

S.I. No. 578/2002: European Communities (Energy Labelling of Household Air-Conditioners) Regulations 2002

2002 578 S.I. No. 578 of 2002 European Communities (Energy Labelling of Household Air-Conditioners) Regulations 2002
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European Communities (Energy Labelling of Household Air-Conditioners) Regulations 2002

I, Dermot Ahern, Minister Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purposes of giving effect to Commission Directive 2002/31/EC of 22 March 2002¹ and Council Directive 92/75/EEC of 22 September 1992², in so far as it applies to household air-conditioners, hereby make the following regulations:

² OJ No. L297, 13.10.1992, p.16.

¹ OJ No. L086, 3.4.2002, p.26.

Citation

- (1) These Regulations may be cited as the European Communities (Energy Labelling of Household Air-Conditioner) Regulations 2002.
- (2) These Regulations come into operation on 1 January 2003.

Interpretation

- (1) In these Regulations -

"appliance" means an electric, mains-operated, household air-conditioner;

"authorised officer" means a person appointed as an authorised officer under Regulation 7(1);

"Commission Directive" means Commission Directive 2002/31/EC of 22 March 2002¹;

¹ OJ No. L086, 3.4.2002, p.26.

"Community" means the European Communities;

"Council Directive" means Council Directive 92/75/EEC of 22 September 1992²;

"dealer" means a retailer or other person who sells, hires, offers for hire-purchase or displays appliances to end-users;

"Directives" means the Commission Directive and the Council Directive;

"fiche" means a product fiche which complies with Schedule 2;

"harmonised standards" means the harmonised standards referred to in Article 2(1) of the Commission Directive;

"label" means a label in the form set out in paragraph 1 of Schedule 1 and which complies with Schedule 1 but does not include a rating plate or its equivalent affixed for safety purposes to an appliance;

"Minister" means Minister for Communications, Marine and Natural Resources;

"supplier" means the manufacturer of an appliance or his or her authorised representative in the Community or the person who places an appliance on the Community market.

- (2) A word or expression that is used in the Council Directive or the Commission Directive and is also used in these Regulations has, unless the contrary intention appears, in these Regulations the meaning that it has in the Council Directive or the Commission Directive, as the case may be.
- (3) In these Regulations -
 - (a) a reference to a Regulation or Schedule is to a Regulation of, or Schedule to, these Regulations, unless it is indicated that reference to some other Regulations is intended, and
 - (b) a reference to a paragraph or subparagraph is a reference to a paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

Application

3. (1) These Regulations apply to new air-conditioner appliances as defined in the European standards EN 255-1, EN 814-1 or the harmonised standards.
- (2) These Regulations do not apply to -
 - (a) appliances that can also use other energy sources,
 - (b) air-to-water and water-to-water appliances,
 - (c) units with an output (cooling power) greater than 12kW, or

(d) appliances in respect of a model of which production has ceased before 1 January 2003.

(3) These Regulations do not apply, until 30 June 2003, to -

(a) the placing on the market, the commercialisation or the display of appliances, and

(b) the distribution of communications referred to in Regulation

5(2), which do not conform to these Regulations.

Duties of suppliers

4. (1) A supplier shall not place an appliance on the market, unless the supplier -

(a) either -

(i) provides a fiche in a product brochure with the appliance, or

(ii) supplies a fiche with other literature provided with the appliance,

(b) supplies a label with the appliance,

(c) ensures that the label is placed on the outside of the front or top of the appliance in such a way as to be clearly visible and not obscured, and

(d) has established technical documentation in the English language version in relation to the appliance sufficient to enable the accuracy of the information contained in the label and the fiche to be assessed.

