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STATUTORY INSTRUMENTS

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**2007 No. 2037**

**ENERGY CONSERVATION**

**The Ecodesign for Energy-Using Products Regulations 2007**

*Made - - - - 14th July 2007*

*Laid before Parliament 18th July 2007*

*Coming into force 11th August 2007*

**THE ECODESIGN FOR ENERGY-  
USING PRODUCTS REGULATIONS 2007**

**PART 1**

Introduction and interpretation

1. Citation and commencement
2. Interpretation

**PART 2**

Restriction on listed products, conformity assessments,  
declarations of conformity and the CE conformity marking

3. Restriction on listed products
4. Conformity assessments, declarations of conformity and the CE conformity marking
5. Authorised representatives and importers
6. Displays of listed products not restricted

**PART 3**

Presumption of conformity, non-conformity, misleading markings and documentation

7. Presumption of conformity
8. Non-conformity
9. Misleading markings
10. Documentation for inspection

*Status: This is the original version (as it was originally made).*

## PART 4

### Notified bodies

11. Criteria to be met by notified bodies and approvals
12. Function of notified bodies
13. Obligations and powers of notified bodies
14. Power to charge fees
15. Appeals against non-conformity notices
16. Non-conformity notices
17. Information to be supplied to other notified bodies

## PART 5

### Enforcement

18. Enforcement
19. Proceedings before a civil court
20. Powers of an enforcing authority and authorisation
21. Appeals against enforcement notices
22. Notification of enforcement notices

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23. Offences and penalties in respect of regulations 3 to 5 and 8 to 10
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27. Remediation orders

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### Revocations

28. Revocations  
Signature

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## SCHEDULE 1 — Listed products

### PART 1 — Listed products and implementing measures

1. “Listed product” means— (a) a boiler or an appliance;
2. “Implementing measure” in relation to— (a) a boiler or an...

### PART 2 — Boilers and appliances

1. The following definitions have effect— (a) “a boiler” means the...
2. The following are not within the definition in paragraph 1—...

### PART 3 — Refrigerator appliances

1. “A refrigerator appliance” means— (a) a refrigerator;
2. The following are not within the definition in paragraph 1—...

### PART 4 — Ballasts for fluorescent lighting

1. “A ballast for fluorescent lighting” means a ballast—
2. The following are not within the definition in paragraph 1—...

## SCHEDULE 2 — Product requirements

PART 1 — Introduction

1. This Schedule sets out in relation to a listed product...

PART 2 — Boilers and appliances

1. A boiler or an appliance must comply with the useful...
2. The table referred to in paragraph 1— Useful efficiency requirements...
3. A boiler or an appliance with a dual function of—...
4. A boiler which is— (a) a back-boiler; or

PART 3 — Refrigerator appliances

1. If a refrigerator appliance is within categories 1 to 9...
2. The table referred to in paragraph 1— Table 1 Requirements...
3. If a refrigerator appliance— (a) has more than 2 doors;...
4. Table 2 referred to in paragraph 3— Table 2 Requirements...
5. The categories 1 to 7 referred to in column 2...
6. The following have effect in respect of tables 1 and...
7. For the purposes of paragraph 6—  $V_{adj}$  is the value...
8. The following table defines the co-efficients  $X_c$  and  $Y_c$  referred...
9. For the purposes of this Part, a manufacturer must establish...

PART 4 — Ballasts for fluorescent lighting

1. A ballast for fluorescent lighting must be allocated to a...
2. In respect of— (a) the category of ballast shown in...
3. Table 1 referred to in paragraph 1— Table 1 Categories...
4. Table 2 referred to in paragraph 2— Table 2 Maximum...
5. For a ballast for fluorescent lighting designed for a lamp...
6. For the purposes of this Part, a manufacturer must establish...

SCHEDULE 3 — Conformity assessment procedures applicable to a listed product

PART 1 — Introduction

1. This Schedule sets out the conformity assessment procedure or procedures...
2. “The testing and checking process” has the meaning given in...
3. References to a manufacturer include— (a) an authorised representative; or...

PART 2 — Boilers and appliances

1. The conformity assessment procedures applicable to a boiler or an...
2. The following additional technical documentation must form part of the...
3. A representative sample of the boiler or appliance, and such...

PART 3 — Refrigerator appliances

1. The conformity assessment procedures applicable to a refrigerator appliance are—...
2. The following additional technical documentation must form part of the...
3. The electricity consumption procedure referred to in paragraph 1 means —...
4. For the purposes of paragraph 3, a manufacturer must establish...

PART 4 — Ballasts for fluorescent lighting

1. The conformity assessment procedure applicable to a ballast for fluorescent...
2. The following additional technical documentation must form part of the...

SCHEDULE 4 — Modules for conformity assessment

PART 1 — General

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## CHAPTER 1

### Miscellaneous

1. A notified body referred to in this Schedule means a...
2. In the remaining provisions of this Schedule, references to a...
3. “Equivalent standards” means standards equivalent to the harmonised standards, including...
4. A notified body must carry out tests or examinations—
5. A notified body must, under module B—
6. A notified body must ensure that— (a) in module D,...
7. Expressions used in this Schedule which are used in Council...

