) The remainder of these Regulations extend to England and Wales, Scotland and Northern Ireland.”.

6.—(1) In each of the provisions listed in paragraph (2), for “United Kingdom” substitute “Great Britain”.

(2) The provisions referred to in paragraph (1) are—

(a) in Schedule 1 (amendments to the Ecodesign for Energy-Related Products Regulations 2010)—

(i) in paragraph 2(2), in the inserted definition of “put into service”;

(ii) in paragraph 12—

(aa) in the inserted regulation 22, paragraph (2)(b)(ii);

(bb) in the inserted regulation 23, paragraph (1)(d)(iii)(bb);

(b) in Schedule 2 (amendments to Commission Regulations related to Ecodesign)—

(i) paragraph 1(6)(a);

(ii) paragraph 2(6)(a);

(iii) paragraph 3(9)(a) and (b)(i);

(iv) paragraph 4(8)(a);

(v) paragraph 6(7)(a);

(vi) paragraph 7(8)(a);

(vii) paragraph 8(6)(a);

(viii) paragraph 9(8)(a);

(ix) paragraph 10(8)(a);

(x) paragraph 11(8)(a);

(xi) paragraph 12(9)(a);

(xii) paragraph 13(9)(a);

(xiii) paragraph 14(8)(a);

(xiv) paragraph 15(7)(a);

(xv) paragraph 16(9)(a), (e)(iii)(aa) and (bb) and (e)(iv);

(xvi) paragraph 17(7)(a);

(xvii) paragraph 18(9)(a);

(xviii) paragraph 19(10)(a);

(xix) paragraph 20(10)(a);

(xx) paragraph 21(8)(a);

(xxi) paragraph 23(9)(a);

(xxii) paragraph 24(11)(a), (12)(a) and (13)(a);

(xxiii) paragraph 25(11)(a);

- (xxiv) paragraph 26(9)(a);
- (xxv) paragraph 27(10)(a);
- (xxvi) paragraph 28(10)(a);
- (c) in Schedule 5 (amendments to Commission Delegated Regulations related to energy labelling)—
  - (i) paragraph 1(2) and (9)(a);
  - (ii) paragraph 2(10)(a);
  - (iii) paragraph 3(2) and (9)(a);
  - (iv) paragraph 4(11)(a);
  - (v) paragraph 5(2) and (11)(a);
  - (vi) paragraph 6(2) and (9)(a);
  - (vii) paragraph 7(2)(a) and (9)(a);
  - (viii) paragraph 9(2) and (10)(a);
  - (ix) paragraph 10(3) and (12)(a);
  - (x) paragraph 11(3), (4) and (10)(a);
  - (xi) paragraph 12(9)(a);
  - (xii) paragraph 13(3) and (11)(a);
  - (xiii) paragraph 14(2) and (8)(a);
  - (xiv) paragraph 15(2) and (10)(a).
- (3) In each of the provisions listed in paragraph (4), for “the United Kingdom” substitute “Great Britain”.
- (4) The provisions referred to in paragraph (3) are—
  - (a) in Schedule 1—
    - (i) in paragraph 2(2), in sub-paragraph (b) of the inserted definition of “authorised representative”;
    - (ii) in paragraph 11, paragraph (3) of the inserted regulation 20A;
    - (iii) in paragraph 12, in the inserted regulation 22—
      - (aa) paragraph (2)(a);
      - (bb) paragraph (7)(c)(vii);
    - (iv) in paragraph 14, paragraph 3(1) of the inserted Schedule 1A;
    - (v) in paragraph 15, paragraph 10(1) of the inserted Schedule 1B;
  - (b) in Schedule 2—
    - (i) paragraph 1(6)(b);
    - (ii) paragraph 2(6)(b);
    - (iii) paragraph 3(4);
    - (iv) paragraph 6(4) and (7)(b);
    - (v) paragraph 7(4) and (8)(b);
    - (vi) paragraph 8(6)(b)(i), in both places it occurs;
    - (vii) paragraph 8(6)(c)(i) and (ii);
    - (viii) paragraph 9(4) and (8)(b);

