



STATUTORY INSTRUMENTS

S.I. No. 557 of 2007

EUROPEAN COMMUNITIES (ECODESIGN REQUIREMENTS FOR
CERTAIN ENERGY-USING PRODUCTS) REGULATIONS 2007

(Prn. A7/1477)

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CERTAIN ENERGY-USING PRODUCTS) REGULATIONS 2007

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S.I. No. 557 of 2007

EUROPEAN COMMUNITIES (ECODESIGN REQUIREMENTS FOR
CERTAIN ENERGY-USING PRODUCTS) REGULATIONS 2007

I, MICHEÁL MARTIN, Minister for Enterprise, Trade and Employment, 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 2005/32/EC¹ of the European Parliament and of the Council of 6 July 2005, hereby make the following regulations:

Citation, collective citation and construction and commencement.

1. (1) These Regulations may be cited as the European Communities (Ecodesign Requirements for Certain Energy-using Products) Regulations 2007.

(2) These Regulations together with the European Communities (efficiency requirements for New Hot-water boilers fired with liquid or gaseous fuels) Regulations 1994 (S.I. No. 260 of 1994), the European Communities (Efficiency Requirements for New Hot-water Boilers fired with Liquid or Gaseous fuels) (Amendment) Regulations 1995 (S.I. No. 72 of 1995), the European Communities (Energy Efficiency Requirements for Household Electric Refrigerators, Freezers and Combinations thereof) Regulations 1997 (S.I. No. 482 of 1997) and the European Communities (Energy Efficiency Requirements for Ballasts for Fluorescent Lighting) Regulations 2001 (S.I. No. 511 of 2001) may be cited as the European Communities (Ecodesign Requirements for Certain Energy-using Products) Regulations 1994 to 2007 and shall be construed together as one.

(3) These Regulations come into operation on 11 August 2007.

Interpretation.

2. (1) In these Regulations—

“authorised officer” means a person appointed under Regulation 13;

“Framework Directive” means Directive 2005/32/EC¹ of the European Parliament and of the Council of 6 July 1995 establishing a framework for the setting of ecodesign requirements for energy-using products and amending Council Directive 92/42/EEC² and Directives 96/57/EC³ and 2000/55/EC⁴ of the European Parliament and of the Council;

“implementing measure” means an implementing measure listed in Schedule 1;

“listed product” means an energy-using product listed in Schedule 2;

¹O.J. L191, 22.7.2005, p. 29

²O.J. L167, 22.6.1992, p. 17

³O.J. L236, 18.9.1996, p. 36

⁴O.J. L279, 1.11.2000, p. 33

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 31st July, 2007.*

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

(2) A word or expression that is used in these Regulations and is used in an implementing measure or in the Framework Directive has, unless the context otherwise requires, the same meaning as it has in that implementing measure or the Framework Directive.

(3) Reference in these Regulations to an Article is to an Article of the Framework Directive and to an Annex is to an Annex to the Framework Directive.

Restriction on placing Listed Products on market.

3. (1) Subject to Regulation 4, a Manufacturer, an Authorised representative or, if the Manufacturer is not established within the Community and in the absence of an Authorised representative, an Importer shall not place a listed product on the market unless the product conforms to the product requirements for that product as specified in the implementing measure for that product and bears the CE marking in accordance with Regulations 5 and 6.

(2) Without prejudice to the generality of paragraph (1), and subject to Regulation 4, if a Manufacturer of a listed product is not established within the Community, an Authorised representative or in the absence of an Authorised representative an Importer of a listed product shall not place a listed product on the market unless the Authorised representative or Importer complies with paragraph (3).

(3) Where paragraph (2) applies, the Authorised representative or Importer shall—

- (a) ensure that the Manufacturer of the listed product has complied with Regulations 5 and 6 or the laws of another Member State that correspond to those Regulations, or
- (b) comply with those Regulations or laws to the extent that the Manufacturer has not complied with them.

(4) A person who contravenes this Regulation is guilty of an offence.

Displays of Listed Products not restricted.

4. (1) Regulation 3 does not apply to the display of a listed product if that product and, if required by the implementing measure as the case may be, the packaging or documentation that accompanies the product bear a visible indication that the product may not be placed on the market until it complies with the product requirements for that product as specified in the implementing measure for that product.

