
STATUTORY INSTRUMENTS

1997 No. 1624

The Energy Information (Combined Washer-driers) Regulations 1997

Citation and commencement

1. These Regulations may be cited as the Energy Information (Combined Washer-driers) Regulations 1997 and shall come into force on 1st August 1997.

Interpretation

2. In these Regulations, unless the context otherwise requires, expressions used have the same meaning as in the Directives and—

“appliance” means an appliance to which these Regulations apply by virtue of regulation 3 (application);

“dealer” means a retailer or other person who sells or displays appliances to end-users;

“the Directives” means Council Directive [92/75/EEC](#)(1) and Commission Directive [96/60/EC](#)(2);

“enforcement action” means the instituting of proceedings (whether criminal or otherwise) for failing to observe or comply with these Regulations;

“enforcement authority” means—

(a) in England and Wales and Scotland, a local weights and measures authority within the meaning of section 69 of the Weights and Measures Act 1985 (local weights and measures authorities)(3); and

(b) in Northern Ireland, the Department of Economic Development;

“the harmonised standards” means the standards referred to in article 1(2) of Commission Directive [96/60/EC](#) (measurement of required information);

“information notice” means—

(a) subject to paragraph (b), a standard table of information relating to an appliance and complying with regulation 5(2) (form, content and language of information notice);

(b) in paragraph 9 of Schedule 5 (power of enforcement authority to require technical documentation), a standard table of information relating to the energy consumption and allied design and performance characteristics of an appliance;

“label” means—

(a) subject to paragraph (b), a label relating to an appliance and complying with regulation 4(2) (form, content and language of label);

(1) OJNo. L297, 13.10.92, p.16.

(2) OJ No. L266, 18.10.96, p.1.

(3) [1985 c. 72](#), as amended by paragraph 144 of Schedule 13 to the Local Government (Scotland) Act [1994 \(c. 39\)](#).

- (b) in regulation 13 (misleading information) and in paragraph 9 of Schedule 5 (power of enforcement authority to require technical documentation), a label relating to the energy consumption and allied design and performance characteristics of an appliance;
- “purchase” includes acquire on hire or on hire-purchase, and related expressions shall be construed accordingly;
- “records” includes any books, documents, marks or symbols and any records in non-documentary form;
- “sale” includes hire and hire-purchase, and related expressions shall be construed accordingly;
- “supplier” means the manufacturer of an appliance or his authorised representative in the Community or the person who places an appliance on the Community market;
- “third person” means any person other than the one against whom enforcement action may be or has been taken under these Regulations.

Application

3.—(1) Subject to paragraphs (2) and (3) and regulation 15 (transitional provisions), these Regulations shall apply to household combined washer-driers, even where these are sold for non-household uses.

- (2) These Regulations shall apply only to appliances which are—
 - (a) electric mains operated, and
 - (b) unable to use other energy sources.
- (3) These Regulations shall not apply—
 - (a) to second-hand appliances,
 - (b) to appliances of which production ceased before 1st August 1997, or
 - (c) in respect of the rating plate or its equivalent affixed for safety purposes to an appliance.

Suppliers' duties in respect of labels

4.—(1) A supplier of an appliance shall provide free of charge to a dealer such label in respect of the appliance as may be necessary to enable the dealer to comply with his obligations imposed pursuant to the Directives.

(2) The label shall be in the relevant language version and, where it is in English, shall comply with Schedules 1 (the label) and 4 (energy efficiency and washing performance class) and, in any other case, with Commission Directive 96/60/EC.

(3) Where the dealer requests labels from the supplier, the supplier shall ensure that the requested labels are delivered promptly.

(4) A supplier may choose his own system for delivery of labels.

Suppliers' duties in respect of information notices

5.—(1) A supplier of an appliance shall provide an information notice in accordance with this regulation.

(2) The information notice shall be in the relevant language version and, where it is in English, shall comply with Schedules 2 (the information notice) and 4 (energy efficiency and washing performance class) and, in any other case, with Commission Directive 96/60/EC.

(3) Where the supplier provides a product brochure, the brochure shall contain an information notice.

(4) Where a product brochure is not provided by the supplier, the supplier shall provide an information notice with any other literature provided with the appliance.

Suppliers' deemed consent to publication of information

6. The supplier shall be deemed to consent to the publication of the information given on a label or in an information notice.