- (ix) paragraph 10(4) and (8)(b) and (e);
  - (x) paragraph 11(4) and (8)(b) and (e);
  - (xi) paragraph 12(5) and (9)(b);
  - (xii) paragraph 13(4) and (9)(b);
  - (xiii) paragraph 14(4) and (8)(b);
  - (xiv) paragraph 15(4) and (7)(b) and (e);
  - (xv) paragraph 16(4) and (9)(b), (d) and (e)(i) and (ii);
  - (xvi) paragraph 17(7)(c)(i);
  - (xvii) paragraph 18(4) and (9)(b);
  - (xviii) paragraph 19(5) and (10)(b);
  - (xix) paragraph 20(5) and (10)(b);
  - (xx) paragraph 21(4) and (8)(b);
  - (xxi) paragraph 23(5) and (9)(b);
  - (xxii) paragraph 24(4), (11)(b), (12)(b) and (13)(b);
  - (xxiii) paragraph 25(4), (6) and (11)(b);
  - (xxiv) paragraph 26(4) and (9)(b);
  - (xxv) paragraph 27(4), (6) and (10)(b);
  - (xxvi) paragraph 28(5) and (10)(b);
  - (c) paragraph 3 of Schedule 3 (amendments to the Energy Information Regulations 2011);
  - (d) in Schedule 4 (amendments to Regulation (EU) 2017/1369 setting a framework for energy labelling)—
    - (i) paragraph 2;
    - (ii) paragraph 7(3)(b);
    - (iii) in paragraph 16, paragraph 3(b) of the inserted Article 20A;
  - (e) in Schedule 5—
    - (i) paragraph 1(3) and (9)(c);
    - (ii) paragraph 2(2) and (3);
    - (iii) paragraph 3(3) and (9)(c);
    - (iv) paragraph 4(3) and (4);
    - (v) paragraph 5(3);
    - (vi) paragraph 6(3) and (9)(c);
    - (vii) paragraph 7(4) and (9)(b)(ii);
    - (viii) paragraph 9(3);
    - (ix) paragraph 10(4);
    - (x) paragraph 12(4) and (5);
    - (xi) paragraph 13(4);
    - (xii) paragraph 14(3);
    - (xiii) paragraph 15(3).
7. In Schedule 1—
- (a) in paragraph 2(2)—

- (i) for the inserted definition of “importer” substitute—
    - ““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;”;
  - (ii) after the inserted definition of “life cycle”, insert—
    - ““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;”;
  - (iii) in the inserted definition of “place on the market”, for “the United Kingdom market” substitute “the market of Great Britain”;
- (b) in paragraph 11, after the inserted regulation 20B, insert—

#### **“Expiry of regulation 20B**

**20C.**—(1) Subject to paragraph (2), regulation 20B ceases to have effect at the end of the period of 12 months beginning with IP completion day.

- (2) Notwithstanding the expiry of regulation 20B—
- (a) any product which was placed on the market or put into service pursuant to regulation 20B may continue to be made available on the market on or after the expiry of regulation 20B;
  - (b) any obligation to which a person was subject in respect of a product placed on the market or put into service pursuant to regulation 20B continues to have effect after the expiry of regulation 20B, in respect of that product.

#### **Qualifying Northern Ireland Goods**

**20D.**—(1) Where paragraph (2) applies to an energy-related product—

- (a) the product is to be treated as being in conformity with Part 2; and
  - (b) the relevant economic operator<sup>(2)</sup> is to be treated as having complied or as complying with the obligations imposed on them under Part 2 in relation to that product.
- (2) This paragraph applies where—
- (a) an energy-related product is—
    - (i) in conformity with Part 2 of these Regulations as they apply in Northern Ireland; and
    - (ii) qualifying Northern Ireland goods; and
  - (b) a relevant economic operator has complied or is complying with the obligations imposed on them under Part 2 of these Regulations as they apply in Northern Ireland.

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(2) See Article 2 of Regulation (EC) No 765/2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products (RAMS) for the meaning of “economic operator”; and see regulation 2(2) of the Ecodesign for Energy-Related Products Regulations 2010 for the application of expressions used in RAMS to those Regulations.

(3) In this regulation “qualifying Northern Ireland goods” has the meaning given to it in regulations made under section 8C(6) of the European Union (Withdrawal) Act 2018.”.

