
STATUTORY INSTRUMENTS

2020 No. 1528

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

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(1);

(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).

(1) 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](#).

(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—

“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”.