



STATUTORY INSTRUMENTS.

S.I. No. 454 of 2013

EUROPEAN UNION (ECODESIGN REQUIREMENTS FOR CERTAIN
ENERGY-RELATED PRODUCTS) (AMENDMENT) REGULATIONS
2013

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I, RICHARD BRUTON, Minister for Jobs, Enterprise, and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009¹ hereby, make the following regulations:

Citation

1. These Regulations may be cited as the European Union (Ecodesign Requirements for Certain Energy-related Products) (Amendment) Regulations 2013.

Interpretation

2. (1) In these Regulations—

“appropriate court” means—

(a) where the listed product concerned is at a particular location, the judge of the Circuit Court within whose circuit the listed product is located, or

(b) in any case or where the listed product concerned is generally located throughout the State, the High Court;

“authorised officer” means a person appointed under Regulation 18;

“Directive” means Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009¹;

“energy-related product” or “product” means any good which has a significant direct or indirect impact on the consumption of energy and, where relevant, on other essential resources during use, which is placed on the market or put into service in the State, including parts intended to be incorporated into energy-related products regulated by an EU measure which are placed on the market or put into service as individual parts for end-users and of which the environmental performance can be assessed independently;

“EU measure” in relation to a listed product, means at any reference number in column (1) of the Schedule the corresponding EU measure referred to in column (3) opposite mention of the listed product in column (2);

¹OJ No. L285, 31.10.2009, p.10

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd December, 2013.*

“listed product” means a product referred to in Regulation 3;

“Minister” means Minister for Communications, Energy and Natural Resources.

(2) A word or expression that is used in these Regulations and is also used in—

- (a) the Directive, or
- (b) an EU measure,

has, unless the context otherwise requires, the same meaning as it has in the Directive or the applicable EU measure.

Application

3. (1) These Regulations apply, in accordance with the Directive, to an energy-related product (“listed product”) referred to in column (2) of the Schedule from the date specified in the EU measure referred to in column (3) opposite mention of the listed product in column (2).

(2) These Regulations do not apply to any means of transport for persons or goods.

Restriction on energy-related product

4. (1) A manufacturer or an authorised representative shall not place a listed product on the market or put a listed product into service unless the listed product—

- (a) complies with the applicable EU measure, and
- (b) bears the CE marking.

(2) A person who contravenes paragraph (1) commits an offence.

Conformity assessment, marking and declaration of conformity

5. (1) A manufacturer or an authorised representative shall not place a listed product on the market or put a listed product into service unless the manufacturer or authorised representative complies with this Regulation.

(2) In relation to a listed product, the manufacturer or the authorised representative shall carry out or cause to be carried out an assessment of the listed product to assess if the listed product conforms to the applicable EU measure.

(3) The conformity assessment procedure to be followed where an assessment under paragraph (2) is carried out shall be that procedure required under the applicable EU measure.

(4) In carrying out the conformity assessment of the listed product the manufacturer or the authorised representative may choose between the internal design control referred to in Annex IV to the Directive or the management system referred to in Annex V to the Directive.

(5) In relation to a listed product, if the manufacturer or the authorised representative assesses that the listed product conforms to the applicable EU measure, the manufacturer or authorised representative shall make an EC declaration of conformity which shall refer to that EU measure and shall contain all of the information specified in paragraphs 1 to 6 of Annex VI to the Directive.

(6) In relation to a listed product, the manufacturer or the authorised representative who has made an assessment referred to in paragraph (5) shall visibly, legibly and indelibly affix to the listed product concerned and, if required by the applicable EU measure, the packaging or documentation that accompanies that listed product, the CE conformity marking consisting of the initials “CE” specified in Annex III to the Directive.

(7) A person who contravenes this Regulation commits an offence.

Consumer information

6. (1) Where required by an EU measure a manufacturer of a listed product shall in accordance with that measure supply the following consumer information with the listed product—

- (a) information on the role of the consumer in the sustainable use of the listed product, and
- (b) the ecological profile of the listed product and the benefits of ecodesign.

(2) A person who contravenes this Regulation commits an offence.