**8.** In Schedule 2—

- (a) omit paragraph 5 (amendment of [Commission Regulation \(EC\) No 278/2009](#));
- (b) in paragraph 19 (amendment of [Commission Regulation \(EU\) No 813/2013](#), in sub-paragraph (4)(b)—
  - (i) omit the inserted paragraph 4(b)(i);
  - (ii) after the inserted paragraph 4(b) insert—
    - “(ba) for “the Community”, in the first four places it occurs, there were substituted “Great Britain”.”;
  - (iii) after paragraph 4(e) insert—
    - “(f) in paragraph 9, for “the Community market” there were substituted “the market of Great Britain”.”;
  - (iv) omit the inserted paragraph 5(b)(i);
  - (v) after the inserted paragraph (5)(b) insert—
    - “(ba) in the description of Module C: Conformity to type, in paragraph 3—
      - (i) for “the Community”, in the first place it occurs, there were substituted “Great Britain”;
      - (ii) for “the Community market” there were substituted “the market of Great Britain”;
    - (bb) for “the Community”, in each other place it occurs, there were substituted “Great Britain”.”;
- (c) in paragraph 22 (amendment of [Commission Regulation \(EU\) No 548/2014](#))—
  - (i) after sub-paragraph (1) insert—
    - “(1A) In Article 1 (subject matter and scope)—
      - (a) in paragraph 2(l), for “[Directive 94/9/EC](#) of the European Parliament and of the Council” substitute “the Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016”(3);
      - (b) in paragraph 2(o), for “Article 3 of Council Directive 2009/71/Euratom” substitute “section 26 of the Nuclear Installations Act 1965”(4);
      - (c) in paragraph 3, omit “This is without prejudice to the legal obligations under other Union’s harmonisation legislation that these products could be subject to”.”;
    - (ii) in sub-paragraph (2)—
      - (aa) for “In Article 2 (definitions),” substitute—
        - “In Article 2 (definitions)—
          - (a)”;
        - (bb) after sub-paragraph (2)(a) insert—

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(3) [S.I. 2016/1107](#).

(4) [1965 c. 57](#).

- (b) In point (17), for “point 2 of Annex IV to [Directive 2009/125/EC](#)” substitute “paragraph 1(2)(b) of Schedule 1A to the Ecodesign for Energy-Related Products Regulations 2010”(5).”;
- (iii) after sub-paragraph (2) insert—
- “(2A) In Article 3 (eco-design requirements), omit the second paragraph.”;
- (iv) in sub-paragraph (3)—
- (aa) for “For Article 4 (conformity assessment) substitute—” substitute—
- “In Article 4 (conformity assessment)—
- (a) for paragraph 1, substitute—”;
- (bb) after sub-paragraph (3)(a), insert—
- (b) in paragraph 2, for “Article 8 of [Directive 2009/125/EC](#)” substitute “regulation 4(2)(a) of the Ecodesign for Energy-Related Products Regulations 2010.”(6).”;
- (v) in sub-paragraph (4), for “the United Kingdom” substitute “Great Britain”;
- (vi) in sub-paragraph (6), for “Article 8” substitute “Article 9”;
- (vii) for sub-paragraph (7) substitute—
- “(7) In Annex 2 (measurement and calculation methods)—
- (a) in the first paragraph, omit the words from “including” to “Union”;
- (b) the second paragraph, for “relevant harmonised standards” substitute “designated standards”.(7)
- (viii) in sub-paragraph (8)—
- (aa) in paragraph (a), for “United Kingdom” substitute “Great Britain”;
- (bb) in paragraph (b), for “the second paragraph” substitute “the third paragraph”, and for “the United Kingdom” substitute “Great Britain”;
- (cc) after paragraph (b) insert—
- (ba) in the final paragraph of point (1), omit the words from “The Member State authorities” to “non-compliance of the model”.”.
- (dd) in paragraph (e), for “the fourth paragraph” substitute “the fifth paragraph”.
9. In Schedule 4—
- (a) in paragraph 3—
- (i) for sub-paragraph (2) substitute—
- “In point (7), for “the Union market” substitute “the market of Great Britain”.”;
- (ii) in sub-paragraphs (3) and (4), for “the United Kingdom market” substitute “the market of Great Britain”;
- (iii) for sub-paragraph (5) substitute—
- “In point (11), for “the Union” substitute “Great Britain”.”;
- (iv) for sub-paragraph (6) substitute—
- “For point (12) substitute—

(5) [S.I. 2010/2617](#); Schedule 1A was inserted by [S.I. 2019/539](#).

