
D R A F T S T A T U T O R Y I N S T R U M E N T S

2023 No. XXX

ENERGY CONSERVATION

**The Ecodesign for Energy-Related Products and Energy
Information (Lighting Products) (Amendment) Regulations
2023**

Made - - - -

Coming into force - -

[15th November 2023]

The Secretary of State makes these Regulations in exercise of the powers conferred by regulations 22(1) and 24(2) of the Ecodesign for Energy-Related Products Regulations 2010 (“the 2010 Regulations”)(a).

For the purposes of regulation 22(1) of the 2010 Regulations, the Secretary of State considers that the matters set out in regulation 22(2) and (6) are satisfied.

The Secretary of State has complied with regulation 22(4) of the 2010 Regulations.

In accordance with regulation 24(1)(b) of the 2010 Regulations a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Ecodesign for Energy-Related Products and Energy Information (Lighting Products) (Amendment) Regulations 2023.

(2) These Regulations come into force on [15th November 2023].

(3) These Regulations extend to England and Wales and Scotland.

(4) In these Regulations—

“the 2010 Regulations” means the Ecodesign for Energy-Related Products Regulations 2010(b);

(a) S.I. 2010/2617. Regulation 22 was inserted by S.I. 2019/539, Schedule 1, paragraph 12, as amended by S.I. 2020/1528, regulation 4. The following terms are defined in regulation 2 (interpretation) of S.I. 2010/2617: “the Directive”; “energy-related product”; “environmental aspect”; “environmental impact”; “implementing measure”; “life cycle”; “place on the market”; “product”; “put into service”; and “self-regulation”.

(b) S.I. 2010/2617, relevant amending instruments are S.I. 2019/539, 2020/1528, 2021/1095.

“the 2021 Regulations” means the Ecodesign for Energy-Related Products and Energy Information (Lighting Products) Regulations 2021(a).

Amendments to the 2021 Regulations

2. The 2021 Regulations are amended in accordance with regulations [3 to 9].

Amendment of regulation 2 of the 2021 Regulations

3. In regulation 2 (interpretation)—

- (a) under the heading “Meaning of “light source””, in paragraph (1), for “and meets the conditions specified in paragraph (3)” substitute “and can be verified as a light source according to the procedure in Schedule 2”;
- (b) omit paragraph (3) (conditions of a light source);
- (c) in paragraph (10) (interpretation of other terms)—
 - (i) after the definition of “incandescence” insert—
 - ““lamp” means a unit—
 - (a) whose performance can be assessed independently, and
 - (b) which consists of—
 - (i) one or more light sources, and
 - (ii) any additional components necessary for starting, power supply or stable operation of the unit or for distributing, filtering or transforming the optical radiation of the light source, where those components cannot be removed without permanently damaging the unit;”;
 - (ii) after the definition of “light” insert—
 - ““luminaire” means a product which—
 - (a) distributes, filters or transforms the light transmitted from one or more lamps and includes all the parts necessary for supporting, fixing and protecting the lamps and, where necessary, circuit auxiliaries together with the means for connecting them to the electricity supply, and
 - (b) has the primary purpose of lighting;“luminous efficacy” or “lm/W” means lumen per watt, which is the ratio of luminous flux to electricity;”;
 - (iii) after the definition of “separate control gear” insert—
 - ““Tier 1 period” means the period beginning with [15th November] 2023 and ending at the end of 31st August 2027;
 - “Tier 2 period” means the period beginning with 1st September 2027.”.

Amendment of regulation 3 of the 2021 Regulations

4. In regulation 3 (application), in paragraph (1), for “1st October 2021” substitute “[15th November 2023]”.

Amendment of regulation 4 of the 2021 Regulations

5. In regulation 4 (ecodesign requirements), after paragraph (2), insert—

“(3) For the purposes of regulation 22(7)(c)(iii) of the 2010 Regulations, the following paragraphs in Part 1 of Annex 1 to Directive 2009/125/EC, read subject to the

(a) S.I. 2021/1095, to which there are amendments not relevant to these Regulations.

modifications in regulation 23(1)(a) and (b) of the 2010 Regulations, contain the ecodesign parameters for a light source or separate control gear relating to which no ecodesign requirement is necessary—

