

**DECISION OF THE MINISTERIAL COUNCIL OF
THE ENERGY COMMUNITY**

No 2022/04/MC-EnC on adapting and incorporating certain Delegated Regulations on energy-related products, introducing rescaled labels in the Energy Community acquis communautaire and repealing Delegated Regulations (EU) 1059/2010, (EU) 1060/2010, (EU) 1061/2010, (EU) 1062/2010, (EU) 874/2012, and Directive 96/60/EC

THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ('the Treaty'), and in particular Articles 24, 25, 79 and 81 thereof,

Having regard to Regulation (EU) 2017/1369, as adapted and adopted by Ministerial Council Decision 2018/03/MC-EnC, and in particular, Article 16 thereof,

Having regard to the proposal from the European Commission,

- Whereas:
- (1) On 29 November 2018, the Ministerial Council adopted Decision No 2018/03/MC-EnC adapting and implementing Regulation (EU) 2017/1369 of the European Parliament and of the Council setting a framework for energy labelling, and certain Delegated Regulations on energy-related products;
 - (2) According to Article 3 of the Decision No 2018/03/MC-EnC, the European Commission may propose to the Ministerial Council the incorporation of relevant delegated acts supplementing Regulation (EU) 2017/1369 in the Energy Community;
 - (3) Commission Regulations (EU) 1059/2010, (EU) 1060/2010, (EU) 1061/2010, (EU) 1062/2010, (EU) 874/2012, and Directive 96/60/EC have been incorporated in the Energy Community;
 - (4) In 2019, the European Commission adopted five delegated acts in order to supplement Regulation (EU) 2017/1369 by introducing A to G rescaled labels and updated requirements for electronic displays¹, household washing machines and household washer-dryers², light sources³, refrigerating appliances⁴ and household dishwashers⁵.

¹ Commission Delegated Regulation (EU) 2019/2013 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of electronic display, OJL 315, 5.12.2019, p. 1-28

² Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers, OJL 315, 5.12.2019, p. 29-67

³ Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light source, OJL 315, 5.12.2019, p. 68-101

⁴ Commission Delegated Regulation (EU) 2019/2016 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of refrigerating appliances; OJL 315, 5.12.2019, p. 102-133

Those delegated acts have repealed and replaced Commission Regulations and Directive 96/60/EC that are part of the Energy Community acquis;

- (5) In 2021, the European Commission adopted the omnibus Regulation (EU) 2021/340⁶ amending further the above delegated acts of 2019;
- (6) The Permanent High Level Group at its meeting on 29 November 2021 invited the European Commission, with the support of the Energy Community Secretariat, to prepare draft delegated acts introducing rescaled labels, for adoption in 2022;

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

Adoption and implementation of the *acquis* on energy

- (1) Each Contracting Party shall transpose and implement the following Delegated Regulations:
 - (a) Commission Delegated Regulation (EU) 2019/2013 of 11 March 2019 with regard to energy labelling of electronic displays and repealing Commission Delegated Regulation (EU) No 1062/2010, as amended by Regulation (EU) 2021/340 ('Delegated Regulation 2019/2013');
 - (b) Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC, as amended by Regulation (EU) 2021/340 ('Delegated Regulation 2019/2014');
 - (c) Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012, as amended by Regulation (EU) 2021/340 ('Delegated Regulation 2019/2015');
 - (d) Commission Delegated Regulation (EU) 2019/2016 of 11 March 2019 with regard to energy labelling of refrigerating appliances and repealing Commission Delegated Regulation (EU) No 1060/2010, as amended by Regulation (EU) 2021/340 ('Delegated Regulation 2019/2016');
 - (e) Commission Delegated Regulation (EU) 2019/2017 of 11 March 2019 with regard to energy labelling of household dishwashers and repealing Commission Delegated Regulation (EU) No 1059/2010, as amended by Regulation (EU) 2021/340 ('Delegated Regulation 2019/2017');

⁵ Commission Delegated Regulation (EU) 2019/2017 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household dishwashers, OJL 315, 5.12.2019, p. 134-154

⁶ Commission Delegated Regulation (EU) 2021/340 of 17 December 2020 amending Delegated Regulations (EU) 2019/2013, (EU) 2019/2014, (EU) 2019/2015, (EU) 2019/2016, (EU) 2019/2017 and (EU) 2019/2018 with regard to energy labelling requirements for electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances, household dishwashers, and refrigerating appliances with a direct sales function, OJL 68, 26.2.2021, p. 62-107