(2) The technical documentation referred to in paragraph (1) shall include -

(a) the name and address of the supplier,

(b) a general description of the model, sufficient for it to be uniquely and easily identified,

(c) information, including any relevant drawings, on the main design features of the model and, in particular, items that appreciably affect its energy consumption,

(d) reports of any relevant measurement tests carried out on the model under the test procedures of the harmonised standards, and

- (e) instructions, if any, for operating the appliance.
- (3) Where information under paragraph (2)(c) relating to a particular model combination of appliance has been obtained by calculation on the basis of design or extrapolation from other combinations, the technical documentation referred to in paragraph (1) shall include details of -
- (a) such calculations or extrapolations, and
 - (b) tests undertaken to verify the accuracy of the calculations undertaken (including details of the mathematical model for calculating performance of split systems and of measurements taken to verify this model).
- (4) A supplier shall make the documentation specified in paragraph (2) available to authorised officers for the purpose of their functions for a period of 5 years after the last appliance concerned was manufactured.
- (5) A supplier may, for the purpose of establishing the documentation aforesaid, use documentation already required on the basis of relevant Community legislation.
- (6) A supplier shall be deemed to have given his or her consent to the publication of the information given on a label or fiche supplied by him or her.
- (7) A supplier shall ensure that -
- (a) the information on a label or fiche supplied by him or her is accurate, and
 - (b) when the supply by him or her of labels is requested by a dealer for the purpose of the display of appliances, the labels are delivered promptly to the dealer.
- (8) A supplier shall supply free of charge to a dealer the necessary labels for the purpose of the display of appliances.
- (9) A supplier may choose his or her own system for the delivery of labels to dealers.
- (10) The energy efficiency class of an appliance shall be determined by the supplier of the appliance in accordance with Schedule 4.
- (11) A supplier who fails to comply with this Regulation is guilty of an offence.

Duties of dealers

5. (1) A dealer shall not offer an appliance for sale, hire or hire-purchase or display it to end users unless -
 - (a) a label, in the English language version, has been placed on the outside of the front or top of the appliance in such a way as to be clearly visible and not obscured, or
 - (b) a fiche, in the English language version, is supplied with the appliance and is available for inspection by end-users before a sale or an agreement for hire or hire-purchase is concluded.
- (2) Where a dealer offers an appliance for sale, hire or hire-purchase by means of a printed or written communication or by other means which imply that the potential customer cannot be expected to see the appliance displayed, such as a written offer, a mail order catalogue, advertisements on the Internet or on other electronic media, the dealer shall ensure that the communication includes all the information specified in Schedule 3 and is in the English language version.
- (3) A dealer who fails to comply with this Regulation is guilty of an offence.
- (4) A label or fiche is deemed to comply with these Regulations and the Directives unless the contrary is shown.

Compliance

6. (1) Subject to paragraph (2), a person who —
 - (a) displays labels, marks, symbols or inscriptions relating to energy consumption which do not comply with the requirements of these Regulations, and
 - (b) if the display is likely to mislead or confuse a potential customer, is guilty of an offence.
- (2) Paragraph (1) does not apply to displays for the purpose of Community or national environmental labelling schemes.

Authorised officers

7. (1) The Minister may appoint such and so many persons as he or she may determine to be authorised officers for the purposes of these Regulations.

- (2) An authorised officer may, at all reasonable times, on production, if so requested by any person affected, of his or her warrant of appointment -
- (a) at all reasonable times, enter any premises or other place or any vehicle if he or she reasonably believes that an appliance is kept therein or thereon for the purpose of being placed on the market,
 - (b) inspect the premises or other place or the vehicle,
 - (c) carry out or have carried out such examinations, tests, inspections and checks of any appliances found there as he or she reasonably considers to be necessary for the purposes of his functions and, if he or she so thinks fit, remove or have removed from there any appliance and retain the appliance for a reasonable period to facilitate such testing,
 - (d) require any person on or at the premises or other place or the vehicle to give to the officer any 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.
- (3) If an authorised officer has reason to suspect that the information on a label or fiche is inaccurate, he or she may require the supplier concerned to furnish evidence (including technical documentation referred to in Regulation 4(1)) concerning its accuracy.
- (4) A person who -
- (a) obstructs or impedes an authorised officer in the exercise of his or her powers under this Regulation,
 - (b) without reasonable excuse, does not comply with a requirement of an authorised officer under this Regulation, or
 - (c) who, in purported compliance with such a requirement, gives information to an authorised officer that he or she knows to be false or misleading in a material respect, is guilty of an offence.