Importer

7. (1) Where the manufacturer of a listed product is not established in a Member State, and in the absence of an authorised representative, an importer of a listed product shall not place a listed product on the market or put a listed product into service unless the manufacturer or the authorised representative or, as the case may be, the importer has complied with Regulation 4.

(2) Where the manufacturer of a listed product is not established in a Member State and in the absence of an authorised representative Regulation 5 shall apply to an importer of the listed product as it applies to a manufacturer or an authorised representative.

(3) A person who contravenes this Regulation commits an offence.

Keeping documents

8. (1) For a period of 10 years from the date on which the last item of a listed product that has been placed on the market or put into service has been manufactured, the manufacturer or, as the case may be, authorised representative or importer of the listed product shall—

- (a) keep documents relating to conformity assessment of the listed product including the declaration of conformity under Regulation 5(5),

- (b) make those documents available for inspection by an authorised officer, and
- (c) furnish those documents to an authorised officer no later than 10 days after receipt of a request in that behalf from the authorised officer.

(2) Documents referred to in paragraph (1) shall be drawn up in English or English and Irish.

(3) A person who contravenes this Regulation commits an offence.

Misleading CE markings

9. (1) A person shall not affix or cause to be affixed to a listed product or the packaging or documentation that accompanies that listed product, a marking which is misleading or is likely to cause a user of the listed product to be misled or confused as to the meaning and form of the CE marking.

(2) A person who contravenes this Regulation commits an offence.

Circumstances where displays of listed products are not restricted

10. (1) Notwithstanding anything contained in these Regulations, a manufacturer or, as the case may be, authorised representative or importer of a listed product may display a listed product that does not conform to the relevant EU measure provided that the manufacturer or, as the case may be, authorised representative or importer affixes or causes to be affixed to the listed product or, if required by the EU measure for the listed product, the packaging or documentation that accompanies that product, a clearly visible notice or marking indicating that the listed product shall not be placed on the market or put into service unless or until it so conforms.

(2) For the purposes of paragraph (1) display of a listed product includes its display at a trade fair, exhibition or demonstration.

Warning Measure

11. (1) Where the Minister forms an opinion that a listed product does not comply with these Regulations or the applicable EU measure, the Minister may give a warning of non-compliance to the manufacturer or authorised representative or importer of the listed product concerned.

(2) A warning of non-compliance under paragraph (1) shall advise the recipient of the forming of the opinion by the Minister and shall require the manufacturer or authorised representative or importer concerned—

- (a) to take measures to bring the listed product into conformity with the applicable EU Measure or these Regulations within the period specified in the warning,
- (b) to keep records of the carrying out of the measures,
- (c) where appropriate, to carry out the measures in such order specified in the warning as the Minister considers necessary, and

- (d) to comply with requirements of the Minister in relation to monitoring and inspection by an authorised officer, as the Minister considers appropriate.

(3) A warning of non-compliance shall specify the grounds on which it is proposed to make the warning concerned and shall inform the recipient that he or she may make representations to the Minister in relation to the warning not later than 14 days after the date of the warning.

Compliance direction

12. (1) The Minister shall consider any representations in relation to a warning made under Regulation 11 by the recipient and shall, not more than 28 days after the expiry of the period under Regulation 11(3) within which representations may be made, give to the manufacturer or authorised representative or importer concerned of the listed product—

- (a) a compliance direction to comply with the warning, with or without variation, or
- (b) a notice withdrawing the warning.

(2) The Minister may at any time, where necessary, amend or withdraw a compliance direction.

(3) A compliance direction shall—

- (a) specify the grounds upon which the direction is made,
- (b) state when it is to come into effect, and
- (c) advise the recipient of his or her right to appeal or to apply to suspend its operation.

Withdrawal from market

13. (1) Where the recipient of a compliance direction does not comply with the direction within the period specified in the direction the Minister may give a further direction to the recipient—

- (a) not to place the listed product on the market or put it into service, or
- (b) where appropriate, to withdraw the listed product from the market or service.