- (a) paragraph 1.3(a) (weight and volume of the product);
 - (b) paragraph 1.3(b) (use of materials issued from recycling activities);
 - (c) paragraph 1.3(e) (quantity and nature of consumables needed for proper use and maintenance);
 - (d) paragraph 1.3(g) (incorporation of used components);
 - (e) paragraph 1.3(j) (amounts of waste generated and amounts of hazardous waste generated);
 - (f) paragraph 1.3(k) (emissions to air (greenhouse gases, acidifying agents, volatile organic compounds, ozone depleting substances, persistent organic pollutants, heavy metals, fine particulate and suspended particulate matter) without prejudice to EUR 2016/1628);
 - (g) paragraph 1.3(l) (emissions to water (heavy metals, substances with an adverse effect on the oxygen balance, persistent organic pollutants));
 - (h) paragraph 1.3(m) (emissions to soil (especially leakage and spills of dangerous substances during the use phase of the product, and the potential for leaching upon its disposal as waste)).
- (4) For the purposes of paragraph (3)—

“Directive 2009/125/EC” means Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products(a) as it had effect immediately before IP completion day(b);

“EUR 2016/1628” means Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC(c).”.

Amendment of regulation 18 of the 2021 Regulations

6. In regulation 18 (review), in paragraph (1), for “1st October 2026” substitute “31st December 2029”.

Amendment of Schedule 1 to the 2021 Regulations

7. In Schedule 1 (interpretation) after the definition of “displacement factor” insert—

““domestic directional light source” (“DDL”) means any directional light source(d) with a luminous flux ≤ 450 lumen;

“domestic non-directional light source” (“DNDL”) means any non-directional light source(e) with a luminous flux $\leq 1,200$ lumen;”.

Amendment of Schedule 3 to the 2021 Regulations

8. In Schedule 3 (ecodesign requirements for light sources and separate control gears)—

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- (a) OJ No. L 285, 31.10.2009, p. 10, as amended by Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency (OJ No. L 315, 14.11.2012, p. 1).
 - (b) “IP completion day” is defined in Schedule 1 to the Interpretation Act 1978 (c. 30).
 - (c) EUR 2016/1628, as amended by S.I. 2019/648; EUR 2020/1040; and S.I. 2020/1393.
 - (d) The term “directional light source” is defined Schedule 1 to S.I. 2021/1095.
 - (e) The term “non-directional light source” is defined Schedule 1 to S.I. 2021/1095.

- (a) omit paragraph 1 (energy efficiency requirements: light sources);
- (b) before paragraph 2 insert—

“Light sources

Minimum luminous efficacy

1A.—(1) Except where sub-paragraph (2) applies, a light source(a), including a light source in a containing product(b), placed on the market or put into service—

- (a) in the Tier 1 period must have a minimum luminous efficacy of 120 lm/W;
- (b) in the Tier 2 period must have a minimum luminous efficacy of 140 lm/W.

(2) Subject to sub-paragraph (3), where a light source is specified in—

- (a) an entry in column 1 of Table 2, it must have the minimum luminous efficacy in sub-paragraph (1) less the allowance specified in the corresponding entry in column 2 of Table 2;
- (b) more than one entry in column 1 of Table 2, it must have the minimum luminous efficacy in sub-paragraph (1) less the sum of each allowance specified in the corresponding entries in column 2 of Table 2.

(3) Sub-paragraph (2) does not apply to a light source that is—

- (a) in a luminaire, where the light source cannot be removed for verification as a light source;
- (b) in a containing product, where—
 - (i) the containing product is a luminaire, and
 - (ii) the luminaire can be taken apart to allow separate verification of the contained light source; or
- (c) within the meaning of regulation 2(6) (a light emitting device which is intended to be used directly in a LED(c) luminaire).

Additional requirements

(4) Subject to the exemptions in paragraph 3(3) of Schedule 4 (limited exemptions)—

- (a) the standby power (“P_{sb}”)(d) of a light source must not exceed 0.5 watts (“the allowable value for P_{sb}”);
- (b) for a connected light source(e)—
 - (i) the networked standby power (“P_{net}”)(f) must not exceed 0.5 watts (“the allowable value for P_{net}”);
 - (ii) the allowable values for P_{sb} and P_{net} must not be added together.