Offences and penalties

8. (1) A person guilty of an offence under these Regulations is liable on summary conviction to a fine not exceeding €3,000.
- (2) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of, or to be attributable to any neglect on the part of, any person, being a director, manager, secretary or other officer, of such a body, 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 is liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.
- (3) Proceedings for an offence under these Regulations may be brought by the Minister.

Schedule 1 Label

Regulation 2(1)

Label design

1. The label shall be in the English language version chosen from the following illustrations:

5 mm

73 mm

33 mm

5 mm

41 mm

Energy

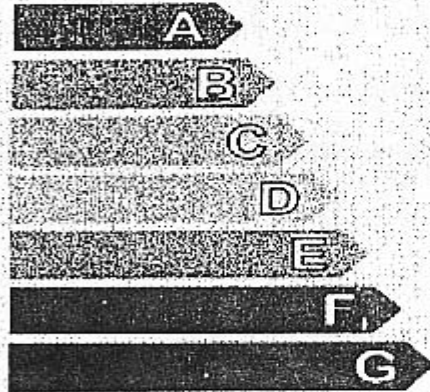
Air-conditioner

Manufacturer
Outside unit
Inside unit

Logo

ABC 123
ABC 123

More efficient



Less efficient

90 mm

Annual energy consumption,
kWh in cooling mode

(Actual consumption will depend on how the appliance is used and climate)

X.Y

Cooling output kW

X.Y

Energy efficiency ratio
Full load (the higher the better)

X.Y

41 mm

Type Cooling only —

Cooling + Heating — ←

Air cooled — ←

Water cooled —

15 mm

15 mm

Heat output kW

X.Y

Heating performance

A: higher G: lower

A B C D E F G

23 mm

Noise

(dB(A) re 1 pW)