(2) Where, in the opinion of the Minister the immediate withdrawal from the market of a listed product is required because of the gravity of the non-compliance with the EU measure, the Minister may, notwithstanding Regulations 11 and 12 and paragraph (1) give a direction to the manufacturer or authorised representative or importer of the listed product—

- (a) not to place the listed product on the market or put it into service, or
- (b) where appropriate, to withdraw the listed product from the market.

Effect of direction

14. (1) A direction under Regulation 12 or 13 takes effect—
- (a) where the direction so provides, immediately the direction is received by the person on whom it is served, and
 - (b) in any other case—
 - (i) where no appeal is taken against the direction, on the expiration of the period during which such an appeal may be taken or the day specified in the direction as the day on which it is to come into effect, whichever is the later, or
 - (ii) in case such an appeal is taken, on the day on which the direction is confirmed on appeal, or the appeal is withdrawn or the day specified in the direction is the day on which it is to come into effect, whichever is the later.
- (2) A direction under Regulation 12 or 13 remains in force—
- (a) unless it is discharged or varied on appeal,
 - (b) until the Minister revokes it, or
 - (c) until the Minister issues a notice to the recipient stating that the direction has been complied with.

Appeal from direction

15. (1) The bringing of an appeal against a direction which is to take effect in accordance with Regulation 14(1) does not have the effect of suspending the operation of the direction but the appellant may apply to the District Court to have the operation of the direction suspended until the appeal is disposed of and the judge, if he or she is satisfied that there are reasonable grounds for so doing in the interests of justice and having regard to the objectives of the Directive or the relevant EU measure may direct that the operation of the direction is suspended until the appeal is disposed of.

(2) A person who is aggrieved by a direction under Regulation 12 or 13 may, within 14 days in relation to a direction beginning on the day on which the direction is issued to him or her, appeal against the direction to a judge of the District Court in the District Court district in which the direction was issued and in determining the appeal the judge may if he or she is satisfied that in the circumstances of the case it is reasonable to do so, in the interests of justice and having regard to the objectives of the Directive or the relevant applicable EU measure—

- (a) confirm the direction, with or without modification, or
- (b) cancel the direction.

(3) Where, on the hearing of an appeal under this Regulation a direction is confirmed, notwithstanding paragraph (1) the judge of the District Court by whom the appeal is heard may, on the application of the appellant, suspend the operation of the direction for such period as in the circumstances of the case in the interest of justice and having regard to the objectives of the Directive or the relevant EU measure the judge considers appropriate.

(4) A person who appeals against a direction or who applies to have the operation of the direction suspended, shall at the same time notify the Minister of the appeal or application and the Minister shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal or the application.

Application to appropriate court for failure to comply with direction

16. (1) Where a manufacturer or authorised representative or importer does not comply with a direction under Regulation 12 or 13, the Minister may apply to the appropriate court for an order directing compliance.

(2) Where the appropriate court, on application to it under paragraph (1), is satisfied that the manufacturer or authorised representative or importer has failed or refused to comply with or disobeyed or continues to disobey the direction or part of it, within the time specified within the direction, the court may—

- (a) by order require the person to comply with the direction or part of it,
- (b) make an order for the forfeiture to the Minister of the listed product to which the direction applies, or
- (c) by order make such other provision, including provision in relation to the payment of costs, as the court considers appropriate.

(3) An application for an order under this Regulation shall be by motion, and the court when considering the matter may make such interim or interlocutory orders as it considers appropriate.

(4) The court, in making an order under this Regulation—

- (a) shall, unless satisfied that there are special and substantial reasons for not so doing, order the person concerned to pay to the Minister the costs and expenses measured by the court, and
- (b) may make such other provision as the court considers appropriate in relation to matters such as payment of costs, including costs incurred by the Minister in relation to the investigation of and detection of a failure or refusal to comply with a direction or part of a direction (and costs incurred in relation to the seizure, destruction or disposal of a listed product).

(5) Where an order for forfeiture is made under paragraph (2)(b), unless otherwise ordered by the court, any listed product the subject of the order shall be seized on behalf of the Minister by an authorised officer and shall be

destroyed or disposed of, and, if the court gives a direction in relation to the destruction or disposal of the listed product, in accordance with the direction.

