



Energy Efficiency (Energy Using Products) Amendment Regulations 2012

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 27th day of August 2012

Present:

His Excellency the Governor-General in Council

Pursuant to section 36(1) of the Energy Efficiency and Conservation Act 2000, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister made in accordance with section 36(2) of that Act, makes the following regulations.

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Regulations

- 1 Title**

These regulations are the Energy Efficiency (Energy Using Products) Amendment Regulations 2012.
- 2 Commencement**

These regulations come into force on 1 October 2012.
- 3 Principal regulations**

These regulations amend the Energy Efficiency (Energy Using Products) Regulations 2002 (the **principal regulations**).
- 4 Regulation 17 amended (Application to certain items if standard in Schedule 1 or Schedule 2 replaced)**
 - (1) In the heading to regulation 17, after “**replaced**”, insert “**or new standard added**”.
 - (2) In regulation 17(1)(b), after “replaced with a new or revised standard”, insert “, or a reference to a new standard is added to the schedule and applies to the product class”.
- 5 Regulation 18 amended (Application of regulations to certain items if new standard added to Schedule 1 or Schedule 2)**
 - (1) In the heading to regulation 18, replace “**new standard added**” with “**new product class and standard added**”.
 - (2) Replace regulation 18(1)(a) with:
 - “(a) a product class is added to the list of product classes in Schedule 1 or 2 and the item belongs to the product class; and”.

- (3) In regulation 18(1)(b), replace “a reference to a new standard is added to the Schedule” with “a reference to a standard is added to the Schedule at the same time”.
- (4) In regulation 18(1)(c)(i) and (ii), replace “new standard was” with “new product class and standard were”.
- (5) Replace regulation 18(2) with:
“(2) Regulations 4 to 7 do not apply to an item to which this regulation applies.”

6 Schedule 1 amended

- (1) In Schedule 1, insert in their appropriate alphabetical order the items set out in Part 1 of Schedule 1 of these regulations.
- (2) In Schedule 1, third column, items relating to each product class identified in column A of the table in Part 2 of Schedule 1 of these regulations (the **table**), replace each item in column B of the table with the item set out opposite it in column C of the table.

7 Schedule 2 amended

- (1) In Schedule 2, insert in its appropriate alphabetical order the item set out in Part 1 of Schedule 2 of these regulations.
 - (2) In Schedule 2, second column, items relating to each product class identified in column A of the table in Part 2 of Schedule 2 of these regulations (the **table**), replace each item identified in column B of the table with the item set out opposite it in column C of the table.
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Schedule 1
Amendments to Schedule 1 of principal
regulations

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Part 1

New items inserted in Schedule 1 of
principal regulations

Compact fluor- escent lamps	AS/NZS 4847.2:2010: Self-ballasted lamps for general lighting services—Minimum Energy Performance standards (MEPS) requirements, except that, despite clauses 4.2 and 5.3, the standard applies, with all necessary modifications, as if the provisions concerning the option for alternative certification by the Efficient Lighting Initiative or UK Energy Saving Trust programmes that is available in Australia is also available in New Zealand	AS/NZS 4847.1:2010: Self-ballasted lamps for general lighting services—Test methods—Energy performance
Television sets	AS/NZS 62087.2.2:2011: Power consumption of audio, video and related equipment—Minimum energy level performance standards (MEPS) and energy rating label requirements for television sets, except that clause 5.1 of that standard applies as if, for all the words in that clause, there were substituted the words “From 1 October 2012 a television shall meet the Tier 1 requirements in Clause 5.2.”	AS/NZS 62087.1:2010: Power consumption of audio, video and related equipment—Methods of measurement

Part 2
Amendments to items in third column of
Schedule 1

Column A	Column B	Column C
Product class	Existing testing standard in third column of Schedule 1	Replacement testing standard for third column of Schedule 1
Single-phase ducted air conditioners and air-to-air heat pumps	AS/NZS 3823.1.2:2001: Performance of electrical appliances—Airconditioners and heat pumps—Test methods—Ducted airconditioners and air-to-air heat pumps—Testing and rating for performance; or	AS/NZS 3823.1.2:2012: Performance of electrical appliances—Airconditioners and heat pumps—Test methods—Ducted airconditioners and air-to-air heat pumps—Testing and rating for performance; or
Single-phase non-ducted air conditioners and heat pumps	AS/NZS 3823.1.1:1998: Performance of electrical appliances—Airconditioners and heat pumps—Non-ducted airconditioners and heat pumps—Testing and rating for performance; or	AS/NZS 3823.1.1:2012: Performance of electrical appliances—Airconditioners and heat pumps—Non-ducted airconditioners and heat pumps—Testing and rating for performance; or
Three-phase air conditioners and heat pumps	AS/NZS 3823.1.2:2001: Performance of electrical appliances—Airconditioners and heat pumps—Test methods—Ducted airconditioners and air-to-air heat pumps—Testing and rating for performance; or	AS/NZS 3823.1.2:2012: Performance of electrical appliances—Airconditioners and heat pumps—Test methods—Ducted airconditioners and air-to-air heat pumps—Testing and rating for performance; or

