

DECISION OF THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY

D/2014/02/MC-EnC adapting certain Delegated Regulations on energy related products

The Ministerial Council of the Energy Community,

Having regard to Article 3(2)(f) of Decision 2009/05/MC-EnC, as amended by Article 2 of Decision 2010/02/MC-EnC,

Whereas the Ministerial Council on 18 December 2009 adopted Decision 2009/05/MC-EnC incorporating, *inter alia*, Directive 92/75/EEC on the indication by labeling and standard product information of the consumption of energy and other resources by household appliances ("Directive 92/75/EEC"), as well as eight Implementing Directives, into the Energy Community *acquis*,

Whereas Decision 2009/05/MC-EnC was amended by Decision 2010/02/MC-EnC of the Ministerial Council on 24 September 2010, incorporating, *inter alia*, Directive 2010/30/EU of the European Parliament and of the Council on the indication by labeling and standard product information of the consumption of energy and other resources by energy-related products, recasting and repealing Directive 92/75/EEC,

Whereas Article 3(2)(f) of Decision 2009/05/MC-EnC, as amended, adapted Article 13 of Directive 2010/30/EU as follows: "*The Ministerial Council may object to the application of a delegated act to the Contracting Parties of the Energy Community at the meeting following notification. If, at that meeting, the Ministerial Council has not objected to the delegated act, it shall become binding on the Contracting Parties, subject to possible adaptation. If the Ministerial Council objects to a delegated act, it shall not be applicable in the Energy Community. The Ministerial Council shall state the reasons for objecting to the delegated act*",

Whereas the Permanent High Level Group, at its meetings on 18 June 2014 and on 22 September 2014 discussed and proposed to adopt the present Decision,

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

The Ministerial Council does not object, within the meaning of Article 13 of Directive 2010/30/EU, as incorporated into the Energy Community *acquis* and adapted under Decision 2010/02/MC-EnC to adopt Commission Delegated Regulation (EU) No 65/2014 of 1 October 2013 supplementing Directive 2010/30/EU with regard to energy labelling of domestic ovens and range hoods ("Delegated Regulation 65/2014") repealing Directive 2002/40/EC; Commission Delegated Regulation (EU) No 874/2012 of 12 July 2012 supplementing Directive 2010/30/EU with regard to energy labelling of electrical lamps and luminaries ("Delegated Regulation 874/2012") repealing Directive 2002/40/EC, Commission Delegated Regulation (EU) No 392/2012 of 1 March 2012 supplementing Directive 2010/30/EU with regard to energy labelling of household tumble driers ("Delegated Regulation 392/2012") repealing Directive 95/13/EC; Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU with

regard to energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device ("Delegated Regulation 811/2013"); Delegated Regulation (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU with regard to energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device ("Delegated Regulation 812/2013") and Delegated Regulation (EU) No 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU with regard to energy labelling of vacuum cleaners ("Delegated Regulation 665/2013").

Article 2

1. For the purpose of implementing the Delegated Regulations referred to in Article 1 within the institutional framework of the Treaty,

a. the term "Member States" shall read "Contracting Parties" throughout all Delegated Regulations referred to in Article 1;

b. Articles 7, 8 and 10(1) of Delegated Regulation 65/2014, Articles 7, 8 and 10(1) of Delegated Regulation 874/2012, Articles 7, 8 and 10(1) of Delegated Regulation 392/2012, Articles 7, 8 of Delegated Regulation 811/2013, Articles 7 and 8 of Delegated Regulation 812/2013, and Articles 7 and 9 of Delegated Regulation 665/2013 shall not apply.

2. For the purpose of implementing the Delegated Regulations referred to in Article 1 by the Contracting Parties to the Treaty,

a. The following deadlines stipulated in Delegated Regulation 65/2014 shall be replaced as follows:

i. in Article 3(3)(a): "1 January 2016",

ii. Article 3(3)(b)(i) shall not apply,

iii. in Article 9(1): "1 January 2016",

iv. in Article 9(2): "from 1 January 2016 to 1 April 2016",

v. in Article 9(3): "from 1 January 2016 to 1 April 2016",

vi. in Article 10(2): "1 January 2016", and in the case of Article 3(1)(a)(iv), and (v),

Article 3(1)(b)(iv) and (v), Article 4(1)(b), (c) and (d), and Article 4(2)(b),(c) and (d), "1 April 2016".

b. The deadlines stipulated in Delegated Regulation 874/2012 shall be replaced as follows:

i. in Article 9(1) and (2): "1 July 2016",

ii. in Article 9(3) and (4): "1 January 2016",

iii. in Article 10(2): "1 January 2016".

c. The deadlines stipulated in Delegated Regulation 392/2012 shall be replaced as follows:

i. in Article 9(1): "30 April 2016",

ii. in Article 9(2) and (3): "1 January 2016",

iii. in Article 10(2): "1 January 2016", and in the case of Article 3(d) and (e) and Article 4(b),(c) and (d), "30 April 2016".

d. The deadlines stipulated in Delegated Regulation 811/2013 shall be replaced as follows:

i. in Article 3 (1), first sentence: "1 January 2018",

ii. in Article 3 (2), first sentence: "1 January 2018",

iii. in Article 3(3), (4), (5) and (6): "1 January 2018".

e. Article 8 referring to "Application": "This Regulation shall apply from 1 January 2016".

f. The deadlines stipulated in Delegated Regulation 812/2013 shall be replaced as follows:

i. in Article 3 (1): in part one, "1 January 2018", and in part two, "1 January 2018", the first sentence of Article 3(1)(a) shall not apply

ii. in Article 3 (2): in part one "1 January 2018", and in part two "1 January 2018", the first sentence of Article 3(2)(a) shall not apply

iii. in Article 3(3) and 3(4): "1 January 2018".