(6) Regulation 4(2) was amended by [S.I. 2019/539](#).

(7) See regulations 2 and 2A of [S.I. 2010/2617](#) (as amended by [S.I. 2019/539](#)) for the meaning of “designated standard”; that definition applies to [Commission Regulation \(EU\) No 548/2014](#) by virtue of paragraph 22(2) of Schedule 2 to [S.I. 2019/539](#).

““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;”;

(v) for sub-paragraph (7) substitute—

“For point (14), substitute—

“(14) “supplier” means a manufacturer established in Great Britain, the authorised representative of a manufacturer who is not established in Great Britain, or an importer, who places a product on the market;”;

(vi) in sub-paragraph (11), after the inserted point (27) add—

“(28) “market surveillance” and “market surveillance authority” have the meanings set out in Article 2 of Regulation (EC) No 765/2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation EEC No 339/93(8);”;

(b) in paragraph 8—

(i) for sub-paragraph (2) substitute—

“For the heading, substitute “Market surveillance and control of products entering the market of Great Britain””;

(ii) in sub-paragraph (5), for “The United Kingdom’s” substitute “Great Britain’s”;

(c) in sub-paragraphs (4) and (5) of paragraph 9, for “United Kingdom market” substitute “market of Great Britain”;

(d) in paragraph 11, in the inserted Article 11, for “United Kingdom market” in each place it occurs, substitute “market of Great Britain”.

**10.** In Schedule 5—

- (a) in paragraph 7(2)(a), for “in paragraphs 1(b) and 2(a), in both instances” substitute “in paragraph 1(b)”;
- (b) omit paragraphs 7(2)(b) and (3);
- (c) omit paragraph 8.

## PART 3

### AMENDMENTS TO THE ECODESIGN FOR ENERGY-RELATED PRODUCTS REGULATIONS 2010 IN RESPECT OF NORTHERN IRELAND

**11.** The Ecodesign for Energy-Related Products Regulations 2010(9) are amended as follows.

**12.** In regulation 2(1) (interpretation) after the definition of “RAMS” insert—

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(8) EUR765/2008. The definitions of “market surveillance” and “market surveillance authority” are set out in Article 2(17) and (18) respectively, and are amended by paragraph 3 of Schedule 33 to S.I. 2019/696.

(9) S.I. 2010/2617, to which there are no relevant amendments.



““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(10);”.

13. After regulation 4 insert—

**“UK(NI) indication**

**4A.**—(1) Where the CE marking is affixed on the basis of an assessment or a certificate issued by a UK notified body(11), a UK(NI) indication must also be affixed to the product, in accordance with this regulation.

(2) The UK(NI) indication must be affixed—

- (a) visibly, legibly and indelibly; and
- (b) before the product is placed on the market in Northern Ireland.

(3) The UK(NI) indication must be affixed wherever the CE marking is affixed, in accordance with regulation 4.

(4) The UK(NI) indication must be affixed by—

- (a) the manufacturer; or
- (b) the manufacturer’s authorised representative who has been appointed by the manufacturer to affix the UK(NI) indication on the manufacturer’s behalf.

(5) When placing a product on the market in Northern Ireland, an importer must ensure that the manufacturer has complied with their obligations under this regulation.

**Register of UK notified bodies**

**4B.**—(1) The Secretary of State must ensure that—

- (a) each UK notified body is assigned an identification number; and
- (b) there is a register of—
  - (i) UK notified bodies;
  - (ii) their notified body identification number;
  - (iii) the activities for which they have been notified; and
  - (iv) any restrictions on those activities.

(2) The register referred to in paragraph (1) must be maintained and made publicly available.

(3) The Secretary of State may authorise the United Kingdom Accreditation Service to compile and maintain the register in accordance with paragraph (1)(b).”.

