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STATUTORY INSTRUMENTS

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**2024 No. 696**

**The Product Safety and Metrology  
etc. (Amendment) Regulations 2024**

**Amendment to the Ecodesign for Energy-Related Products Regulations 2010 and related legislation**

6.—(1) The Ecodesign for Energy-Related Products Regulations 2010(1) are amended as follows—

- (a) in regulation 2(1), in the definition of “the Directive” omit “as it had effect immediately before IP completion day”;
- (b) in regulation 20A, omit paragraphs (4A) and (4B);
- (c) omit regulation 20C.

(2) Commission Regulation (EU) No. 813 of 2 August 2013 implementing [Directive 2009/125/EC](#) of the European Parliament and of the Council with regard to ecodesign requirements for space heaters and combination heaters (2) is amended as follows—

- (a) for Article 4.3 substitute—

“(3.1) Subject to subparagraph 3, the conformity of series-produced boilers must be certified by—

- (a) examination of the efficiency of a boiler type in accordance with—
  - (i) module B as described in Annex 3 to Directive [92/42/EEC](#), subject to the modifications in paragraph 4, where module B is undertaken by an approved body; or
  - (ii) module B as described in Annex 3 to Directive [92/42/EEC](#), subject to the modifications in paragraph 3.2(a); and
- (b) a declaration of conformity to the approved type in accordance with—
  - (i) module C, D or E as described in Annex 4 to Directive [92/42/EEC](#), subject to the modifications in paragraph 5, where any of those modules are undertaken by an approved body; or
  - (ii) module C, D or E as described in Annex 4 to Directive [92/42/EEC](#), subject to the modifications in paragraph 3.2(b).

(3.2) The modifications referred to in—

- (a) paragraph 3.1(a)(ii) are that paragraph 9 of Annex 3 to Directive [92/42/EEC](#) is to be read as if—
  - (i) for the first two references to “the Community” there were substituted “Great Britain”;

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(1) [S.I. 2010/2617](#); they were made in part under section 2(2) of the European Communities Act 1972 and are accordingly saved by virtue of section 2(1) of the European Union (Withdrawal) Act 2018; they were amended in respect of England and Wales and Scotland by [S.I. 2019/539](#) and [S.I. 2022/1393](#); there are other amending instruments but none is relevant.

(2) EUR 813/2013.

- (ii) for “Community market” there were substituted “the market of Great Britain”;
- (b) paragraph 3.1(b)(ii) are that Annex 4 to Directive [92/42/EEC](#) is to be read as if—
  - (i) in paragraph 1 of the description of “Module D: Product quality assurance”, for “the CE marking is accompanied by” there were substituted “the written declaration of conformity must include”;
  - (ii) in paragraph 1 of the description of “Module E: Product quality assurance”, for “the CE marking must be accompanied by” there were substituted “the written declaration of conformity must include”;
  - (iii) in all other places for “CE marking” there were substituted “UK marking”;
  - (iv) any reference to “authorised representative” were a reference to an authorised representative within the meaning of regulation 2 of the Ecodesign for Energy-Related Products Regulations 2010; and
  - (v) the reference in paragraph 3 of the description of “Module C: conformity to type” to “the Community market” were a reference to the market of Great Britain.

(3.3) For boilers burning gaseous fuels, the procedures for assessing the conformity of their efficiency must be those used to assess conformity to the safety requirements laid down in [Regulation \(EU\) 2016/426](#) of the European Parliament and of the Council of March 2016 on appliances burning gaseous fuels and repealing [Directive 2009/142/EC](#)(3).”;

- (b) in Article 4.4 for “3(a)” substitute “3.1(a)(i)”;
- (c) in Article 4.5 for “3(b)” substitute “3.1(b)(i)”.

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(3) EUR 2016/426, as amended by [S.I. 2021/1273](#) and [S.I. 2022/1393](#).