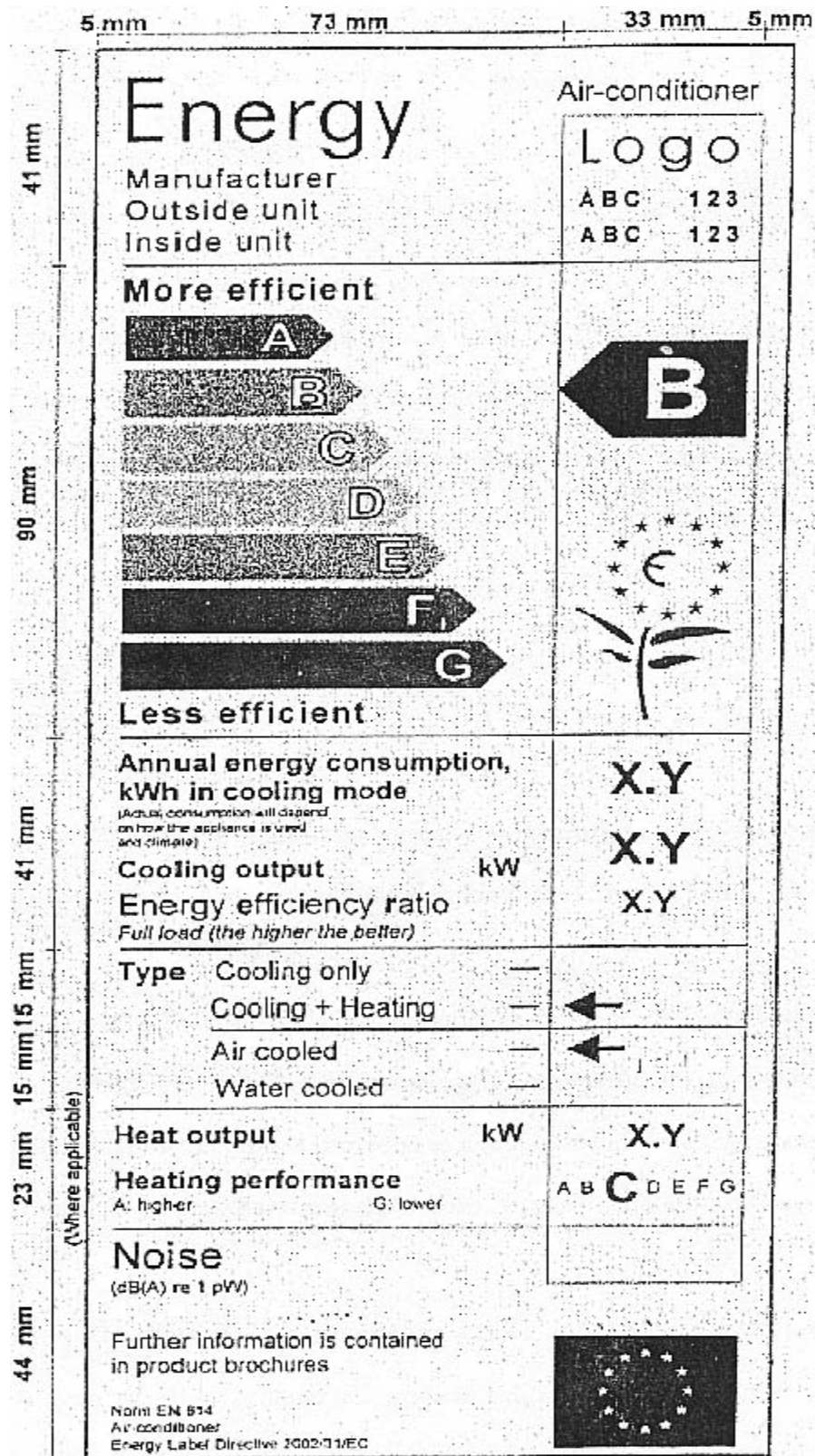
44 mm

Further information is contained
in product brochures



Norm EN 614
A.C. conditioner
Energy Label Directive 2002/11/EC

(Where applicable)



Note

2. The following notes define the information to be included on the label:

- (a) Supplier's name or trade mark.

- (b) Supplier's model identifier. For "split and multi-split units", the model identifier of the indoor and of the outdoor elements of the combination to which the figures quoted below apply.
- (c) The energy efficiency class of the model shall be determined in accordance with Schedule 4. This letter shall be placed at the same level as the relevant arrow.
The height of the arrow containing the indicator letter shall not be less than — and not more than twice — the height of the classes' arrows.
- (d) Without prejudice to any requirements under the Community Eco-label scheme, where an appliance has been granted a 'Community Eco-label' pursuant to Council Regulation No. 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme², a copy of the eco-label may be added here.

2 OJ L 237, 21.9.2000, p. 1

- (e) The indicative annual energy consumption calculated with the total input power as defined in the harmonised standards referred to in Article 2 of the Commission Directive multiplied by an average of 500 hours per year in cooling mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 "moderate") of the Commission Directive.
- (f) The cooling output defined as the cooling capacity in kW of the appliance in cooling mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 "moderate") of the Commission Directive.
- (g) The EER (energy efficiency ratio) of the appliance in cooling mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 "moderate") of the Commission Directive.
- (h) The type of appliance: cooling only, cooling/heating. This indicator arrow shall be placed at the same level as the relevant type.
- (i) The cooling mode: air cooled, water cooled. This indicator shall be placed at the same level as the relevant type.
- (j) Only for appliances with heating capability (label 2) the heat output defined as the heating capacity in kW of the appliance in heating mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 + 7C) of the Commission Directive.