Service of directions

17. (1) A direction or notice given under these Regulations shall—

- (a) be in writing, and
- (b) be served on the manufacturer or, as the case may be, the authorised representative or the importer of the listed product.

(2) A direction or notice shall be addressed to the manufacturer or, as the case may be, the authorised representative or the importer of the listed product and may be served on that person in one of the following ways:

- (a) by delivering it to the person;
- (b) by leaving it at the address at which the person ordinarily resides or, in a case where an address for service has been furnished, at that address;
- (c) by sending it by post in a prepaid registered letter to the address at which that person ordinarily resides or, in a case in which an address for service has been furnished, at that address;
- (d) in a case where the Minister considers that the direction should be issued immediately, by sending it by means of electronic mail or a facsimile machine, to a device or facility for the reception of electronic mail or facsimiles located at the address at which that person ordinarily resides or, in a case in which an address for service has been furnished, at that address provided that the sender's—
 - (i) facility for the reception of electronic mail generates a message confirming a receipt of the electronic mail, or
 - (ii) facsimile machine generates a message confirming successful transmission of the total number of pages of the direction,

and the direction or notice is also given in one of the other ways mentioned in any of the preceding subparagraphs.

(3) For the purposes of paragraph (2), a company registered under the Companies Acts is deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body is deemed to be ordinarily resident at its principal office or place of business.

(4) In any proceedings a document purporting to be a direction or a warning of non-compliance given under these Regulations and to be signed by or on behalf of the Minister shall be received in evidence and deemed to be such direction, without further proof, until the contrary is shown.

(5) In this regulation “direction” means a direction under Regulation 12 or 13 and includes a warning under Regulation 11 and “notice” means a notice under Regulation 12(1)(b) or 14(2)(c)

Appointment of authorised officer

18. (1) The Minister may appoint such and so many persons to be authorised officers for the purposes of all or any of these Regulations or any of the EU Measures and such appointment may be specified to be for a fixed period.

(2) An authorised officer appointed under this Regulation shall be furnished with a warrant of appointment and shall, when exercising any power conferred on him or her by this Regulation, if requested by a person affected, produce the warrant of appointment or a copy of it to that person.

(3) An appointment under this Regulation as an authorised officer shall cease—

- (a) if the Minister revokes the appointment, or
- (b) if the appointment is for a fixed period, on the expiry of that period.

Powers of authorised officer

19. (1) An authorised officer shall, for the purposes of enforcing these Regulations have the power to do one or more than one of the following:

- (a) subject to paragraph (5), at any time enter, inspect, examine and search any place at which, the authorised officer has reasonable grounds to believe, a listed product or part thereof is being manufactured or kept;
- (b) inquire into, search, examine and inspect—
 - (i) any place referred to at subparagraph (a),
 - (ii) any process being carried out at that place,
 - (iii) any listed product or part thereof at that place, or
 - (iv) any records relating to a matter referred to at clause (ii) or (iii),
 to ascertain whether these Regulations or the EU measures have been or are being complied with and for that purpose take with him or her from the place any equipment, material or listed product or part thereof;
- (c) require that the place and anything at it be left undisturbed for so long as is reasonably necessary for the purpose of any search, examination, investigation, inspection or inquiry under these Regulations;
- (d) require the person in charge to produce to the authorised officer—