- (f) Commission Delegated Regulation (EU) 2021/340 of 17 December 2020 amending Delegated Regulations (EU) 2019/2013, (EU) 2019/2014, (EU) 2019/2015, (EU) 2019/2016, (EU) 2019/2017 and (EU) 2019/2018 with regard to energy labelling requirements for electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances, household dishwashers, and refrigerating appliances with a direct sales function ('Delegated Regulation 2021/340').
- (2) Each Contracting Party shall bring into force the laws, regulations and administrative provisions necessary to comply with the Delegated Regulations referred to in paragraph 1, as adapted by the present Decision, by 31 December 2023.
- They shall notify the Energy Community Secretariat of completed transposition within two weeks following the adoption of transposition measures for the respective Delegated Regulations and shall communicate to the Energy Community Secretariat the text of the provisions of national law.
- (3) Delegated Regulations (EU) No 874/2012, No 1062/2010, No 1061/2010, No 1060/2010 and No 1059/2010 as adapted and adopted by Ministerial Council Decision 2011/03/MC-EnC, as well as Directive 96/60/EC as adapted and adopted by Ministerial Council Decision 2010/02/MC-EnC, are repealed as of 31 December 2023.
- (4) The Secretariat shall monitor and review the implementation of the Regulations referred to in paragraph 1 in the Contracting Parties.

Article 2

General adaptations

- (1) The text of the Delegated Regulations referred to in Article 1(1) shall be adapted as follows:
- (a) the terms 'Member State' and 'Member States' shall be replaced by 'Contracting Party' and 'Contracting Parties', respectively;
 - (b) the term '(European) Union' shall be replaced by 'Energy Community';
 - (c) the term '(European) Commission' shall be replaced by 'Energy Community Secretariat';
 - (d) references to the European Union *acquis* incorporated in the Energy Community by the Ministerial Council shall be complemented by the term "as adapted and adopted by Ministerial Council Decision [xxxx]", whereas "[xxxx]" shall be replaced by the number of the respective Ministerial Council Decision;
 - (e) references to the Official Journal of the European Union shall be replaced by the expression 'the website of the Energy Community', except as otherwise provided in this Decision.
- (2) The adaptations referred to in Article 3 of this Decision shall apply in addition to the adaptations referred to in paragraph 1 of this Article.

Article 3

Specific adaptations of Delegated Regulations

- (1) Delegated Regulation (EU) 2019/2013 shall be adapted as follows:
- In Article 3,
in paragraph (1), points (b), (c), (d) and (g) shall be replaced by the following:
 - ‘(b) the product information sheet, as set out in Annex V, is made available free of charge, in electronic format;
 - (c) if specifically requested by the dealer, the product information sheet shall be made available in printed form, free of charge;
 - (d) the content of the technical documentation, as set out in Annex VI, is made available at the request of the market surveillance authorities of the Contracting Parties;
 - (g) an electronic label, in the format and containing the information as set out in Annex III, shall be made available to dealers for each electronic display model registered in the EU product database; for the electronic display models placed only on the markets of the Contracting Parties which are not registered in the EU product database, the label shall be generated without the EU logo, and the QR code shall be linked to the website with model’s information maintained by the manufacturer.’
 - In Article 5, the text “, as referred to in Article 14 of Directive 2000/31/EC,” is deleted.
 - Articles 8, 9 and 10 are deleted.
 - Article 11 shall be replaced by the following:

‘This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.

The Delegated Regulation 2019/2013 shall be transposed, implemented and applicable in all Contracting Parties by 31 December 2023. However, Article 3 paragraph 1 point (a) shall apply latest as of 31 August 2023.’
 - In Annex I, in point (23), the term “product database” shall be replaced by “EU product database”.
 - In Annex V,
 - (i) first and second paragraphs are deleted,
 - (ii) in table 4,
 - the footnotes ^(a) to ^(d) are deleted,
 - the sentence in the first row, third column is deleted;
 - the first sentence in the fifth row, third column is deleted.
 - In Annex VI,
 - (i) in point (7) second paragraph is deleted,

(ii) in point (11) the text “if not included in the technical information uploaded into the database” is deleted.

- In Annex VII, in point 5 the text “through the product database website, or” is deleted.
- In Annex VIII, in point 4 the text “or by referring to the product database” is deleted.