Schedule 2
Amendments to Schedule 2 of principal
regulations

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Part 1
New item inserted in Schedule 2 of principal
regulations

Television sets	AS/NZS 62087.2.2:2011: Power consumption of audio, video and related equip-	AS/NZS 62087.1:2010: Power consumption of audio, video, and related equip-
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Part 1—*continued*

ment—Minimum energy level performance standards (MEPS) and energy rating label requirements for television sets

ment—Methods of measurement

Part 2

Amendments to items in second column of
Schedule 2

Column A	Column B	Column C
Product class	Existing mandatory energy performance labelling standard in second column of Schedule 2	Replacement mandatory energy performance labelling testing standard for second column of Schedule 2
Clothes washing machines	AS/NZS 2040.2:2005: Performance of household electrical appliances—Clothes washing machines—Energy efficiency labelling requirements	AS/NZS 2040.2:2005: Performance of household electrical appliances—Clothes washing machines—Energy efficiency labelling requirements
Dishwashers	AS/NZS 2007.2:2005: Performance of household electrical appliances—Dishwashers—Energy efficiency labelling requirements	AS/NZS 2007.2:2005: Performance of household electrical appliances—Dishwashers—Energy efficiency labelling requirements

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 October 2012, amend the Energy Efficiency (Energy Using Products) Regulations 2002 (the **principal regulations**) by,—

- in Schedule 1, which lists product classes subject to minimum energy performance standards and applicable standards,—
 - adding compact fluorescent lamps and television sets to the list of product classes and specifying the applicable standards for each of those product classes:
 - replacing certain testing standards that apply to single-phase air conditioners and heat pumps:
 - replacing a testing standard relating to three-phase air conditioners and heat pumps:
- in Schedule 2, which lists product classes subject to mandatory energy performance labelling and applicable standards,—
 - adding television sets to the list of product classes and specifying applicable testing standards:
 - reincorporating by reference labelling standards applying to clothes washing machines and single-phase non-ducted air conditioners and air-to-air heat pumps to account for recent revisions to these standards. These standards apply in the form in which they exist on 1 October 2012:
- amending regulations 17 and 18 to clarify how they apply when a new item and applicable standard is added to Schedule 1 or 2. Regulation 17 is intended to deal with how the regulations apply to existing stocks of a product that is listed in one of the schedules when an applicable standard is replaced or revised, or a new standard is added, in respect of the product. Regulation 18 is intended to deal with how the regulations apply to existing stocks of a product when that product is added to one of the schedules and a new standard specified for that product.

The effect of the amendments, in broad terms, is that from 1 October 2012—

- a person who manufactures, imports, or makes television sets or compact fluorescent lamps available for sale, lease, hire, or hire purchase in New Zealand must ensure that the product complies with the specified standards. However, items manufactured in, or imported into, New Zealand before 1 October 2012 are exempt from these requirements under the provisions of regulation 18:
- in the case of television sets, despite what clause 5.1 of the standard (AS/NZS 62087.2.2:2011) provides, the minimum energy performance requirements that apply are the requirements for Tier 1 (as set out in clause 5.2 of the standard) and not the requirements for Tier 2:
- in the case of compact fluorescent lamps, despite what clauses 4.2 and 5.3 of the standard (AS/NZS 4847.2:2010) provide, in relation to test method requirements the option for alternative certification by the Efficient Lighting Initiative or UK Energy Saving Trust programmes that is available in Australia is also available in New Zealand:
- in relation to the other energy-using products dealt with in the amendments, all of which are already listed as products in Schedule 1, 2, or both, the replaced or revised standard applies from 1 October 2012. However, the exemption in regulation 17 applies to items manufactured in, or imported into, New Zealand before that date, if they comply with the standard that applied immediately before 1 October 2012.

Issued under the authority of the Acts and Regulations Publication Act 1989.

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These regulations are administered by the Ministry of Business, Innovation, and Employment.