- (i) any listed product which is in the possession or under the control of such person, and
 - (ii) any records and, in the case of such information in a non-legible form, to reproduce it in a legible form and to give to the authorised officer such information as the authorised officer may reasonably require in relation to any entries in those records;
- (e) inspect and take copies of, or extracts from, any such records or any electronic information system at that place, including in the case of information in a non-legible form, copies of or extracts from such information in a permanent legible form or require that such copies be provided;
- (f) require a person at that place by whom or on whose behalf a computer is or has been used to produce or store records or any person having control of, or otherwise concerned with the operation of the computer, to afford the authorised officer access thereto and all reasonable assistance as the authorised officer may require;
- (g) remove from that place and retain the records (including documents stored in a non-legible form) and copies taken and detain the records for such period as the authorised officer reasonably considers to be necessary for further examination or until the conclusion of any legal proceedings;
- (h) require that records at that place be maintained for such period as may be reasonable;
- (i) require the person in charge to give the authorised officer such information as the authorised officer may reasonably require for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;
- (j) require the person in charge to give the authorised officer such assistance and facilities within the person's power or control as are reasonably necessary to enable the authorised officer to exercise any of his or her powers under these Regulations;
- (k) require by notice, at a time and place specified in the notice, any person (including the person in charge) to give the authorised officer any information that the authorised officer may reasonably require in relation to the place, any listed product or part thereof, activity, installation or procedure at the place, and to produce to the authorised officer any records that are under that person's power or control;
- (l) examine any person whom the authorised officer reasonably believes to be able to give to the authorised officer information relevant to any search, examination, investigation, inspection or inquiry under these Regulations and require the person to answer such questions as the authorised officer may ask relative to the search, examination,

investigation, inspection or inquiry (including documents referred to at Regulation (8)) and to sign a declaration of the truth of the answers;

- (m) require that any procedure be followed for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;
- (n) take any measurements or photographs or make any tape, electrical or other recordings that the authorised officer considers necessary for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;
- (o) where appropriate, install, use and maintain at that place monitoring instruments, systems and seals for the purposes of these Regulations;
- (p) there, or at any other place, carry out, or have carried out, such testing, examination or analysis of any listed product found at that place, as he or she reasonably considers to be necessary, and for that purpose—
 - (i) require the person in charge to supply the authorised officer without charge any listed product or part thereof, or
 - (ii) remove any listed product or part thereof;
- (q) cause any listed product or part thereof found at that place in respect of which there has been or there appears to the authorised officer to have been a contravention of these Regulations to be subjected to any testing, examination or analysis in accordance with subparagraph (p) (but not so as to damage or destroy it unless this is necessary for the purposes of these Regulations) and where an authorised officer proposes to exercise the power conferred by this paragraph in the case of a listed product or part thereof found at any place, he or she shall, if so requested by the person in charge and provided that the person in charge is present at his or her own expense, cause anything that is to be done by virtue of that power to be done in the presence of that person;
- (r) remove and retain for such period as is necessary any listed product or part thereof found at that place for all or any of the following purposes:
 - (i) to examine or arrange for the examination, testing or analysis of the listed product or part thereof;
 - (ii) to ensure that it is not tampered with before the examination of it under clause (i) is completed;
 - (iii) to ensure that it is available for use as evidence in any proceedings.

(2) Where a listed product or part thereof is found at a place, and an inquiry is made by an authorised officer in the course of a search, examination, investigation or inspection as to the identity of the person who supplied that listed product or part thereof the person in charge shall give the authorised officer the name and address of the supplier from whom the listed product or part thereof was purchased or otherwise obtained.

(3) Before exercising any of the powers conferred by subparagraphs (*p*) and (*q*) of paragraph (1), an authorised officer shall, in so far as it is practicable, consult such persons as appear to him or her to be appropriate for the purpose of ascertaining what dangers, if any, there may be in doing what he or she proposes to do under those subparagraphs.

(4) Where under the powers conferred by paragraph (1)(*r*), an authorised officer removes and retains any listed product found at a place, he or she shall, in so far as is practicable, take a sample thereof and give it to the person in charge, marked by the authorised officer in a manner sufficient to identify it.

(5) An authorised officer shall not enter a dwelling other than—

(*a*) with the consent of the occupier, or

(*b*) in accordance with a warrant of the District Court issued under paragraph (7) authorising such entry.

(6) Where an authorised officer in the exercise of his or her powers under this Regulation is prevented from entering any place, an application may be made to the District Court for a warrant under paragraph (7) authorising such entry.