(2) Delegated Regulation (EU) 2019/2014 shall be adapted as follows:

- In Article 3,
in paragraph (1), points (b), (c), (d) and (g) shall be replaced by the following:
 - ‘(b) the product information sheet, as set out in Annex V, is made available free of charge, in electronic format;
 - (c) if specifically requested by the dealer of household washing machines and household washer-dryers, the product information sheet shall be made available in printed form, free of charge;
 - (d) the content of the technical documentation, as set out in Annex VI, is made available at the request of the market surveillance authorities of the Contracting Parties;
 - (g) an electronic label in the format and containing the information as set out in Annex III is made available to dealers for each model of household washing machine and of household washer-dryer registered in the EU product database; for the models placed only on the markets of the Contracting Parties which are not registered in the EU product database, the label shall be generated without the EU logo, and the QR code shall be linked to the website with model’s information maintained by the manufacturer.’
- In Article 5, the text “, as referred to in Article 14 of Directive 2000/31/EC,” is deleted.
- Articles 8, 9 and 10 are deleted.
- Article 11 shall be replaced by the following:

‘This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.

The Delegated Regulation 2019/2014 shall be transposed, implemented and applicable in all Contracting Parties by 31 December 2023. However, Article 3 paragraph 1 points (a) and (b) shall apply by 31 August 2023 at the latest.’
- In Annex I, in point (7), the term “product database” shall be replaced by “EU product database”.
- In Annex V,
 - (i) in points 1 and 2, first and second paragraphs are deleted,
 - (ii) in table 5, the footnotes ^(a), ^(c), and ^(d) are deleted,
 - (iii) in table 6, the footnotes ^(a), ^(d), and ^(e) are deleted.

- In Annex VI,
 - (i) in point (1) second paragraph is deleted,
 - (ii) in point (2) second paragraph is deleted,
- In Annex VII, in point 5 the text “through the product database website, or” is deleted.
- In Annex VIII, in point 4 the text “or by referring to the product database” is deleted.

(3) **Delegated Regulation (EU) 2019/2015**, shall be adapted as follows:

- In Article 3,
 - (i) in paragraph (1), points (b), (c), (d) and (g) shall be replaced by the following:
 - ‘(b) the product information sheet, as set out in Annex V, is made available free of charge, in electronic format;
 - (c) if specifically requested by the dealer, the product information sheet shall be made available in printed form, free of charge;
 - (d) the content of the technical documentation, as set out in Annex VI, is made available at the request of the market surveillance authorities of the Contracting Parties;
 - (g) an electronic label in the format and containing the information, as set out in Annex III, is made available to dealers for each light source model registered in the EU product database; for the models placed only on the markets of the Contracting Parties which are not registered in the EU product database, the label shall be generated without the EU logo, and the QR code shall be linked to the website with model’s information maintained by the manufacturer.’
 - (ii) paragraph 1a is deleted.
- In Article 4 (e) is deleted.
- In Article 5, the text “, as referred to in Article 14 of Directive 2000/31/EC,” is deleted.
- Articles 8 and 9 are deleted.
- Article 10 shall be replaced by the following:

‘This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.

The Delegated Regulation 2019/2015 shall be transposed, implemented and applicable in all Contracting Parties by 31 December 2023. However, Article 3 paragraph 1 point (b) shall apply latest as of 31 August 2023, and Article 3 paragraph 2 point (a) shall apply as of 30 June 2024.’
- In Annex I, in point (55), the term “product database” shall be replaced by “EU product database”.
- In Annex IV, in paragraph 1 point (c), the following text: “or in documents issued by the European Defence Agency” is deleted.

- In Annex V,
 - (i) paragraph 1.1. is deleted,
 - (ii) in table 3, the footnotes ^(a), ^(b) and ^(e) are deleted,
 - (iii) after table 8, in paragraph 1, the following text: “If the light source is no longer placed on the EU market, the supplier shall put in the product database the date (month, year) when the placing on the EU market stopped” is deleted.
- In Annex VI, paragraph 2 is deleted.
- In Annex VII, in paragraph 6, the following text “through a link to the product database website or” is deleted.
- In Annex VIII, in paragraph 4, the following text “or by referring to the product database” is deleted.
- In Annex IX, in table 9, the footnote ⁽¹⁾ is deleted.

