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STATUTORY INSTRUMENTS

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**2010 No. 2617**

**The Ecodesign for Energy-Related Products Regulations 2010**

**PART 1**

Introductory

**[<sup>F1</sup>Designated standards**

**2A.**—(1) Subject to paragraphs (6) and (7), in these Regulations a “designated standard” is a reference to a technical specification which is—

- (a) adopted by a recognised standardisation body [<sup>F2</sup>or an international standardising body], for repeated or continuous application, with which compliance is not compulsory; and
- (b) designated by the Secretary of State by publishing the reference to the standard and maintaining that publication in a manner the Secretary of State considers appropriate.

(2) For the purposes of paragraph (1), a “technical specification” means a document that prescribes technical requirements to be fulfilled by a product, process, service or system and which lays down one or more of the following—

- (a) the characteristics required of a product, including—
  - (i) levels of quality, performance, interoperability, environmental protection, health, safety or dimensions;
  - (ii) the requirements applicable to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures;
- (b) the characteristics required of a service including levels of quality, performance, interoperability, environmental protection, health or safety; and
- (c) production methods and processes relating to the product, where these have an effect on the characteristics of the product.

(3) For the purposes of this regulation a “recognised standardisation body” means any one of the following organisations—

- (a) the European Committee for Standardization (CEN);
- (b) the European Committee for Electrotechnical Standardization (CENELEC);
- (c) the European Telecommunications Standards Institute (ETSI);
- (d) the International Organization for Standardization (ISO);
- (e) the International Electrotechnical Commission (IEC);
- (f) the International Telecommunication Union (ITU);
- (g) the British Standards Institution (BSI).

[<sup>F3</sup>(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement

establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).]

(4) When considering whether the manner of publication of a reference is appropriate in accordance with paragraph (1)(b), the Secretary of State must have regard to whether the publication will draw sufficient attention to the standard to all persons who may have an interest in the standard.

(5) Before publishing the reference to a standard adopted by the British Standards Institution, the Secretary of State must have regard to whether the standard is consistent with [<sup>F4</sup>such] standards adopted by the other recognised standardisation bodies [<sup>F5</sup>or by international standardising bodies as the Secretary of State considers to be relevant.]

(6) The Secretary of State may remove from publication the reference to a standard which has been published in accordance with paragraph (1)(b).

(7) Where the Secretary of State removes the reference to a standard from publication, that standard is no longer a designated standard.

(8) The Secretary of State may by regulations amend paragraph (3) to reflect any changes in the name or structure of a recognised standardisation body.

(9) Regulations made under paragraph (8) are to be made by statutory instrument.

(10) A statutory instrument containing regulations made under paragraph (8) is subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F1** Reg. 2A inserted (31.12.2020) by The Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/539), reg. 1(3), **Sch. 1 para. 3**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 2A(1)(a) inserted (31.12.2020) by European Union (Future Relationship) Act 2020 (c. 29), s. 40(7), **Sch. 4 para. 4(a)**; S.I. 2020/1662, reg. 2(ee)
- F3** Reg. 2A(3A) inserted (31.12.2020) by European Union (Future Relationship) Act 2020 (c. 29), s. 40(7), **Sch. 4 para. 4(b)**; S.I. 2020/1662, reg. 2(ee)
- F4** Word in reg. 2A(5) inserted (31.12.2020) by European Union (Future Relationship) Act 2020 (c. 29), s. 40(7), **Sch. 4 para. 4(c)(i)**; S.I. 2020/1662, reg. 2(ee)
- F5** Words in reg. 2A(5) inserted (31.12.2020) by European Union (Future Relationship) Act 2020 (c. 29), s. 40(7), **Sch. 4 para. 4(c)(ii)**; S.I. 2020/1662, reg. 2(ee)

**Changes to legislation:**

There are currently no known outstanding effects for the The Ecodesign for Energy-Related Products Regulations 2010, Section 2A.