Table 2

Allowances

<i>Light source</i>	<i>Allowance (in lm/W)</i>
A mains light source (MLS)(g) that is also a domestic directional light source (DDL)(h)	30
A mains light source (MLS) that is also a domestic	20

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- (a) The term “light source” is defined in regulation 2 of S.I. 2021/1095, as amended by regulation [3(a) and (b)] of these Regulations.
 - (b) The term “containing product” is defined in regulation 2 of S.I. 2021/1095.
 - (c) The term “LED” is defined in regulation 2 of S.I. 2021/1095.
 - (d) The term “standby power” is defined in Schedule 1 to S.I. 2021/1095.
 - (e) The term “connected light source” (“CLS”) is defined in Schedule 1 to S.I. 2021/1095.
 - (f) The term “networked standby power” is defined Schedule 1 to S.I. 2021/1095.
 - (g) The term “mains light source” (“MLS”) is defined in Schedule 1 to S.I. 2021/1095.
 - (h) The definition of a “domestic directional light source” is inserted into Schedule 1 to S.I. 2021/1095 by regulation [9] of these Regulations.

non-directional light source (DNDLS)(a)	
A directional light source (DLS)(b), excluding a mains light source (MLS) that is also a domestic directional light source (DDL S)	10
A light source that has a colour-rendering index (“CRI”)(c) ≥ 93	10
A light source with ≤ 400 lm	10
A connected light source (CLS)(d)	5
A light source with a correlated colour temperature (CCT [K])(e) of $\leq 2,000$ K	5”.

Amendment of Schedule 4 to the 2021 Regulations

9. In Schedule 4 (exemptions from ecodesign requirements)—

- (a) in paragraph 2 (additional exemptions), omit sub-paragraph (a) (double-capped fluorescent T5 light source with power $P \leq 13$ W);
- (b) in paragraph 3 (limited exemptions)—
 - (i) in sub-paragraph (2)(p), for “upon presentation of a medical prescription” substitute “upon self-declaration, orally or in writing, as a photosensitive patient(f)”;
 - (ii) in sub-paragraph (3), for “in paragraphs 1 and 2 of Schedule 3” substitute “in paragraphs 1A and 2 of Schedule 3”.

Amendments to the 2010 Regulations

10. The 2010 Regulations are amended in accordance with regulations [11 to 14].

[Note: the following two amendments remain subject to commencement (on 31/12/22) of regs 2 and 8 of the Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022: <https://www.legislation.gov.uk/ukdsi/2022/9780348241150/contents>]

Amendment of regulation 20A of the 2010 Regulations

11. In regulation 20A (transitional provision in relation to EU exit)—

- (a) in paragraph (4A) for “paragraph (4B)” substitute “paragraphs (4B) to (4D)”;
- (b) after paragraph (4B) insert—

“(4C) Paragraphs (4A) and (4B) do not apply to a light source within the meaning of regulation 2 (interpretation) of the Ecodesign for Energy-Related Products and Energy Information (Lighting Products) Regulations 2021(g).

(4D) Where before 15th November 2023—

 - (a) a light source has not been placed on the market or put into service; and
 - (b) a manufacturer has taken any action under the conformity assessment procedure that applies to the product in accordance with Article 8 of the Directive(h);

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- (a) The definition of a “domestic non-directional light source” is inserted into Schedule 1 to S.I. 2021/1095 by regulation [9] of these Regulations.
 - (b) The term “directional light source” (“DLS”) is defined Schedule 1 to S.I. 2021/1095.
 - (c) The term “colour-rendering index” (“CRI”) is defined in regulation 2 of S.I. 2021/1095.
 - (d) The term “connected light source” (“CLS”) is defined in Schedule 1 to S.I. 2021/1095.
 - (e) The term “correlated colour temperature” (“CCT [K]”) is defined in Schedule 1 to S.I. 2021/1095.
 - (f) The term “photosensitive patient” is defined in Schedule 1 to S.I. 2021/1095.
 - (g) S.I. 2021/1095, relevant amending instruments are S.I. 2023/[registrar to insert number of this S.I.].
 - (h) The term “the Directive” is defined in regulation 2 of S.I. 2010/2617.

that action has effect as if it had been done under the applicable procedure set out in Schedule 1A (conformity assessment procedures).”