(2) For the purposes of paragraph (1), the display of a listed product includes its display at trade fairs, exhibitions and demonstrations.

Conformity assessment.

5. (1) Before placing a listed product on the market or putting a listed product into service, the Manufacturer or its Authorised representative shall ensure

that an assessment is carried out of the listed product's conformity with the provisions of the applicable implementing measure.

(2) The conformity assessment procedures mentioned in paragraph (1) shall be specified by the implementing measures and shall leave to the manufacturers the choice between the internal design control set out in Annex IV and the management system set out in Annex V. When duly justified and proportionate to the risk, the conformity assessment procedure shall be specified among relevant modules as described in 93/465/EEC⁵ Council Decision of 22 July 1993 concerning the modules for the various phases of the conformity assessment procedures and the rules for the affixing and use of the CE conformity marking, which are intended to be used in the technical harmonisation directives.

(3) If a listed product is designed by an organisation registered in accordance with Regulation (EC) No. 761/2001⁶ of the European Parliament and of the Council of 19 March 2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), and the design function is included within the scope of that registration, the management system of that organisation shall be presumed to comply with the requirements of Annex V.

(4) If a listed product is designed by an organisation having a management system which includes the product design function and which is implemented in accordance with harmonised standards the reference numbers of which have been published in the Official Journal of the European Union, then that management system shall be presumed to comply with the corresponding requirements of Annex V.

(5) A person who contravenes this Regulation is guilty of an offence.

Declaration of conformity and CE conformity marking.

6. (1) If a Manufacturer or its Authorised representative assesses that a listed product conforms to the product requirements for that product as specified in the implementing measure for that product, the Manufacturer or its Authorised representative as the case may be shall—

- (a) make a declaration of conformity which shall refer to the relevant implementing measure and contain the elements specified in Annex VI, and
- (b) correctly affix to the listed product, and, if required by the implementing measure as the case may be, the packaging or documentation that accompanies that product, the CE conformity marking consisting of the initials “CE” as specified in Annex III.

(2) For the purposes of paragraph (1)(b), a CE conformity marking shall be correctly affixed provided that it is affixed visibly, legibly and indelibly.

(3) A person who contravenes this Regulation is guilty of an offence.

⁵O.J. L220, 30.8.1993, p. 23

⁶O.J. L114, 24.4.2001, p. 1

Presumption of conformity.

7. (1) Unless the contrary is proved, a listed product and, if required by the implementing measure as the case may be, the packaging or documentation which accompanies the product which bears the CE conformity marking shall be presumed to conform to the product requirements for that product as specified in the implementing measure for that product.

(2) Unless the contrary is proved, a listed product which has been awarded the Community eco-label pursuant to Regulation (EC) No. 1980/2000⁷ of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme shall be presumed to comply with the ecodesign requirements of the applicable implementing measure insofar as those requirements are met by the eco-label.

(3) Unless the contrary is proved, a listed product for which harmonised standards have been applied, the reference numbers of which have been published in the Official Journal of the European Union, shall be presumed to comply with all of the relevant requirements of the applicable implementing measure to which such standards relate.

(4) Where the Commission, acting in accordance with the procedure referred to in Article 19(2) decides that other eco-labels fulfil equivalent conditions to the Community eco-label pursuant to Regulation (EC) No. 1980/2000, a listed product which has been awarded such an eco-label shall be presumed to comply with the ecodesign requirements of the applicable implementing measure, insofar as those requirements are met by that eco-label.

Misleading and wrongful markings.

8. (1) A person shall not affix or cause to be affixed any marking to a listed product and, if required by the implementing measure as the case may be, the packaging or documentation that accompanies that product which is likely to mislead a user of the product as to the meaning and form of the CE conformity marking.

(2) A person who contravenes paragraph (1) is guilty of an offence.

Documents for inspection.

9. (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 persons mentioned in paragraph (2) shall—

(a) keep relevant documents relating to conformity assessment, and

(b) make those documents available for inspection by an authorised officer.