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(10) S.I. 2020/xxx [To be completed when the instrument is made]

(11) See decision No 768/2008/EC of the European Parliament and of the Council on a common framework for the marketing of products (“the marketing decision”) for the meaning of “notified body”; and see regulation 2(2) of the Ecodesign for Energy-Related Products Regulations 2010 (as it has effect in Northern Ireland) for the application of expressions used in the marketing decision to those Regulations.

## PART 4

### AMENDMENTS TO COMMISSION REGULATIONS RELATED TO ECODESIGN

#### Amendments to Commission Regulation (EU) 2019/424

**14.**—(1) Commission Regulation (EU) 2019/424 of 15 March 2019 laying down ecodesign requirements for servers and data storage products pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council and amending [Commission Regulation \(EU\) No 617/2013](#) is amended as follows.

(2) In paragraph 1 of Article 2 (definitions)—

(a) for “For the purposes of this Regulation, the following definitions shall apply:” substitute—

“For the purposes of this Regulation, the definitions set out in the 2010 Regulations apply. The following definitions also apply—”;

(b) after point (16) insert—

“(17) ‘market surveillance’ and ‘market surveillance authority’ have the meanings set out in Article 2 of [RAMS\(12\)](#);

(18) ‘the 2010 Regulations’ means the Ecodesign for Energy-Related Products Regulations 2010.”.

(3) In Article 4 (conformity assessment)—

(a) for paragraph 1, substitute—

“**1.** For the purposes of regulation 4(2)(a) of the 2010 Regulations, the procedure for assessing whether an energy-related product complies with this implementing measure is the internal design control procedure set out in Part 1 of Schedule 1A to those Regulations, or the management system procedure set out in Part 2 of that Schedule.”;

(b) in paragraph 2, for “Article 8 of [Directive 2009/125/EC](#)” substitute “regulation 4(2)(a) of the 2010 Regulations”.

(4) For Article 5 (verification procedure for market surveillance purposes) substitute—

“When performing market surveillance checks to assess compliance with the requirements set out in this Regulation, the market surveillance authority must apply the verification procedure described in Annex 4.”.

(5) Omit Article 8 (review).

(6) After Article 10 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

(7) In paragraph 1 of Annex 3 (measurements and calculations), for the words from “harmonised” to “Union” substitute “designated standards”.

(8) In Annex 4 (verification procedure for market surveillance purposes)—

(a) for each occurrence of “the Member State authorities”, substitute “the market surveillance authority”;

(b) in the first paragraph, for “Member State authorities”, substitute “the market surveillance authority”;

(c) for the third paragraph, substitute—

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(12) See regulation 2(1) of the 2010 Regulations ([S.I. 2010/2617](#)) (as amended by [S.I. 2019/539](#)) for the meaning of RAMS. The definitions of “market surveillance” and “market surveillance authority” are set out in Article 2(17) and (18) respectively of RAMS, and are amended by paragraph 3 of Schedule 33 to [S.I. 2019/696](#).

“When verifying the compliance of a product model with the requirements laid down in this Regulation, the market surveillance authority must apply the following procedure—”;

- (d) in point 2(a)—
  - (i) for “point 2 of Annex IV to [Directive 2009/125/EC](#) (declared values)” substitute “paragraph 1(2) of Part 1 of Schedule 1A to the 2010 Regulations”; and
  - (ii) for “paragraph (g) thereof” substitute “paragraph 1(2)(b)(vii) of that Schedule”;
- (e) omit point 7;
- (f) in the final paragraph before Table 7, for “points 1 to 7” substitute “points 1 to 6”.

(9) In Annex 5 (indicative benchmarks referred to in Article 6), in the first paragraph, for “purpose of Part 3, point 2 of Annex I to [Directive 2009/125/EC](#)”, substitute “purposes of this Regulation”.

### **Amendment to Commission Regulation (EU) 2019/1781**

**15.** After Article 12 (entry into force and application) of Commission Regulation (EU) 2019/1781 of 1 October 2019 laying down ecodesign requirements for electric motors and variable speed drives pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council, amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products and repealing [Commission Regulation \(EC\) No 640/2009](#), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

### **Amendments to Commission Regulation (EU) 2019/1782**

**16.—**(1) Commission Regulation (EU) 2019/1782 of 1 October 2019 laying down ecodesign requirements for external power supplies pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council and repealing [Commission Regulation \(EC\) No 278/2009](#) is amended as follows.