- (k) Only for appliances with heating capability (label 2) the heating mode energy efficiency class in accordance with Schedule 4, expressed on a scale of A (higher) to G (lower), determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 + 7C) of the Commission Directive. If the appliance heating capability is provided by a resistive element then the COP (coefficient of performance) shall have the value of 1.
- (l) Where applicable, noise during standard function, determined in accordance with Directive 86/594/EEC.

Printing

3. The following defines certain aspects of the label:

Colours used:

CMYK - cyan, magenta, yellow, black.

For example: 07X0: 0% cyan, 70% magenta, 100% yellow, 0% black.

Arrows:

- A: X0X0

- B: 70X0

- C: 30X0

- D: 00X0

- E: 03X0

- F: 07X0

- G: 0XX0

Outline colour: X070

All text is in black. The background is white.

5 mm 73 mm 33 mm 5 mm

41 mm
90 mm
41 mm
15 mm
15 mm
23 mm
44 mm

(Where applicable)

Energy

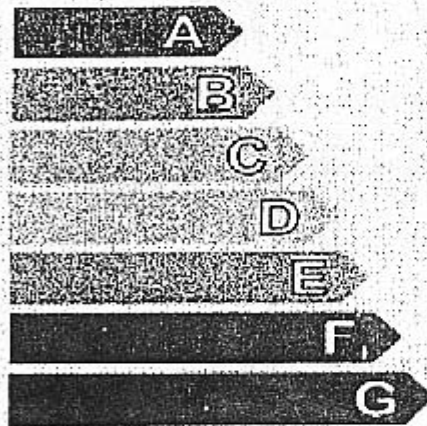
Air-conditioner

Manufacturer
Outside unit
Inside unit

Logo

ABC 123
ABC 123

More efficient



Less efficient

Annual energy consumption,
kWh in cooling mode

(Actual consumption will depend
on how the appliance is used
and climate)

X.Y

Cooling output kW

X.Y

Energy efficiency ratio

X.Y

Full load (the higher the better)

Type Cooling only —

Cooling + Heating —

Air cooled —

Water cooled —



Heat output kW

X.Y

Heating performance

A: higher G: lower

A B C D E F G

Noise

(dB(A) re 1 pW)

Further information is contained
in product brochures



Norm EN 614
Air-conditioner
Energy Label Directive 2002/91/EC

Schedule 2 Fiche

Regulation 2(1)

The fiche shall contain the following information. The information may be given in the form of a table covering a number of models supplied by the same supplier, in which case it shall be given in the order specified below unless it is contained in a more general description of the model:

1. Supplier's trade mark.
2. Supplier's model identifier. For "split and multi-split units", the model identifier of the indoor and of the outdoor elements of the combination to which the figures quoted below apply.
3. The energy efficiency class of the model as defined in Schedule 4. Expressed as 'Energy efficiency class ... on a scale of A (more efficient) to G (less efficient)'. Where this information is provided in a table, this may be expressed by other means provided it is clear that the scale is from A (more efficient) to G (less efficient).
4. Where the information is provided in a table, and where some of the models listed in the table have been granted a 'European Union eco-label' pursuant to Regulation (EC) No 1980/2000, this information may be included here. In this case the row heading shall state 'European Union eco-label', and the entry shall consist of a copy of the eco-label mark. This provision is without prejudice to any requirements under the Community Eco-label award scheme.
5. The indicative annual consumption of energy based on an average use of 500 h per year, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 "moderate") of the Commission Directive, as defined in Schedule 1, note VI of these Regulations.
6. The cooling output defined as the cooling capacity in kW of the appliance in cooling mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 "moderate") of the Commission Directive, as defined in Schedule 1, note VI of these Regulations.
7. The EER (energy efficiency ratio) of the appliance in cooling mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 "moderate") of the Commission Directive.
8. The type of appliance: cooling only, cooling/heating.
9. The cooling mode: air cooled, water cooled.