(2) The persons who shall perform the functions set out in subparagraphs (a) and (b) of paragraph (1), as the case may be are—

(a) the Manufacturer or Authorised representative, or

⁷O.J. No. L237, 21.9.2000, p. 1

(b) where the Manufacturer is not established in the Community, and in the absence of an Authorised representative, the Importer.

(3) Documents referred to in paragraph (1) requested by an authorised officer shall be made available no later than 10 days after receipt of the request.

(4) Documents referred to in paragraph (1) shall be drawn up in one of the official languages of the Community.

(5) A person who contravenes paragraph (1)(a) or (1)(b) is guilty of an offence.

Consumer information requirements.

10. (1) In accordance with the applicable implementing measure, a Manufacturer of a listed product who intends to place a listed product on the market shall ensure, in the form the manufacturer deems appropriate, that a consumer of a listed product is provided with—

(a) appropriate information concerning the sustainable use of the product, and

(b) where required by an applicable implementing measure, the ecological profile of the product and the benefits of eco-design.

(2) Consumers of listed products or other interested parties may submit observations to the Minister in relation to compliance with these Regulations.

(3) Observations mentioned in paragraph (2) shall—

(a) be in writing,

(b) be addressed to the Minister,

(c) identify the party making the observation and state their address,

(d) identify the listed product to which the observation refers.

(4) A person who contravenes paragraph (1) is guilty of an offence.

Ministerial Directions to secure conformity of products.

11. (1) Where the Minister is of the opinion that a listed product bearing the CE marking and used in accordance with its intended use does not comply with the relevant provisions of the applicable implementing measure contrary to these Regulations, then the Minister shall issue a direction to the Manufacturer or its Authorised representative or where the Manufacturer is not established in the Community and in the absence of an Authorised representative the Importer, as the case may be, to bring the listed product into conformity with the relevant provisions of the applicable implementing measure or the CE marking or both of them, as the case may be, in accordance with the direction.

(2) A person aggrieved by a direction issued under paragraph (1) may, no later than 21 days after the date of the direction, make representations to the Minister concerning the direction.

(3) Where a direction has been issued under paragraph (1) and the listed product, after a period of not less than 21 days, continues not to be in conformity with that direction, the Minister, having considered any representations made under paragraph (2), may issue a further direction in relation to the matter pursuant to which the Minister restricts or prohibits the placing on the market of the listed product in question or, where appropriate, directs that it is to be withdrawn from the market.

(4) Where the Minister issues a further direction pursuant to paragraph (3) which has the effect of restricting or prohibiting a listed product from being placed on the market, or withdrawing it from the market as the case may be, the Minister shall inform the Commission and the appropriate authorities in other Member States of the issuing of the direction, indicating the reasons for it, and, in particular, whether non-compliance is due to—

- (a) failure to satisfy the requirements of these Regulations and the applicable implementing measure,
- (b) incorrect application of the harmonised standards as referred to in Article 10(2), or
- (c) shortcomings in the harmonised standards as referred to in Article 10(2).

(5) A direction issued under paragraph (1) or a further direction issued under paragraph (3) shall—

- (a) be in writing,
- (b) state the reasons why it is issued,
- (c) contain any conditions as the Minister considers necessary to ensure compliance with it,
- (d) be served on the Manufacturer or Authorised representative or where the Manufacturer is not established in the Community and in the absence of an Authorised representative the Importer, as the case may be, in accordance with paragraph (6).

(6) A direction or a further direction shall be addressed to the Manufacturer or Authorised representative, or where the Manufacturer is not established in the Community and in the absence of an Authorised representative the Importer, as the case may be, 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, and a facsimile machine is located at an address mentioned at subparagraph (b) or (c), by sending it by means of a facsimile machine, to a device or facility for the reception of facsimiles located at the address at which the addressee ordinarily resides or, in a case where an address for service has been furnished, at that address but only if the sender's facsimile machine generates a message confirming successful transmission of the total number of pages of the notice or notification.

(7) For the purposes of this Regulation, 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.

(8) In addition to the matters mentioned in paragraph (5), a further direction issued under paragraph (3) shall—

- (a) refer to the date upon which the further direction comes into effect and shall, subject to these Regulations, come into effect on that date, and
- (b) notify the recipient of his or her right to appeal the further direction pursuant to Regulation 12.