- (2) In Article 2 (definitions)—
  - (a) for “For the purposes of this Regulation, the following definitions shall apply:” substitute—

“For the purposes of this Regulation, the definitions set out in the 2010 Regulations apply. The following definitions also apply—”;
  - (b) after point (19) insert—
    - “(20) ‘the 2010 Regulations’ means the Ecodesign for Energy-Related Products Regulations 2010;
    - (21) ‘market surveillance’ and ‘market surveillance authority’ have the meanings set out in Article 2 of RAMS.”.
- (3) In Article 4 (conformity assessment)—
  - (a) for paragraph 1, substitute—

“**1.** For the purposes of regulation 4(2)(a) of the 2010 Regulations, the procedure for assessing whether an energy-related product complies with this implementing measure is the internal design control procedure set out in Part 1 of Schedule 1A to those Regulations, or the management system procedure set out in Part 2 of that Schedule.”;
  - (b) in paragraph 2, for “Article 8 of [Directive 2009/125/EC](#)” substitute “regulation 4(2)(a) of the 2010 Regulations”.
- (4) For Article 5 (verification procedure for market surveillance purposes) substitute—

“5. When performing market surveillance checks to assess compliance with the requirements set out in this Regulation, the market surveillance authority must apply the verification procedure described in Annex 3.”

(5) Omit Article 7 (review).

(6) After Article 9 (entry into force and application), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

(7) In paragraph 3 of Annex 2 (measurements and calculations), for the words from “harmonised” to “Union” substitute “designated standards”.

(8) In Annex 3 (verification procedure for market surveillance purposes)—

(a) for each occurrence of “the Member State authorities”, substitute “the market surveillance authority”;

(b) in the first paragraph, for “Member State authorities”, substitute “the market surveillance authority”;

(c) for the second paragraph, substitute—

“When verifying the compliance of a product model with the requirements laid down in this Regulation, the market surveillance authority must apply the following procedure—”;

(d) in point 2(a)—

(i) for “point 2 of Annex IV to [Directive 2009/125/EC](#) (declared values)” substitute “paragraph 1(2) of Part 1 of Schedule 1A to the 2010 Regulations”; and

(ii) for “paragraph (g) thereof” substitute “paragraph 1(2)(b)(vii) of that Schedule”;

(e) omit point 7;

(f) in the final paragraph before Table 1—

(i) for “points 1 to 7” substitute “points 1 to 6”; and

(ii) for “harmonised standards” substitute “designated standards”.

#### **Amendment to Commission Regulation (EU) 2019/1783**

17. After Article 2 of Commission Regulation (EU) 2019/1783 of 1 October 2019 amending Regulation (EU) No 548/2014 on implementing [Directive 2009/125/EC](#) of the European Parliament and of the Council with regard to small, medium and large power transformers, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

#### **Amendment to Commission Regulation (EU) 2019/2019**

18. After Article 10 (entry into force and application) of Commission Regulation (EU) 2019/2019 of 1 October 2019 laying down ecodesign requirements for refrigerating appliances pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council and repealing [Commission Regulation \(EC\) No 643/2009](#), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

#### **Amendment to Commission Regulation (EU) 2019/2020**

19. After Article 11 (entry into force and application) of Commission Regulation (EU) 2019/2020 of 1 October 2019 laying down ecodesign requirements for light sources and separate control gears pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council and repealing Commission Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

### **Amendment to Commission Regulation (EU) 2019/2021**

**20.** After Article 11 (entry into force and application) of Commission Regulation (EU) 2019/2021 of 1 October 2019 laying down ecodesign requirements for electronic displays pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council, amending [Commission Regulation \(EC\) No 1275/2008](#) and repealing [Commission Regulation \(EC\) 642/2009](#), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

### **Amendments to Commission Regulation (EU) 2019/2022**

**21.**—(1) Commission Regulation (EU) 2019/2022 of 1 October 2019 laying down ecodesign requirements for household dishwashers pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council amending [Commission Regulation \(EC\) No 1275/2008](#) and repealing [Commission Regulation \(EU\) No 1016/2010](#) is amended as follows.

(2) In Article 11 (transitional measures) omit “until 28 February 2021”.

