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STATUTORY INSTRUMENTS

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**2021 No. 745**

The Ecodesign for Energy-Related Products  
and Energy Information Regulations 2021

PART 2

Ecodesign for Energy-Related Products

CHAPTER 1

WELDING EQUIPMENT

**Circumvention and software updates**

8.—(1) The manufacturer, authorised representative or 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<sup>(1)</sup> 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 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.

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(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](#).