(9) A person who contravenes a further direction issued under paragraph (3), which has come into effect and—

- (a) has not been appealed,
- (b) has been appealed and an order relating to it has been made pursuant to Regulation 12(3) which has not been appealed, or
- (c) an order relating to it has been made pursuant to Regulation 12(3) which has been appealed pursuant to Regulation 12(4) and an order has been made by the High Court relating to it,

is guilty of an offence.

(10) Where a person contravenes a further direction issued under paragraph (3) which has come into effect and in respect of which subparagraph (a) (b) or (c) of paragraph (9) applies, the Minister may institute proceedings in the High Court for an order for one or both of the following namely:

- (a) an order directing the person to comply with the further direction, or
- (b) a forfeiture order forfeiting the listed product to which the further direction refers.

(11) An application for an order under subparagraph (a) or (b) of paragraph (10) shall be by motion and the High Court, when considering the matter, may make such interim or interlocutory order as it considers appropriate.

(12) Where a forfeiture order is made under paragraph (10)(b)—

- (a) unless otherwise ordered by the High Court, the listed product shall be seized by authorised officers,
- (b) subject to subparagraph (c), any listed product forfeited shall be destroyed in accordance with such directions as the High Court may give,
- (c) on making a forfeiture order the High Court may, if it considers it appropriate to do so, direct that the listed product to which the order relates shall, instead of being destroyed, be released to such person and on such conditions as the Court may specify.

(13) The High Court, in making an order under subparagraph (a) or (b) of paragraph (10), may make such other provision as the Court considers appropriate in relation to matters such as payment of costs, including costs measured by the Court as having been incurred by the Minister in relation to the investigation of and detection of the non-compliance with the further direction, and where appropriate, to be incurred in respect of the forfeiture and disposal of a listed product.

(14) An application for an order under subparagraph (a) or (b) of paragraph (10) may be made whether or not there has been a prosecution for an offence under paragraph (9) in relation to the further direction to which that application refers and shall not prejudice the initiation of a prosecution for an offence under these Regulations in relation to that further direction.

(15) In any proceedings a document purporting to be a direction or a further direction under this Regulation and to be signed by or on behalf of the Minister shall be received in evidence and deemed to be such direction or further direction without further proof, until the contrary is shown.

Appeals against Ministerial directions under Regulation 11(3).

12. (1) A person who is aggrieved by a further direction issued by the Minister under Regulation 11(3) to restrict or prohibit a listed product from being placed on the market or to withdraw the product from the market may, within 21 days after receipt of the further direction, appeal to a judge of the Circuit Court in whose circuit the person carries on business.

(2) Where an appeal is made under paragraph (1) the appellant may make an application to the Court that the further direction shall stand suspended until the appeal is determined or withdrawn.

(3) On the hearing of an appeal under paragraph (1) the Court may either confirm or vary the further direction, or allow the appeal.

(4) A decision of the Circuit Court on an appeal under paragraph (1) shall be final, save that, by leave of the Court, an appeal from the decision shall lie to the High Court on a specified question of law. The determination of that question by the High Court shall be final.

Enforcement.

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

(2) Every 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.

(4) An authorised officer may, for the purposes of obtaining any information which may be required in relation to a matter for the purpose of these Regulations, or the performance of his or her functions conferred by the Minister on such authorised officer by these Regulations—

(a) enter any premises or other places or any vehicle in or on which he or she reasonably believes that a listed product is kept for the purpose of being placed on the market;

(b) inspect the premises or other place or vehicle;

(c) carry out or have carried out such examinations, tests, inspections and checks of any listed product found there as he or she reasonably considers to be necessary for the purposes of his or her functions and, if he or she so thinks fit, remove or have removed from there any such product and retain it for a reasonable period to facilitate such examination, testing, inspection or check;

(d) require any person in or on the premises or other place or vehicle to give to the officer the person's name and address and other information in the person's power or control that the officer may reasonably require and to produce to him or her any records (in whatever

form kept) or books or documents (including labels and fiches) that are in the person's power or control;

(e) inspect and copy or extract information from any data (within the meaning of the Data Protection Act 1988) found by or produced to the officer under this Regulation;

(f) inspect and take copies of, or extracts from, any records (in whatever form kept), books or documents (including labels and fiches) found by or produced to the officer under this Regulation.