## CHAPTER 2

### General technical documentation

8. The general technical documentation means the documentation necessary to enable...
9. The provision of the documentation under paragraph 8 may be...

## CHAPTER 3

### Testing and checking process

10. The testing and checking process means the notified body carries...
11. If the testing and checking process demonstrates that a listed...

## CHAPTER 4

### Notified bodies and non-conformity

12. Where a notified body determines that a listed product does...
13. If— (a) no such further information or steps are possible;...
14. “A non-conformity notice” means a written notice that—
15. Where a notified body has given a non-conformity notice and...
  - PART 2 — Module A (internal production control)
    1. The manufacturer must establish the general technical documentation.
    2. The general technical documentation must be kept with the declaration...
    3. The manufacturer must take all necessary measures to ensure that...
  - PART 3 — Module B (EC type-examination)
    1. The manufacturer must make a written application to a notified...
    2. The application must include— (a) the name and address of...
    3. The notified body must— (a) examine the general technical documentation;...
    4. If a notified body is satisfied that the type conforms...
    5. An EC type-examination certificate must be in writing and include—...
    6. If a manufacturer makes modifications to a listed product that...
    7. Where an application is made for an additional approval to...
    8. Relevant documentation under regulation 10 includes— (a) the EC type-examination...
  - PART 4 — Module C (conformity to type)
    1. The manufacturer must take all necessary measures to ensure that...

PART 5 — Module D (production quality assurance)

1. The manufacturer must operate an approved quality system in respect...
2. A quality system is approved if it is approved by...
3. The matters referred to in paragraph 2(c)(ii) are that the...
4. A manufacturer must apply for approval of his quality system...
5. Where a notified body receives an application in accordance with...
6. An approval under paragraph 5 must be in writing and...
7. If a manufacturer intends to modify the approved quality system—...
8. If the notified body determines that a re-assessment is required,...
9. A notified body must carry out— (a) periodic audits of...
10. A notified body must inform the manufacturer of the results...
11. In relation to paragraph 9, a manufacturer must—
12. Relevant documentation under regulation 10 includes— (a) the documentation concerning...

PART 6 — Module E (product quality assurance)

1. The manufacturer must operate an approved quality system in respect...
2. Paragraphs 2 to 12 of module D (production quality assurance)...

SCHEDULE 5 — Declaration of conformity

1. A person who makes a declaration of conformity declares that...
2. A declaration of conformity— (a) must be in writing; and...
3. A declaration of conformity must include— (a) the name and...
4. A declaration of conformity must include the title of the...

SCHEDULE 6 — CE conformity marking

PART 1 — General requirements

1. A CE conformity marking must be in the following form—...
2. A CE conformity marking must have a height of at...
3. Subject to paragraph 2, if a CE conformity marking is...

PART 2 — Additional requirements

1. Where a CE conformity marking is affixed in relation to...
2. Where a ballast for fluorescent lighting is placed on the...

SCHEDULE 7 — Criteria to be met by notified bodies

1. A notified body must act— (a) with the highest degree...
2. A notified body must possess the necessary—
3. The staff of a notified body must be impartial and...
4. A notified body must ensure that any other person it...

SCHEDULE 8 — Appeals

1. An appeal must be made within two months of the...
2. In respect of— (a) a non-conformity notice, the parties to...
3. Where an appeal is brought, this does not suspend the...
4. On the determination of an appeal, the appeal body may—...
5. An appeal body may deal with an appeal in such...

SCHEDULE 9 — Powers of enforcing authorities

PART 1 — Powers of entry

1. An authorised person— (a) may enter any premises for the...
2. The power may be exercised— (a) at all reasonable hours;...
3. An authorised person may take with him—
4. A person entering unoccupied premises must leave them as effectively...
5. Admission to any premises used only as a private dwelling-house...

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6. The reference to “premises” in relation to powers of entry...

PART 2 — Warrants

1. If a justice of the peace, on sworn information in...
2. The conditions referred to in paragraph 1—
3. A warrant continues in force for one month.
4. Reference to a justice of the peace—

PART 3 — Powers on entry

1. An authorised person who has entered any premises in accordance...
2. An authorised person must avoid destruction or damage to the...
3. If a person claims to be entitled to compensation in...

PART 4 — Test purchases and testing

1. An authorised person may purchase any article or substance to...
2. An enforcing authority must comply with paragraph 3 if—
3. Where paragraph 2 applies, an enforcing authority must if requested...
4. An article or substance includes a listed product or any...

PART 5 — Notices

1. The enforcing authority may, by notice served on any person,...
2. If the enforcing authority is of the opinion that a...
3. An enforcement notice must— (a) state that the enforcing authority...
4. An enforcement notice may require that a listed product, or...
5. The enforcing authority may withdraw an enforcement notice at any...
6. If a person fails to comply with an enforcement notice,...

SCHEDULE 10 — Revocations

Explanatory Note