

## SCHEDULE 2

### AMENDMENTS TO COMMISSION REGULATIONS RELATED TO ECODESIGN

#### Commission Regulation (EC) No 643/2009

9.—(1) Commission Regulation (EC) No 643/2009 of 22 July 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for household refrigerating appliances is amended as follows.

(2) In Article 2 (definitions), at the beginning, for the words from “In addition” to “shall apply:”, substitute—

“The definitions set out in the Ecodesign for Energy-Related Products Regulations 2010 apply; and for any term that is not defined in those Regulations, the definitions set out in 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, as it had effect immediately before exit day, apply. The following definitions also apply—”.

(3) In Article 4 (conformity assessment)—

(a) for the first paragraph, substitute—

“1. For the purposes of regulation 4(2)(a) of the Ecodesign for Energy-Related Products Regulations 2010, the procedure for assessing whether an energy-related product complies with this implementing measure is the internal design control system set out in Part 1 of Schedule 1A to the Ecodesign for Energy-Related Products Regulations 2010 or the management system for assessing conformity set out in Part 2 of Schedule 1A to those Regulations.”;

(b) in the second paragraph, for “Article 8 of Directive 2005/32/EC” substitute “regulation 4(2)(a) of the Ecodesign for Energy-Related Products Regulations 2010”.

(4) For Article 5 (verification procedure for market surveillance purposes), substitute—

“When performing market surveillance checks to assess compliance with the requirements set out in Annex 2, the authorities of the United Kingdom must apply the verification procedure described in Annex 5.”.

(5) Omit Article 7 (revision).

(6) At the end of Article 9 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

(7) In Annex 3 (measurements), in the first paragraph, omit the words from “, including” to “Union”.

(8) Annex 5 (product compliance verification by market surveillance authorities) is amended as follows—

(a) in each instance, for “Member State” or “Member States”, substitute “United Kingdom”;

(b) for the second paragraph, substitute—

“When verifying the compliance of a product model with the requirements laid down in this Regulation, for the requirements referred to in this Annex the authorities of the United Kingdom must apply the following procedure—”;

(c) in subparagraph (2)(a)—

(i) for “point 2 of Annex IV to Directive 2009/125/EC (declared values)” substitute “paragraph 1(2) of Part 1 of Schedule 1A to the Ecodesign for Energy-Related Products Regulations 2010”; and

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

- (ii) for “paragraph (g) thereof”, substitute “paragraph 1(2)(b)(vii) of Part 1 of Schedule 1A to those Regulations”;
- (d) subparagraph (7) is omitted; and
- (e) in the fourth paragraph—
  - (i) for “7” substitute “6”; and
  - (ii) for “harmonised” substitute “designated”.