Suppliers to be responsible for accuracy of labels and information notices

7.—(1) The supplier shall be responsible for the accuracy of the information given on a label or in an information notice.

(2) A label or information notice shall be deemed to comply with these Regulations unless there is evidence to the contrary.

Suppliers' duties in respect of technical documentation

8.—(1) The supplier shall establish technical documentation sufficient to enable the accuracy of the information contained in a label or information notice to be assessed.

(2) The technical documentation referred to in paragraph (1) shall include—

- (a) the name and address of the supplier;
- (b) a general description of the appliance, sufficient for it to be identified;
- (c) information (including drawings as relevant) on the main design features of the appliance and, in particular, items which appreciably affect its energy consumption;
- (d) the results of design calculations carried out, where these are relevant;
- (e) reports of relevant measurement tests carried out on the appliance in accordance with the test procedures of the harmonised standards;
- (f) test reports, where available, including those carried out by relevant notified organisations as defined under other Community legislation;
- (g) where values are derived from those obtained for similar models, the same information for these models; and
- (h) operating instructions (if any).

(3) For the purposes of paragraphs (1) and (2), the supplier may use documentation already required on the basis of relevant Community legislation.

(4) The supplier shall make the technical documentation available for inspection by enforcement authorities for a period ending five years after the appliance has ceased to be manufactured.

(5) The supplier shall furnish promptly to an enforcement authority such of the technical documentation as the authority requires pursuant to paragraph 9 of Schedule 5 (power of enforcement authority to require technical information).

Dealers' duty in respect of displayed appliances

9. Subject to regulation 11 (extent of dealers' duties under regulations 9 and 10), a dealer who displays an appliance to end-users shall attach a label to the outside front or top of the appliance so that the label remains clearly visible and not obscured whenever the appliance is displayed.

Dealers' duty in respect of information notices

10.—(1) Subject to regulation 11 (extent of dealers' duties under regulations 9 and 10), this regulation shall apply where by virtue of regulation 5 (suppliers' duties in respect of information notices) or a similar obligation imposed pursuant to the Directives, a supplier is under a duty to provide an information notice in respect of an appliance.

(2) Where a dealer offers the appliance for sale to end-users in circumstances such that potential purchasers do not see the appliance displayed and thus have no opportunity to see the label, the dealer shall make the information notice available for inspection by potential purchasers before concluding a sale of the appliance.

Extent of dealers' duties under regulations 9 and 10

11. Regulations 9 (dealers' duty in respect of displayed appliances) and 10 (dealers' duty in respect of information notices) shall not apply where an appliance is offered for sale to end-users by mail order, by catalogue or by other means which imply that the potential purchaser cannot be expected to see the appliance displayed.

Printed communications

12. Where a person offers an appliance for sale to end-users by means of a printed communication, such as a mail order catalogue (but not an advertisement or short printed list of appliances), in circumstances which imply that the potential purchaser cannot be expected to see the appliance displayed, the person making such offer shall ensure that the printed communication is in the relevant language version and—

- (a) if it is in English, includes the information specified in Schedule 3 (mail order and other distance selling) and describes the appliance in accordance with Schedule 4 (energy efficiency and washing performance class), and
- (b) in any other case, it complies with Commission Directive [96/60/EC](#).

Misleading information

13.—(1) A person shall not display a label, mark, symbol or inscription which relates to the energy consumption of an appliance and which does not comply with these Regulations, if the label, mark, symbol or inscription—

- (a) would be taken to comply with these Regulations, or
- (b) would be likely to mislead or confuse.

(2) Paragraph (1) shall not apply to a label, mark, symbol or inscription displayed under a Community or national environmental labelling scheme.

Enforcement and offences

14.—(1) Subject to paragraph (3), it shall be the duty of every enforcement authority to enforce these Regulations within its area.

(2) Schedule 5 shall have effect with regard to offences, enforcement of these Regulations, and other matters.

(3) Nothing in these Regulations shall authorise a local weights and measures authority in Scotland to bring proceedings in Scotland for an offence.

Transitional provisions

15. These Regulations shall not apply in relation to—

- (a) an appliance supplied by a supplier (whether to a dealer or another person) before 1st February 1998;
- (b) any printed communication within the meaning of regulation 12 (printed communications) distributed to potential purchasers before 1st February 1998; or
- (c) the display of appliances before 1st February 1998.

Department of the Environment
30th June 1997

John Prescott
One of Her Majesty's Principal Secretaries of
State