(5) If an authorised officer has reason to suspect that the information is inaccurate, he or she may require the person who supplied the information to furnish evidence (including documents referred to in Regulation 9 relating to conformity assessment) concerning its accuracy.

(6) An authorised officer shall not, other than with the consent of the occupier, enter a private dwelling unless he or she has obtained a warrant from the District Court under paragraph (9) authorising such entry.

(7) Where an authorised officer, in the exercise of his or her powers under this Regulation, is prevented from entering any premises, place or vehicle, an application may be made for a warrant under paragraph (9) authorising such entry.

(8) An authorised officer appointed under this Regulation, when exercising any powers conferred on an authorised officer by these Regulations, may be accompanied by such other authorised officers or members of the Garda Síochána or both as he or she considers necessary.

(9) Without prejudice to the powers conferred on an authorised officer by any provision of this Regulation, if a judge of the District Court is satisfied on the sworn information of an authorised officer that there are reasonable grounds for suspecting that there is information required by an authorised officer under this Regulation held on or at any, or any part of any, premises or place or in any vehicle, the judge may issue a warrant authorising an authorised officer, accompanied by such other authorised officers and members of the Garda Síochána as provided for in paragraph (8), at any time or times within one month from the date of issue of the warrant, on production if so requested of the warrant, to enter the premises, place or vehicle, if need be by reasonable force, and exercise all or any of the powers conferred on an authorised officer under this Regulation.

(10) A person shall comply with any request or requirement of an authorised officer under this Regulation.

(11) A person who—

(a) obstructs or impedes an authorised officer in the exercise of a power under this Regulation,

- (b) without reasonable excuse, does not comply with a requirement under this Regulation, or
- (c) in purported compliance with such a requirement gives information that is false or misleading in a material respect, is guilty of an offence.

Penalties and proceedings.

14. (1) A person guilty of an offence under Regulation 10(4) is liable on summary conviction to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both.

(2) A person guilty of an offence under Regulation 3(4), 5(5), 6(3), 8(2), 9(5), 11(9), or 13(11) is liable—

- (a) on summary conviction to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction on indictment, to a fine not exceeding €250,000 or imprisonment for a term not exceeding 3 years or both.

(3) 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.

(4) Where the affairs of a body corporate are managed by its members, paragraph (3) 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.

(5) Summary proceedings for an offence under these Regulations may be brought and prosecuted by the Minister.

Revocations.

15. The provisions of the statutory instruments listed in column (2) of Schedule 3 are revoked to the extent specified in column (3) of the Schedule.

SCHEDULE 1

IMPLEMENTING MEASURES

In these Regulations “Implementing measure” in relation to—

- (a) a boiler or an appliance, means Council Directive 92/42/EEC on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels as amended by Directive 2004/8/EC on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC, to which effect was given by the 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 the European Communities (Efficiency Requirements for New Hot-Water Boilers fired with liquid or gaseous fuels) (Amendment) Regulations 1995 (S.I. No. 72 of 1995);
- (b) a refrigeration appliance, means Council Directive 96/57/EC on energy efficiency requirements for household electric refrigerators, freezers and combinations thereof, to which effect was given by the European Communities (Energy Efficiency Requirements for Household Electric Refrigerators, Freezers and combinations thereof) Regulations 1997 (S.I. No. 482 of 1997);
- (c) a ballast for fluorescent lighting, means Directive 2000/55/EC of the European Parliament and of the Council on energy efficiency requirements for ballasts for fluorescent lighting, to which effect was given by the European Communities (Energy Efficiency Requirements for Ballasts for Fluorescent Lighting) Regulations 2001 (S.I. No. 511 of 2001).

SCHEDULE 2

Regulation 2.