Amendment of regulation 20C of the 2010 Regulations

12. In regulation 20C (expiry of regulation 20B)(a)—

- (a) in paragraph (1), for “paragraph (2)” substitute “paragraphs (1A) and (2)”;
- (b) after paragraph (1) insert—

“(1A) Regulation 20B ceases to have effect at the end of [14th November 2023] in relation to light sources within the meaning of regulation 2 (interpretation) of the Ecodesign for Energy-Related Products and Energy Information (Lighting Products) Regulations 2021(b).”.

Amendment of Schedule 1 to the 2010 Regulations

13. In Schedule 1 (declaration of conformity), in paragraph 4, for item 16 in the table (light sources and separate control gears) substitute—

“16	Light sources and separate control gears	The Ecodesign for Energy-Related Products and Energy Information (Lighting Products) Regulations 2021 as amended by The Ecodesign for Energy-Related Products and Energy Information (Lighting Products) (Amendment) Regulations 2023(c).”.]
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Application provision in connection with amendment of Schedule 1 to the 2010 Regulations

14.—(1) Regulation 13 (amendment of Schedule 1 to 2010 Regulations: declaration of conformity) does not have effect in relation to a light source which is placed on the market or put into service before the Tier 1 period.

(2) In paragraph (1)—

“place on the market” and “put into service” have the same meaning as in regulation 2 (interpretation) of the 2010 Regulations(d);

“light source” and “Tier 1 period” have the same meaning as in regulation 2 (interpretation) of 2021 Regulations(e).

DRAFT NOT FOR SIGNATURE

Parliamentary Under Secretary of State

Department for Business, Energy and Industrial Strategy

Date

(a) Regulation 20C of S.I. 2010/1617 was inserted by S.I. 2019/539, Schedule 1, paragraph 11 and amended by S.I. 2021/1273, Schedule 1, paragraph 1(e) and S.I. 2022/[TBC-insert number for the Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022], regulation 2 and Schedule 1, paragraph (e).

(b) S.I. 2021/1095, relevant amending instruments are S.I. 2023/[registrar to insert number of this S.I.].

(c) S.I. 2023/[tbc by Registrar]

(d) S.I. 2010/617; relevant amending instruments are S.I. 2019239.

(e) S.I. 2021/1095; relevant amending instruments are S.I. 2023/[tbc by Registrar]

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend: the Ecodesign for Energy-Related Products and Energy Information (Lighting Products) Regulations 2021 (S.I. 2021/1095) (“2021 Regulations”); and the Ecodesign for Energy-Related Products Regulations 2010 (S.I. 2010/2617) (“2010 Regulations”).

Amendments to the 2021 Regulations

The 2021 Regulations specify ecodesign requirements for light sources and separate control gears, and energy labelling requirements for light sources. The ecodesign requirements are an implementing measure for the purposes of the 2010 Regulations.

Regulations [2, 3(c), 4, 7 and 8] amend the 2021 Regulations to change the energy efficiency requirements for light sources. They create new requirements for the minimum luminous efficacy of light sources, including light sources in a containing product, that are placed on the market or put into service. There are different requirements during the Tier 1 period (beginning with [15th November] 2023 and ending at the end of 31st August 2027) and Tier 2 period (beginning on 1st September 2027). The requirements also differ depending on the type of light source.

Regulations [3(a) and (b), 5, 6 and 9] make miscellaneous and consequential amendments. Regulations [3(a) and (b)] remove a redundant condition for a light source. Regulation [5] confirms the ecodesign parameters relating to which no ecodesign requirement in the 2021 Regulations is necessary. Regulation [6] extends the statutory review deadline for the 2021 Regulations to 31st December 2029. Regulation [9]: removes an exemption from eco-design requirements that is no longer required; amends the exemption for light sources provided specifically for use by photosensitive patients; and makes a consequential amendment.

Amendments to the 2010 Regulations

Regulations [11 and 12] amend the 2010 Regulations so that the extension of the period during which certain obligations are met by complying with EU obligations does not apply to light sources, subject to transitional provision for light sources placed on the market or put into service before [15th November 2023].

Regulation [13] amends Schedule 1 to 2010 Regulations (declaration of conformity) so that the declaration confirms compliance with the 2021 Regulations as amended by these Regulations. Regulation [14] makes an application provision for that amendment.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Business, Energy and Industrial Strategy at 1 Victoria Street, London SW1H 0ET and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.