10. Only for appliances with heating capability the heating output defined as heating capacity in kW of the appliance in heating mode at full load, determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 + 7C) of the Commission Directive, as defined in Schedule 1, note X of these Regulations.
11. Only for appliances with heating capability the heating mode energy efficiency class in accordance with Schedule 4, expressed on a scale of A (higher) to G (lower), determined in accordance with the test procedures of the harmonised standards referred to in Article 2 (conditions T1 + 7C) of the Commission Directive, as defined in Schedule 1, note XI of these Regulations. If the appliance heating capability is provided by a resistive element then the COP (coefficient of performance) shall have the value of 1.
12. Where applicable, noise during standard function, determined in accordance with Council Directive 86/594/EEC.
13. Suppliers may include in addition the information in points 5 to 8 in respect of other test conditions determined in accordance with the test procedures of the harmonised standards referred to in Article 2 of the Commission Directive.

If a copy of the label, either in colour or black and white is included in the fiche, then only the further information needs to be added.

Schedule 3

Regulation 5(6)

Mail order catalogues, communications, written offers, advertisements on the Internet or on other electronic media referred to in Regulation 5(6) shall contain the information given in the order specified in Schedule 2.

Schedule 4 Energy Efficiency Class

Regulation 5(10)

1. The energy efficiency of an appliance is then determined in accordance with the following Tables, where the EER ("energy efficiency ration") is determined in accordance with the test procedures of the harmonised standards at conditions T1 "moderate":

Table 1 — Air-cooled air-conditioners

Table 1.1

Energy efficiency class	Split and multi-split appliances
-------------------------	----------------------------------

A	$3.20 < \text{EER}$
B	$3.20 \geq \text{EER} > 3.00$
C	$3.00 \geq \text{EER} > 2.80$
D	$2.80 \geq \text{EER} > 2.60$
E	$2.60 \geq \text{EER} > 2.40$
F	$2.40 \geq \text{EER} > 2.20$
G	$2.20 \geq \text{EER}$

Table 1.2

Energy efficiency class	Packaged ¹
A	$3.00 < \text{EER}$
B	$3.00 \geq \text{EER} > 2.80$
C	$2.80 \geq \text{EER} > 2.60$
D	$2.60 \geq \text{EER} > 2.40$
E	$2.40 \geq \text{EER} > 2.20$
F	$2.20 \geq \text{EER} > 2.00$
G	$2.00 \geq \text{EER}$

¹ Packaged 'double ducts' units (known commercially as 'double ducts') defined as 'Air conditioner completely positioned inside the conditioned space, with the condenser air intake and air discharge connected to the outside by means of two ducts', will be classified according to Table 1.2 with a correction factor of - 0.4

Table 1.3

Energy efficiency class	Single-duct
A	$2.60 < \text{EER}$
B	$2.60 \geq \text{EER} > 2.40$
C	$2.40 \geq \text{EER} > 2.20$
D	$2.20 \geq \text{EER} > 2.00$
E	$2.00 \geq \text{EER} > 1.80$
F	$1.80 \geq \text{EER} > 1.60$
G	$1.60 \geq \text{EER}$

Table 2 — Water-cooled air-conditioners

Table 2.1

Energy efficiency class	Split and multi-split appliances
A	$3.60 < \text{EER}$
B	$3.60 \geq \text{EER} > 3.30$
C	$3.30 \geq \text{EER} > 3.10$
D	$3.10 \geq \text{EER} > 2.80$
E	$2.80 \geq \text{EER} > 2.50$
F	$2.50 \geq \text{EER} > 2.20$

G 2.20 \geq EER

Table 2.2

Energy efficiency class	Packaged
A	4.40 < EER
B	4.40 \geq EER > 4.10
C	4.10 \geq EER > 3.80
D	3.80 \geq EER > 3.50
E	3.50 \geq EER > 3.20
F	3.20 \geq EER > 2.90
G	2.90 \geq EER

2. The heating mode energy efficiency class is then determined in accordance with the following Tables, where COP ("coefficient of performance") is determined with the test procedures of the harmonised standards at conditions T1 + 7C.