(7) Without prejudice to the powers conferred on an authorised officer by or under any other provision of this Regulation, if a judge of the District Court is satisfied by information on oath of an authorised officer that there are reasonable grounds for believing that—

(*a*) there are any listed products or part thereof at any place or any records (including documents stored in a non-legible form) or information relating to a place that the authorised officer requires to inspect for the purposes of these Regulations held at any place, or

(*b*) there is, or such an inspection is likely to disclose, evidence of a contravention of these Regulations,

the judge may issue a warrant authorising an authorised officer, accompanied by such other authorised officers as may be appropriate or members of the Garda Síochána as may be necessary, at any time or times, within one month from the date of issue of the warrant, on production of the warrant if requested, to enter the place, if necessary by the use of reasonable force, and perform the functions conferred on an authorised officer by these Regulations.

(8) Where an authorised officer has reasonable grounds for believing that it is necessary in the performance of his or her functions under these Regulations, he or she may be accompanied by a member of the Garda Síochána when performing those functions.

(9) A statement or admission made by a person pursuant to a requirement under subparagraph (i), (k) or (l) of paragraph (1) shall not be admissible in proceedings brought against that person for an offence (other than an offence under paragraph (12)).

(10) Where an authorised officer, upon reasonable grounds, believes that a person has committed an offence under these Regulations he or she may require that person to provide him or her with his or her name and the address at which he or she ordinarily resides.

(11) A person shall not—

- (a) obstruct or interfere with an authorised officer or a member of the Garda Síochána in the course of exercising a power conferred on him or her by these Regulations or a warrant under paragraph (7), or impede the exercise by the authorised officer or member, as the case may be, of such power, or
- (b) fail or refuse to comply with a request or requirement of, or to answer a question asked by an authorised officer or such member pursuant to a power conferred by these Regulations, or in purported compliance with such request or requirement or in answer to such question give information to the authorised officer or member that he or she knows to be false or misleading in any material respect.

(12) A person who contravenes or fails to comply with paragraph (11) commits an offence and is liable on summary conviction to a class A fine.

(13) In this Regulation—

“person in charge” means, in relation to a place—

- (a) the person under whose direction and control the activities at that place are being conducted, or
- (b) the person whom the authorised officer has reasonable grounds for believing is in control of that place;

“place” means any structure, premises, land or other location or part of such place, and includes any container, railway wagon, vessel, aircraft, motor or other vehicle;

“record” includes any memorandum, book, report, statement, register, plan, chart, map, drawing, specification, diagram, pictorial or graphic work or other document, any photograph, film or recording (whether of sound or images or both), any form in which data (within the meaning of the Data Protection Acts

1988 and 2003) are held, any form (including machine-readable form) or thing in which information is held or stored manually, mechanically or electronically, and anything that is a part or copy, in any form, of any of, or any combination of, the foregoing.

Penalties

20. A person guilty of an offence under these Regulations (other than an offence under Regulation 19(12)) is liable—

- (a) on summary conviction, to a class A fine, or
- (b) on conviction on indictment, to a fine not exceeding €250,000.

Offence by body corporate

21. (1) Where an offence under these Regulations is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a person being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person, as well as the body corporate is guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) shall apply in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director or manager of the body corporate.

Summary proceedings

22. Summary proceedings for an offence under these Regulations may be brought and prosecuted summarily by the Minister.

Revocation

23. The European Union (Ecodesign Requirements for Certain Energy-related Products) Regulations 2011 (S.I. No. 203 of 2011) are revoked.

