
STATUTORY INSTRUMENTS

2021 No. 1095

The Ecodesign for Energy-Related Products and Energy Information (Lighting Products) Regulations 2021

PART 2

ECODESIGN AND ENERGY LABELLING FOR LIGHT SOURCES AND SEPARATE CONTROL GEARS

CHAPTER 2

ECODESIGN FOR LIGHT SOURCES AND SEPARATE CONTROL GEARS

Application

3.—(1) Subject to paragraph (2) and regulation 5, this Chapter applies to—

- (a) light sources; and
- (b) separate control gears,

placed on the market or put into service on or after 1st October 2021, including light sources and separate control gears placed on the market or put into service in a containing product.

(2) The requirements of this Chapter do not need to be met in relation to a light source or separate control gear which—

- (a) is placed on the market or put into service before 1st November 2021; and
- (b) complies with (insofar as relevant)—
 - (i) [Commission Regulation \(EC\) No 244/2009](#);
 - (ii) [Commission Regulation \(EC\) No 245/2009](#); or
 - (iii) [Commission Regulation \(EC\) No 1194/2012](#).

Ecodesign requirements

4.—(1) A light source or separate control gear must conform to the ecodesign requirements set out in Schedule 3 when it is placed on the market or put into service.

(2) Manufacturers, authorised representatives and importers of light sources or separate control gears must comply with paragraphs 4 to 8 and 10 of Schedule 3 (information requirements).

Exemptions

5. Schedule 4 specifies exemptions from the requirements of this Chapter.

Removal of light sources and separate control gears

6.—(1) Manufacturers, authorised representatives and importers of containing products must ensure that light sources and separate control gears can be replaced with the use of commonly available tools and without permanent damage to the containing product.

(2) Paragraph (1) does not apply where a technical justification related to the functionality of the containing product is provided in the technical documentation⁽¹⁾ explaining why the replacement of light sources and separate control gear is not appropriate.

(3) Manufacturers, authorised representatives and importers of containing products must ensure that light sources and separate control gears can be removed without being permanently damaged for verification purposes by the market surveillance authority, and the technical documentation must provide instructions on removal for this purpose.

(4) Manufacturers, authorised representatives and importers of containing products must provide information about the replaceability or non-replaceability of light sources and control gears by—

- (a) end-users; or
- (b) professional repairers,

without permanent damage to the containing product.

(5) The information referred to in paragraph (4) must be—

- (a) available on a website which is accessible to the public without charge; and
- (b) for products sold directly to end-users—
 - (i) on the packaging, at least in the form of a pictogram; and
 - (ii) in the user instructions.

(6) Manufacturers, authorised representatives and importers of containing products must ensure that—

- (a) light sources and separate control gears can be dismantled from containing products at end of life; and
- (b) dismantling instructions are available on a website which is accessible to the public without charge.

(7) For purposes of paragraph (4), “professional repairer” means a person who provides services of repair and professional maintenance of light sources and separate control gears.

Conformity assessment

7.—(1) For the purposes of the assessment procedure referred to in Schedule 1A to the 2010 Regulations⁽²⁾, a manufacturer assessing whether a product model conforms with these Regulations must use either—

- (a) the internal design control procedure set out in Part 1 of that Schedule; or
- (b) the management system procedure set out in Part 2 of that Schedule.

(2) The technical documentation required for the conformity assessment of a product model must contain—

- (a) the details and results of the measurements and calculations made in accordance with paragraphs 1 to 3 of Schedule 3, and Schedule 5;
- (b) the information specified in paragraph 9 of Schedule 3; and

(1) See paragraph 1(2) of Schedule 1A to the 2010 Regulations for the meaning of “technical documentation”. Schedule 1A was inserted by [S.I. 2019/539](#).

(2) Schedule 1A was inserted by [S.I. 2019/539](#).

- (c) the details and results of any measurements or calculations carried out in accordance with regulation 9.

Verification procedure for market surveillance purposes

8. The market surveillance authority⁽³⁾ must use the verification procedure set out in Schedules 2 and 5 when verifying the conformity of a product model with the requirements of these Regulations.

Measurements and calculations

9.—(1) The measurements and calculations required by this Chapter, or necessary for demonstrating or measuring conformity with this Chapter, must be made in accordance with designated standards⁽⁴⁾, where available.

(2) Where designated standards are not available, the measurements and calculations referred to in paragraph (1) must be made in accordance with methods which—

- (a) can be demonstrated to be reliable, accurate, and reproducible by the person deploying them; and
- (b) take into account the generally recognised state of the art.

Circumvention and software updates

10.—(1) The manufacturer, authorised representative and importer must not place on the market products designed to be able to detect they are being tested (for example by recognising the test conditions or test cycle) and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters in the technical documentation or included in any documentation provided.

(2) The energy consumption of the product and any of the other declared parameters must not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with the explicit consent of the end-user prior to the update.

(3) The performance of a product must not change as a result of rejecting a software update.

(4) A software update must not have the effect of changing the product's performance in a way that makes it non-compliant with the ecodesign requirements applicable for the declaration of conformity.

(3) The meanings of “market surveillance” and “market surveillance authority” are set out in Article 2(17) and (18) respectively of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products (RAMS) (EUR 2008/765, as amended by S.I. 2019/696). Definitions in RAMS are applied to the 2010 Regulations by regulation 2(2) of those Regulations (as amended by S.I. 2019/539).

(4) See regulation 2A of the 2010 Regulations, as amended by paragraph 4 of Schedule 4 to the European Union (Future Relationship) Act 2020 (c. 29), for the meaning of “designated standard”.