(4) **Delegated Regulation (EU) 2019/2016**, shall be adapted as follows:

- In Article 3,
 - paragraph (1), points (b), (c), (d) and (g) shall be replaced by the following:
 - ‘(b) the product information sheet, as set out in Annex V, is made available free of charge, in electronic format;
 - (c) if specifically requested by the dealer, the product information sheet shall be made available in printed form, free of charge;
 - (d) the content of the technical documentation, as set out in Annex VI, is made available at the request of the market surveillance authorities of the Contracting Parties;
 - (g) an electronic label in the format and containing the information, as set out in Annex III, is made available to dealers for each refrigerating appliance model registered in the EU product database; for the models placed only on the markets of the Contracting Parties which are not registered in the EU product database, the label shall be generated without the EU logo, and the QR code shall be linked to the website with model’s information maintained by the manufacturer.’
- In Article 5, the text “, as referred to in Article 14 of Directive 2000/31/EC,” is deleted.
- In Article 7, the term “paragraph 3” is replaced by the term “paragraph 2”.
- Articles 8, 9 and 10 are deleted.
- Article 11 shall be replaced by the following:
 - ‘This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.
 - The Delegated Regulation 2019/2016 shall be transposed, implemented and applicable in all Contracting Parties by 31 December 2023. However, Article 3 paragraph 1 points (a), (b) and (c) shall apply latest as of 31 August 2023.’

- In Annex I, in point (1), the term “product database” shall be replaced by “EU product database”.
 - In Annex V,
 - (a) in point 1 the first sentence is deleted;
 - (a) in table 6, the footnotes ^(b), ^(c) and ^(d) are deleted.
 - In Annex VI, paragraph 2 is deleted.
 - In Annex VIII, in point 4 the text “or by referring to the product database” is deleted.
- (5) **Delegated Regulation (EU) 2019/2017**, shall be adapted as follows:
- In Article 3(1), points (b), (c), (d) and (g) shall be replaced by the following:
 - ‘(b) the product information sheet, as set out in Annex V, is made available free of charge, in electronic format;
 - (c) if specifically requested by the dealer, the product information sheet shall be made available in printed form, free of charge;
 - (d) the content of the technical documentation, as set out in Annex VI, is made available at the request of the market surveillance authorities of the Contracting Parties;
 - (g) an electronic label in the format and containing the information, as set out in Annex III, is made available to dealers for each household dishwasher model registered in the EU product database; for the models placed only on the markets of the Contracting Parties which are not registered in the EU product database, the label shall be generated without the EU logo, and the QR code shall be linked to the website with model’s information maintained by the manufacturer.’
 - In Article 5, the text “referred to in Article 14 of Directive 2000/31/EC,” is deleted.
 - In Article 7, the term “paragraph 3” is replaced by the term “paragraph 2”.
 - Articles 8, 9 and 10 are deleted.
 - Article 11 shall be replaced by the following:

‘This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.

The Delegated Regulation 2019/2017 shall be transposed, implemented and applicable in all Contracting Parties by 31 December 2023. However, Article 3 paragraph 1 points (a), (b) and (c) shall apply latest as of 31 August 2023.’
 - In Annex I, in point (6), the term “product database” shall be replaced by “EU product database”.
 - In Annex V,
 - (i) in point 1 the first and second paragraphs are deleted,
 - (ii) in table 3, the footnotes ^(a), ^(c) and ^(d) are deleted.

- In Annex VI, paragraph 2 is deleted.
- In Annex VII, in point 5 the text ‘through the product database website, or’ is deleted.
- In Annex VIII, in point 4 the text “or by referring to the product database” is deleted.

(6) **Delegated Regulation (EU) 2021/340** shall be adapted as follows:

- The title of the Regulation shall read as follows: ‘Commission Delegated Regulation (EU) 2021/340 of 17 December 2020 amending Delegated Regulations (EU) 2019/2013, (EU) 2019/2014, (EU) 2019/2015, (EU) 2019/2016 and (EU) 2019/2017 with regard to energy labelling requirements for electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances and household dishwashers, (‘Delegated Regulation 2021/340’).
- Article 6 is deleted.
- Article 7 shall be replaced by the following:
‘This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.’
- Amendments to Delegated Regulations 2019/2013, 2019/2014, 2019/2015, 2019/2016 and 2019/2017 introduced by Articles 1, 2, 3, 4 and 5 of Delegated Regulation 2021/340 are reflected in paragraphs 1, 2, 3, 4 and 5 of this Article.

Article 4

Repeal

- (1) All references in the Ministerial Council Decisions 2010/02/MC-EnC, 2011/03/MC-EnC and 2014/02/MC-EnC to the Delegated Regulations (EU) 1059/2010, (EU) 1060/2010, (EU) 1061/2010, (EU) 1062/2010, (EU) 874/2012, and Directive 96/60/EC shall be deleted and cease to apply.
- (2) The Secretariat shall establish and publish a consolidated text of delegated acts and Ministerial Council Decisions.

Article 5

Entry into force and addressees

This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties and the institutions of the Energy Community.

Done in Vienna, on 15 December 2022

For the Ministerial Council

Presidency