SCHEDULE

Regulations 2 and 3

EU Measures regulating products

Reference Number (1)	Listed Product (2)	EU Measure (3)
1	Hot-Water Boilers Fired With Liquid Or Gaseous Fuels	European Communities (Efficiency Requirements for New Hot-Water Boilers fired with liquid or gaseous fuels) Regulations 1994 (S.I. No. 260 of 1994)— as amended by European Communities (Efficiency Requirements for New Hot-Water Boilers fired with liquid or gaseous fuels) (Amendment) Regulations 1995 (S.I. No. 72 of 1995)
2	Standby And Off Mode Electric Power Consumption Of Electrical And Electronic Household And Office Equipment	Commission Regulation (EC) No. 1275/2008 of 17 December 2008 ² — as amended by Commission Regulation (EU) No. 801/2013 of 22 August 2013 ³
3	Simple Set Top Boxes	Commission Regulation (EC) No. 107/2009 of 4 February 2009 ⁴
4	Non-Directional Household Lamps	Commission Regulation (EC) No. 244/2009 of 18 March 2009 ⁵ — as amended by Commission Regulation (EC) No. 859/2009 of 18 September 2009 ⁶
5	Fluorescent Lamps Without Integrated Ballast, High Intensity Discharge Lamps, And For Ballasts And Luminaries Able To Operate Such Lamps	Commission Regulation (EC) No. 245/2009 of 18 March 2009 ⁷ — as amended by Commission Regulation (EU) No. 347/2010 of 21 April 2010 ⁸
6	External Power Supplies	Commission Regulation (EC) No. 278/2009 of 6 April 2009 ⁹
7	Electric Motors	Commission Regulation (EC) No. 640/2009 of 22 July 2009 ¹⁰
8	Glandless Standalone Circulators And Glandless Circulators Integrated In Products	Commission Regulation (EC) No. 641/2009 of 22 July 2009 ¹¹ — as amended by Commission Regulation (EU) No. 622/2012 of 11 July 2012 ¹²

²OJ No. L339, 18.12.2008, p45³OJ No. L225, 23.8.2013, p1⁴OJ No. L36, 5.2.2009, p8⁵OJ No. L76, 24.3.2009, p3⁶OJ No. L247, 19.9.2009, p3⁷OJ No. L76, 24.3.2009, p17⁸OJ No. L104, 24.4.2010, p20⁹OJ No. L93, 7.4.2009, p3¹⁰OJ No. L191, 23.7.2009, p26¹¹OJ No. L191, 23.7.2009, p35¹²OJ No. L180, 12.7.2012, p4

Reference Number (1)	Listed Product (2)	EU Measure (3)
9	Televisions	Commission Regulation (EC) No. 642/2009 of 22 July 2009 ¹³ — as amended by Commission Regulation (EU) No. 801/2013 of 22 August 2013 ¹⁴
10	Household Refrigerating Appliances	Commission Regulation (EC) No. 643/2009 of 22 July 2009 ¹⁵
11	Household Washing Machines	Commission Regulation (EU) No. 1015/2010 of 10 November 2010 ¹⁶
12	Household Dishwashers	Commission Regulation (EU) No. 1016/2010 of 10 November 2010 ¹⁷
13	Fans Driven By Motors With An Electric Input Power Between 125 W And 500 kW	Commission Regulation (EU) No. 327/2011 of 30 March 2011 ¹⁸
14	Air Conditioners And Comfort Fans	Commission Regulation (EU) No. 206/2012 of 6 March 2012 ¹⁹
15	Water Pumps	Commission Regulation (EU) No. 547/2012 of 25 June 2012 ²⁰
16	Household Tumble Driers	Commission Regulation (EU) No. 932/2012 of 3 October 2012 ²¹
17	Directional Lamps, Light Emitting Diode Lamps And Related Equipment	Commission Regulation (EU) No. 1194/2012 of 12 December 2012 ²²
18	Computers and Computer Servers	Commission Regulation (EU) No. 617/2013 of 26 June 2013 ²³
19	Vacuum Cleaners	Commission Regulations (EU) No. 666/2013 of 8 July 2013 ²⁴
20	Space Heaters and Combination Heaters	Commission Regulations (EU) No. 813/2013 of 2 August 2013 ²⁵
21	Water Heaters and Hot Water Storage Tanks	Commission Regulations (EU) No. 814/2013 of 2 August 2013 ²⁶

¹³OJ No. L191, 23.7.2009, p42

¹⁴OJ No. L225, 23.8.2013, p1

¹⁵OJ No. L191, 23.7.2009, p53

¹⁶OJ No. L293, 11.11.2010, p21

¹⁷OJ No. L293, 11.11.2010, p31

¹⁸OJ No. L90, 6.4.2011, p8

¹⁹OJ No. L72, 10.3.2012, p7

²⁰OJ No. L165, 26.6.2012, p28

²¹OJ No. L278, 12.10.2012, p1

²²OJ No. L342, 14.12.2012, p1

²³OJ No. L175, 27.6.2013, p13

²⁴OJ No. L192, 13.7.2013, p24

²⁵OJ No. L239, 6.9.2013, p136

²⁶OJ No. L239, 6.9.2013, p162



GIVEN under my Official Seal,
27 November 2013.