Table 3 — Air-cooled air-conditioners — heating mode

Table 3.1

Energy efficiency class	Split and multi-split appliances
A	3.60 < COP
B	3.60 \geq COP > 3.40
C	3.40 \geq COP > 3.20

D	$3.20 \geq \text{COP} > 2.80$
E	$2.80 \geq \text{COP} > 2.60$
F	$2.60 \geq \text{COP} > 2.40$
G	$2.40 \geq \text{COP}$

Table 3.2

Energy efficiency class	Packaged ¹
A	$3.40 < \text{COP}$
B	$3.40 \geq \text{COP} > 3.20$
C	$3.20 \geq \text{COP} > 3.00$
D	$3.00 \geq \text{COP} > 2.60$
E	$2.60 \geq \text{COP} > 2.40$
F	$2.40 \geq \text{COP} > 2.20$
G	$2.20 \geq \text{COP}$

¹ Packaged 'double ducts' units (known commercially as 'double ducts') defined as 'Air Conditioner completely positioned inside the conditioned space, with the condenser air intake and air discharge connected to the outside by means of two ducts', will be classified according to Table 3.2 with a correction factor of - 0.4.

Table 3.3

Energy efficiency class	Single-duct
A	$3.00 < \text{COP}$
B	$3.00 \geq \text{COP} > 2.80$

B	$3.00 \geq \text{COP} > 2.80$
C	$2.80 \geq \text{COP} > 2.60$
D	$2.60 \geq \text{COP} > 2.40$
E	$2.40 \geq \text{COP} > 2.10$
F	$2.10 \geq \text{COP} > 1.80$
G	$1.80 \geq \text{COP}$

Table 4 — Water-cooled air-conditioners — heating mode

Table 4.1

Energy efficiency class	Split and multi-split appliances
A	$4.00 < \text{COP}$
B	$4.00 \geq \text{COP} > 3.70$
C	$3.70 \geq \text{COP} > 3.40$
D	$3.40 \geq \text{COP} > 3.10$
E	$3.10 \geq \text{COP} > 2.80$
F	$2.80 \geq \text{COP} > 2.50$
G	$2.50 \geq \text{COP}$

Table 4.2

Energy efficiency class	Packaged
A	$4.70 < \text{COP}$
B	$4.70 \geq \text{COP} > 4.40$
C	$4.40 \geq \text{COP} > 4.10$
D	$4.10 \geq \text{COP} > 3.80$
E	$3.80 \geq \text{COP} > 3.50$
F	$3.50 \geq \text{COP} > 3.20$
G	$3.20 \geq \text{COP}$

GIVEN under my Official Seal,

11 December 2002.

Dermot Ahern,

Minister for Communications,

Marine and Natural Resources

EXPLANATORY NOTE

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

The purpose of the Regulations is to give legal effect to Commission Directive 2002/31/EC of 22 March 2002 and Council Directive 92/75/EEC of 22 September 1992 in so far as they relate to household air-conditioners.

These Regulations apply to household air-conditioners. Household air-conditioners that may also use other energy sources, air-to-water and water-to-water appliances, second-hand household air-conditioners and household air-conditioners of which production has ceased before 1 January 2003, are excluded.

The Regulations prohibit the placing on the market, for sale, hire or reward, of air-conditioners unless accompanied by information relating to the consumption of electrical energy in addition to certain supplementary information. This information is to be conveyed to the consumer by means of a specified label and an associated fiche (product information notice). The Regulations place the onus for the accuracy of the labels and fiches on the manufacturers, who will also be required to establish technical documentation sufficient to enable the accuracy of the information contained in the labels and fiches to be assessed.

Provision is made for the appointment and powers of authorised officers and penalties for offences under the Regulations, in addition to a transitional period to facilitate those who have been unable or have not had a reasonable opportunity to comply with the Regulations.

These Regulations may be purchased from the Government Publications Sales Office, Molesworth Street, Dublin 2.

Source: Irish Statute Book Database

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