Article 8 referring to the "Application": "This Regulation shall apply from 1 January 2016".

g. The following deadlines stipulated in Delegated Regulation 665/2013 shall be replaced as follows:

i. in Article 3(1) and 3(2)(a): "1 January 2016",

iii. in Article 4: "1 January 2016",

h. Article 9: "This Regulation shall apply from 1 January 2016, except for the case specified in Article 8".

3. The Secretariat shall monitor and review the implementation of the Delegated Regulations referred to in Article 1 in the Contracting Parties. Contracting Parties shall communicate to the Energy Community Secretariat the text of the main provisions of national law which they adopt in the field covered by these Delegated Regulations, in the next year of the deadline for the overall implementation.

Article 3

1. This Decision enters into force upon its adoption and it is addressed to the Contracting Parties.

2. All references in Decision 2009/05/MC-EnC, as amended by Decision 2010/02/MC-EnC to Directive 2010/30/EU with regard to energy labeling of domestic ovens and range hoods, to energy labeling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device, to energy labeling of water heaters, hot water storage tanks and packages of water heater and solar device, to energy labeling of vacuum cleaners, with regard to energy labeling of household electric tumble driers, with regard to the energy labeling of electrical lamps and luminaires, shall cease to apply as of 1 January 2016.

3. The Secretariat shall establish and publish a consolidated version of this Decision, Decision 2009/05/MC-EnC and Decision 2010/02/MC-EnC.

Done in Kyiv, on 23 September 2014

For the Ministerial Council:



(Presidency)



3

Commission Delegated Regulation (EU) No 65/2014 of 1 October 2013 supplementing Directive 2010/30/EU with regard to energy labeling of domestic ovens and range hoods

Article	EC	ECS
Enter into force	20.02.2014	24.09.2014
Article 3 (3) (a)	01.01.2015	01.01.2016
Article 3 (3) (b) (i)	01.01.2015	not applicable
Article 3 (3) (b) (ii)	01.01.2016	01.01.2016
Article 3 (3) (b) (iii)	01.01.2018	01.01.2018
Article 3 (3) (b) (iv)	01.01.2020	01.01.2020
Article 9 (1)	01.01.2015	01.01.2016
Article 9 (2)	01.01.2015 – 01.04.2015	01.01.2016 – 01.04.2016
Article 9 (3)	01.01.2015 – 01.04.2015	01.01.2016 – 01.04.2016
Article 10 (2)	01.01.2015	01.01.2016
Shall apply and in case of Article 3(1)(a)(iv) and (v), Article 3 (1)(b)(iv) and (v), Article 4 (1)(b), (c) and (d), and Article 4 (2)(b), (c) and (d)	01.04.2015	and in case of Article 3(1)(a)(iv) and (v), Article 3 (1)(b)(iv) and (v), Article 4 (1)(b), (c) and (d), and Article 4 (2)(b), (c) and (d) 01.04.2016

Commission Delegated Regulation (EU) No 874/2012 of 12 July 2012 supplementing Directive 2010/30/EU with regard to energy labeling of electrical lamps and luminaires

Article	EC	ECS
Enter into force	16.10.2012	24.09.2014
Article 9 (1)	01.03.2014	01.07.2016
Article 9 (2)	01.03.2014	01.07.2016
Article 9 (3)	01.09.2013	01.01.2016
Article 9 (4)	01.09.2013	01.01.2016
Article 10 (2)	01.09.2013	01.01.2016
Shall apply		

Commission Delegated Regulation (EU) No 392/2012 of 1 March 2012 supplementing Directive 2010/30/EU with regard to energy labeling of household tumble driers

Article	EC	ECS
Enter into force	29.05.2012	24.09.2014
Article 9 (1)	29.09.2012	30.04.2016
Article 9 (2)	29.05.2012	01.01.2016
Article 9 (3)	29.05.2012	01.01.2016
Article 10 (2)	29.05.2012	01.01.2016
Shall apply	29.09.2012	30.04.2016

Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU with regard to energy labeling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device

Article	EC	ECS
Enter into force	26.09.2013	24.09.2014
Article 3 (1)	26.09.2015	01.01.2018
	26.09.2019	26.09.2019
Article 3 (2)	26.09.2015	01.01.2018
	26.09.2019	26.09.2019
Article 3 (3)	26.09.2015	01.01.2018
Article 3 (4)	26.09.2015	01.01.2018
Article 3 (5)	26.09.2015	01.01.2018
Article 3 (6)	26.09.2015	01.01.2018
Shall apply	26.09.2013	01.01.2016

Commission Delegated Regulation (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU with regard to energy labeling of water heaters, hot water storage tanks and packages of water heater and solar device

Article	EC	ECS
Enter into force	26.09.2013	24.09.2014
Article 3 (1)	26.09.2015	01.01.2018
	26.09.2017	01.01.2018
Article 3 (2)	26.09.2015	01.01.2018
	26.09.2017	01.01.2018
Article 3 (3)	26.09.2015	01.01.2018
Article 3 (4)	26.09.2015	01.01.2018
Shall apply	26.09.2013	01.01.2016

Commission Delegated Regulation (EU) No 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU with regard to energy labelling of vacuum cleaners

Article	EC	ECS
Enter into force	02.08.2013	24.09.2014
Article 3 (1)	01.09.2014	01.01.2016
Article 3 (2) (a)	01.09.2014	01.01.2016
Article 3 (2) (b)	01.09.2017	01.09.2017
Article 4	01.09.2014	01.01.2016
Article 8	01.09.2017	01.09.2017
Shall apply	23.05.2013	01.01.2016