LISTED PRODUCTS

In these Regulations “listed product” means—

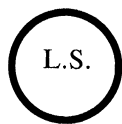
- (a) a boiler or an appliance within the meaning of Council Directive 92/42/EEC on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels as amended by Directive 2004/8/EC⁸ on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC, to which effect was given by the 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 the European Communities (Efficiency Requirements for New Hot-Water Boilers fired with Liquid or Gaseous fuels) (Amendment) Regulations 1995 (S.I. No. 72 of 1995);
- (b) a refrigeration appliance within the meaning of Council Directive 96/57/EC to which effect was given by the European Communities (Energy Efficiency Requirements for Household Electric Refrigerators, Freezers and Combinations thereof) Regulations 1997 (S.I. No. 482 of 1997);
- (c) a ballast for fluorescent lighting within the meaning of Directive 2000/55/EC of the European Parliament and of the Council on energy efficiency requirements for ballasts for fluorescent lighting, to which effect was given by the European Communities (Energy Efficiency Requirements for Ballasts for Fluorescent Lighting) Regulations 2001 (S.I. No. 511 of 2001).

⁸O.J. L52, 21. 2.2004, p. 50

SCHEDULE 3

REVOCATION OF PROVISIONS OF CERTAIN STATUTORY INSTRUMENTS

(1) S.I. Number and Year	(2) Title	(3) Extent of Revocation
S.I. No. 260 of 1994	European Communities (Efficiency Requirements for New Hot-Water Boilers Fired with Liquid or Gaseous Fuels) Regulations 1994 (as amended by the European Communities (Efficiency Requirements for New Hot-Water Boilers Fired with Liquid or Gaseous Fuels) (Amendment) Regulations 1995 (S.I. No. 72 of 1995))	<p>(a) In Regulation 1, delete “, and shall come into operation on 1st day of August, 1994”.</p> <p>(b) In paragraph (1) of Regulation 2, delete the definition of “authorised officer”.</p> <p>(c) Delete Regulation 3(4).</p> <p>(d) In Regulation 4(1), delete “, on or after the 1st day of August, 1994,”.</p> <p>(e) Delete Regulations 12, 15 and 17 to 19.</p>
S.I. No. 482 of 1997	European Communities (Energy Efficiency Requirements for Household Electric Refrigerators, Freezers and combinations thereof) Regulations 1997	<p>(a) Delete Regulation 1(2).</p> <p>(b) In paragraph (1) of Regulation 2, delete the definition of “authorised officer”.</p> <p>(c) Delete Regulations 4(1)(b) and 5 to 9.</p> <p>(d) Delete the Second Schedule</p>
S.I. No. 511 of 2001	European Communities (Energy Efficiency requirements for Ballasts for Fluorescent Lighting) Regulations 2001	<p>(a) Delete Regulation 1(2).</p> <p>(b) In paragraph (1) of Regulation 2, delete the definition of “authorised officer”.</p> <p>(c) Delete Regulations 3(2), 3(3), 4(2), 5 to 7, 11 and 12</p>



GIVEN under my Official Seal,
26 July 2007

MICHEÁL MARTIN,
Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

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

The purpose of these Regulations is to implement Directive 2005/32/EC (hereafter referred to as the Energy-using Products Directive) of the European Parliament and of the Council of 6 July 2005 establishing a framework for the setting of ecodesign requirements for energy-using products and amending Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council.

The Energy-using Products Directive is a Framework Directive which specifies the framework within which detailed measures (referred to as implementing measures) setting ecodesign requirements for specific energy-using products will be brought forward by the Commission. It also provides that three existing Directives, which have been implemented in national law, are to be implementing measures for the purposes of the Energy-using Products Directive:

- Council Directive 92/42/EEC on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels as amended by Directive 2004/8/EC on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC, to which effect was given by the 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 the European Communities (Efficiency Requirements for New Hot-Water Boilers fired with liquid or gaseous fuels) (Amendment) Regulations 1995 (S.I. No. 72 of 1995)
- Council Directive 96/57/EC on energy efficiency requirements for household electric refrigerators, freezers and combinations thereof, to which effect was given by the European Communities (Energy Efficiency Requirements for Household Electric Refrigerators, Freezers and combinations thereof) Regulations 1997 (S.I. No. 482 of 1997).
- Directive 2000/55/EC of the European Parliament and of the Council on energy efficiency requirements for ballasts for fluorescent lighting, to which effect was given by the European Communities (Energy Efficiency Requirements for Ballasts for Fluorescent Lighting) Regulations 2001 (S.I. No. 511 of 2001).

These Regulations revoke those provisions of the existing Regulations which are now included in these Regulations or are spent.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
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