(3) After Article 12 (entry into force and application), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

(4) In Annex 2 (ecodesign requirements)—

(a) in point 1, for “From 1 March 2021” substitute “In accordance with Article 11 of this Regulation”;

(b) in point 1(c), omit “, and their translations in all EU official languages.”.

### **Amendments to Commission Regulation (EU) 2019/2023**

**22.**—(1) Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to [Directive 2009/125/EC](#) of the European Parliament and of the Council, amending [Commission Regulation \(EC\) No 1275/2008](#) and repealing [Commission Regulation \(EU\) No 1015/2010](#) is amended as follows.

(2) In Article 11 (transitional measures) omit “until 28 February 2021”.

(3) After Article 12 (entry into force and application), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

(4) In Annex 2 (ecodesign requirements)—

(a) in point 1, for “From 1 March 2021” substitute “In accordance with Article 11 of this Regulation”;

(b) in point 1(3), omit “, and their translations in all EU official languages.”.

## **PART 5**

### **AMENDMENTS TO AND REVOCATION OF COMMISSION DELEGATED REGULATIONS RELATED TO ENERGY LABELLING**

#### **Amendment to Commission Delegated Regulation (EU) 2019/2013**

**23.**—(1) Commission Delegated Regulation (EU) 2019/2013 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of electronic displays and repealing Commission Delegated Regulation (EU) No 1062/2010 is amended as follows.

(2) In Article 10 (transitional measures) for “through the product database” substitute “on a publicly accessible website”.

(3) After Article 11 (entry into force and application) omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

#### **Amendment of Commission Delegated Regulation (EU) 2019/2014**

**24.**—(1) Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission [Directive 96/60/EC](#) is amended as follows.

(2) In Article 3(1)(b) (obligations of suppliers), for “entered into the product database” substitute—

“made available for inspection in accordance with Article 4(2) of the Framework Regulation”.

(3) In Article 10 (transitional measures), for “on the product database” in both places it occurs, substitute “on a publicly accessible website”.

(4) After Article 11 (entry into force and application) omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

#### **Amendment to Commission Delegated Regulation (EU) 2019/2015**

**25.** After Article 10 (entry into force and application) of Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

#### **Amendment to Commission Delegated Regulation (EU) 2019/2016**

**26.**—(1) Commission Delegated Regulation (EU) 2019/2016 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of refrigerating appliances and repealing Commission Delegated Regulation (EU) No 1060/2010 is amended as follows.

(2) In Article 3(1)(b) (obligations of suppliers), for “entered into the product database” substitute—

“made available for inspection in accordance with Article 4(2) of the Framework Regulation”.

(3) In Article 10 (transitional measures) for “through the product database” substitute “on a publicly accessible website”.

(4) After Article 11 (entry into force and application), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

#### **Amendment to Commission Delegated Regulation (EU) 2019/2017**

**27.**—(1) Commission Delegated Regulation (EU) 2019/2017 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household dishwashers and repealing Commission Delegated Regulation (EU) No 1059/2010 is amended as follows.

(2) In Article 3(1)(b) (obligations of suppliers), for “entered into the product database” substitute—

“made available for inspection in accordance with Article 4(2) of the Framework Regulation”.

(3) In Article 10 (transitional measures) for “through the product database” substitute “on a publicly accessible website”.

(4) After Article 11 (entry into force and application), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

## **Revocations**

**28.** The following Regulations are revoked—

- (a) Commission Delegated Regulation (EU) No 1059/2010(**13**);
- (b) Commission Delegated Regulation (EU) No 1060/2010(**14**);
- (c) Commission Delegated Regulation (EU) No 1061/2010(**15**);
- (d) Commission Delegated Regulation (EU) No 1062/2010(**16**);

## **PART 6**

### **APPLICATION OF COMMISSION DELEGATED REGULATIONS RELATED TO ENERGY LABELLING**

#### **Application of Commission Delegated Regulation (EU) 2019/2013**

**29.**—(1) The provisions of Commission Delegated Regulation (EU) 2019/2013 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of electronic displays and repealing Commission Delegated Regulation (EU) No 1062/2010 specified in paragraphs (3) and (4) apply as if they were provisions of retained direct EU legislation.