RICHARD BRUTON,
Minister for Jobs, Enterprise and Innovation.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

The purpose of these amending Regulations is to implement 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 (recast).

The Energy-related Products Directive is a Framework Directive which specifies the framework within which detailed measures (referred to as EU measures) setting EU ecodesign requirements for specific energy-related products (referred to as listed products) are brought forward by the EU Commission. It is a recast of an earlier Directive (Directive 2005/32/EC) which established a framework for the setting of ecodesign requirements for energy using products and extends the scope of the application of that Directive to a wider variety of products which do not consume energy during use but have a significant contribution to make to energy saving.

These Regulations give effect to EU measures which have been made to date pursuant to both Directives. A list of the products covered and their applicable EU measure is in the Schedule to the Regulations.

The Regulations oblige manufacturers, their authorised representatives or, in their absence, an importer of a product listed in the Schedule, not to place the said product on the market or put it into service if it does not conform to the applicable EU measure.

These Regulations also provide for the appointment of authorised officers to carry out inspections that will ensure compliance with the EU ecodesign requirements for the listed products.

Under these Regulations, S.I. No. 203 of 2011 European Union (Ecodesign Requirements For Certain Energy-Related Products) Regulations 2011 which originally transposed the Ecodesign Of Energy-Related Products Directive (Directive 2009/125/EC) is revoked.

The products covered by these Regulations are:

Reference Number	Listed Product	EU Measure or Statutory Instrument
1	Hot-water boilers fired with liquid or gaseous fuels	S.I. No. 260 of 1994 as amended by S.I. No. 72 of 1995
2	Standby and off mode electric power consumption of electrical and electronic household and electronic equipment	Commission Regulation (EC) No. 1275/2008 amended by Commission Regulation (EU) No. 801/2013
3	Simple set-top boxes	Commission Regulation (EC) No. 107/2009

Reference Number	Listed Product	EU Measure or Statutory Instrument
4	Non-directional household lamps (commonly known as incandescent lightbulbs)	Commission Regulation (EC) No. 244/2009 amended by Commission Regulation (EC) No. 859/2009
5	Fluorescent lamps without integrated ballast, for high intensity discharge lamps and for ballasts and luminaries able to operate such lamps	Commission Regulation (EC) No. 245/2009 amended by Commission Regulation (EU) No. 347/2010
6	No-load condition electric power consumption and average active efficiency of external power supplies	Commission Regulation (EC) No. 278/2009
7	Electric motors	Commission Regulation (EC) No. 640/2009
8	Glandless standalone circulators and glandless circulators integrated in products	Commission Regulation (EC) No. 641/2009 as amended by Commission Regulations (EU) No. 622/2012
9	Televisions	Commission Regulation (EC) No. 642/2009 amended by Commission Regulation (EU) No. 801/2013
10	Household refrigerating appliances	Commission Regulation (EC) No. 643/2009
11	Household washing machines	Commission Regulation (EU) No. 1015/2010
12	Household dishwashers	Commission Regulation (EU) No. 1016/2010
13	Fans Driven By Motors With An Electric Input Power Between 125 W And 500 kW	Commission Regulation (EU) No. 327/2011
14	Air Conditioners And Comfort Fans	Commission Regulation (EU) No. 206/2012
15	Water Pumps	Commission Regulation (EU) No. 547/2012
16	Household Tumble Driers	Commission Regulation (EU) No. 932/2012
17	Directional Lamps, Light Emitting Diode Lamps And Related Equipment	Commission Regulation (EU) No. 1194/2012
18	Computers and Computer Servers	Commission Regulation (EU) No. 617/2013
19	Vacuum Cleaners	Commission Regulations (EU) No. 666/2013
20	Space Heaters and Combination Heaters	Commission Regulations (EU) No. 813/2013
21	Water Heaters and Hot Water Storage Tanks	Commission Regulations (EU) No. 814/2013 of 2 August 2013

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