(2) For the purposes of paragraph (1), the provisions specified in paragraphs (3) and (4) apply—

- (a) from the dates specified in those paragraphs, and
- (b) in accordance with the modifications in Schedule 1.

(3) The following provisions apply from IP completion day—

- (a) Article 1;
- (b) Article 2;
- (c) Article 3(2);
- (d) Article 6;
- (e) Annexes 1 to 4.

(4) The following provisions apply from 1 March 2021—

- (a) Article 3(1) (b) to (i);
- (b) Article 4;
- (c) Article 5;
- (d) Article 7;
- (e) Annexes 5 to 9.

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(13) EUR 1059/2010, as amended by [SI 2019/539](#).

(14) EUR 1060/2010, as amended by [SI 2019/539](#).

(15) EUR 1061/2010, as amended by [SI 2019/539](#).

(16) EUR 1062/2010, as amended by [SI 2019/539](#).

### **Application of Commission Delegated Regulation (EU) 2019/2014**

**30.**—(1) The provisions of Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission [Directive 96/60/EC](#) specified in paragraphs (3) and (4) apply as if they were provisions of retained direct EU legislation.

- (2) For the purposes of paragraph (1), the provisions specified in paragraphs (3) and (4) apply—
  - (a) from the dates specified in those paragraphs, and
  - (b) in accordance with the modifications in Schedule 2.
- (3) The following provisions apply from IP completion day—
  - (a) Article 1;
  - (b) Article 2;
  - (c) Article 3(2);
  - (d) Article 6;
  - (e) Annexes 1 to 5;
  - (f) Annex 10.
- (4) The following provisions apply from 1 March 2021—
  - (a) Article 3(1)(c) to (h);
  - (b) Article 4;
  - (c) Article 5;
  - (d) Article 7;
  - (e) Annexes 6 to 9.

### **Application of Commission Delegated Regulation (EU) 2019/2016**

**31.**—(1) The provisions of Commission Delegated Regulation (EU) 2019/2016 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of refrigerating appliances and repealing Commission Delegated Regulation (EU) No 1060/2010 specified in paragraphs (3) and (4) apply as if they were provisions of retained direct EU legislation.

- (2) For the purposes of paragraph (1), the provisions specified in paragraphs (3) and (4) apply—
  - (a) from the dates specified in those paragraphs, and
  - (b) in accordance with the modifications in Schedule 3.
- (3) The following provisions apply from IP completion day—
  - (a) Article 1;
  - (b) Article 2;
  - (c) Article 3(2);
  - (d) Article 6;
  - (e) Annexes 1 to 5.
- (4) The following provisions apply from 1 March 2021—
  - (a) Article 3(1) (d) to (h);
  - (b) Article 4;



- (c) Article 5;
- (d) Article 7;
- (e) Annexes 6 to 9.

#### **Application of Commission Delegated Regulation (EU) 2019/2017**

**32.**—(1) The provisions of Commission Delegated Regulation (EU) 2019/2017 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household dishwashers and repealing Commission Delegated Regulation (EU) No 1059/2010 specified in paragraphs (3) and (4) apply as if they were provisions of retained direct EU legislation.

- (2) For the purposes of paragraph (1), the provisions specified in paragraphs (3) and (4) apply—
  - (a) from the dates specified in those paragraphs, and
  - (b) in accordance with the modifications in Schedule 4.
- (3) The following provisions apply from IP completion day—
  - (a) Article 1;
  - (b) Article 2;
  - (c) Article 3(2);
  - (d) Article 6;
  - (e) Annexes 1 to 5.
- (4) The following provisions apply from 1 March 2021—
  - (a) Article 3(1) (d) to (h);
  - (b) Article 4;
  - (c) Article 5;
  - (d) Article 7;
  - (e) Annexes 6 to 9.

## **PART 7**

### **AMENDMENT OF COMMISSION DELEGATED REGULATIONS RELATED TO ENERGY LABELLING**

#### **Amendment of Commission delegated regulations related to energy labelling**

**33.** The Commission delegated regulations specified in Schedule 5 are amended in accordance with the provisions of that Schedule.

14th December 2020

*Kwasi Kwarteng*  
Minister of State for Business, Energy and Clean  
Growth  
Department for Business, Energy and Industrial  
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