REGULATORY IMPACT STATEMENT

Electricity Safety (Equipment Efficiency) Regulations

October 2008

This Regulatory Impact Statement has been prepared in accordance with the requirements of the Subordinate Legislation Act 1994. Its purpose is to inform interested parties regarding a proposal to make new regulations. Comments are invited and should be addressed to Anthony Bottegal, Legal Officer, Energy Safe Victoria, PO Box 262 Collins Street West, Vic 8007 or emailed to abottegal@esv.vic.gov.au by **28 November, 2008**

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Summary

The proposed Electricity Safety (Equipment Efficiency) Regulations are intended to replace, with limited amendments, the current Electricity Safety (Equipment Efficiency) Regulations 1999. The regulations are the mechanism by which Victoria fulfils its obligations to implement the national Equipment Energy Efficiency (EEE) programme.

This programme aims to improve the average level of energy efficiency of electrical appliances within its scope. This is achieved through energy efficiency labelling and Minimum Energy Performance Standards (MEPS). Improved energy efficiency is a means sought to the twin ends of reducing energy consumption and reducing greenhouse gas emissions. The underlying problems being addressed through this mechanism are those of market failure due to a combination of externality, information asymmetry and incentive issues:

- Externalities arise because the users of electrical appliances do not bear the full costs of electricity consumption. This reflects the fact that, in the absence of a carbon price, electricity pricing does not take account of the cost of greenhouse gas pollution arising from electricity generation;
- Information asymmetry means that consumers who may wish to purchase more efficient appliances would find it difficult or impossible to obtain relevant comparative information on energy consumption in the absence of a labelling scheme; and
- Incentive problems arise particularly where the purchaser and user of the equipment is not the same person. Thus, landlords do not have strong incentives to provide the more energy efficient appliances their tenants would prefer.

The substantive merits of the various programme elements have been subjected to RIS analysis at the national level, while the overall national impact of the programme has also been subject to several prospective analyses undertaken for the Australian Greenhouse Office. This RIS therefore provides only a summary analysis of the benefits and costs of the EEE programme as a whole. The most recent analysis concludes that, for the period 2005 – 2020, the programme is expected to have costs of $9.0 billion and benefits of $17.8 billion, expressed in present value terms (using a 5% real discount rate). Thus, the programme is expected to yield net benefits of $8.8 billion and to have a benefit/cost ratio of 2.0:1. These calculations exclude the value of the reduction in greenhouse gas emissions of 200 million tonnes of CO_2 equivalent attributable to the programme. Valuing these benefits using the price of currently traded carbon permits would add a minimum of $5.3 billion in benefits to the programme.

The consideration of policy alternatives within the current context must be confined to matters that are beyond the scope of the intergovernmental agreement, to which Victoria is a party, and which governs the EEE programme. This effectively means that only alternatives to ESV's current administration of the EEE programme can be considered.

It is proposed to retain the existing requirements but to increase the fees charged in respect of registrations of electrical equipment under the scheme to increase cost recovery levels from the current 53% to 100%. This will imply an 89% increase on the current fee levels.

The alternative of maintaining the fees at their current level has also been assessed in this RIS. However, this option would involve taxpayer subsidies to consumers and importers of the relevant appliances totalling around $1.3 million over ten years. This is not regarded as being justified in terms of the government's policies on fees and charges.

The alternative of registering products on the basis of conformity with equivalent international standards has also been considered. It would lead to significant cost savings in respect of testing requirements for a range of products. However, this alternative is inconsistent with Victoria's obligations under the intergovernmental agreement governing the MEPS program. Moreover, it would undermine the specific Australian Standards adopted, particularly given the overseas origin of a large proportion of the appliances required to be registered. Consequently, this option has not been preferred.

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1. Introduction

1.1. Overview of equipment efficiency legislation

The proposed Electricity Safety (Equipment Efficiency) Regulations are intended to replace, with limited amendments, the current Electricity Safety (Equipment Efficiency) Regulations 1999. The regulations set minimum energy efficiency standards for various types of electrical equipment. Equipment that does not meet these minimum standards will not be able to be sold. In addition, the regulations require that various types of electrical equipment must be labelled with standardised information regarding their electrical efficiency.

The substantive aspects of these regulations have been developed pursuant to a range of intergovernmental agreements. Of particular importance are the following:

- **The *National Greenhouse Response Strategy*** endorsed by the Council of Australian Governments (CoAG) in 1992 stated:

  "Governments will develop... and implement nationwide energy performance standards for major electrical appliances."

- ***Minimum Energy Performance Standards (MEPS)*** were agreed in 1995 by the Australian and New Zealand Minerals and Energy Council (ANZMEC).

Subsequently, a range of Australian/New Zealand Standards have been developed specifying testing methodologies for particular types of electrical equipment, minimum energy standards and labelling standards. These Standards have been agreed by the ANZMEC Ministerial Council as forming the basis for nationally consistent regulatory requirements. The agreed standards are then adopted in regulation by each State and Territory.

In Victoria, the principal regulations are the Electrical Safety (Equipment Efficiency) Regulations 1999. The principal regulations have been amended on numerous occasions to establish energy efficiency and labelling requirements for additional classes of electrical equipment, following endorsement of standards by ANZMEC. These regulations are due to sunset on 28 April 2009 as a result of the operation of the Subordinate Legislation Act 1994[1]. Consequently, new regulations must be made in order to ensure that the standards remain in operation.

[1] The Act provides that all regulations sunset on the tenth anniversary of their coming into effect, unless revoked sooner.

1.2. Outline of the RIS

As noted above, the substantive aspects of the proposed regulations have been developed and adopted pursuant to a national uniformity scheme. All of these substantive regulatory requirements have been the subject of Regulatory Impact Statements (RIS) prepared under the auspices of the Council of Australian Governments[2].

Section 9(b) of the Victorian *Subordinate Legislation Act 1994* provides for an exemption from the requirement to prepare an RIS where:

> *the proposed statutory rule is required under a national uniform legislation scheme and an assessment of costs and benefits has been undertaken under that scheme;*

Consequently, the substantive elements of the proposed regulations are not required to be the subject of an RIS in Victoria. Given this, a full and detailed analysis of these substantive requirements is not contained in this RIS. Rather, this RIS provides a general overview of the rationale and expected benefits and costs of these regulations and provides information on where the national RIS prepared in relation to each equipment type can be obtained.

In addition, this RIS discusses the state-specific aspects of the proposed regulations. These are effectively limited to the specification of a range of fees in respect of applications for registration of equipment.

[2] See *Principles and Guidelines for National Standard-Setting and Regulatory Action by Ministerial Councils and Standard-Setting Bodies.* Available at: http://www.obpr.gov.au/publications/external/coag.html

2. Nature and extent of the problem

In economic terms, the justification for the proposed regulations can be understood in terms of market failure. Competitive markets will not yield optimal outcomes where market failures exist. In relation to the purchase and use of electrical appliances, three distinct types of market failure can be identified. These are externalities, information problems and incentive problems. These three issues are considered in turn below.

2.1. Externality issues

Externalities are said to exist if the producer and consumer do not bear all of the costs and/or receive all of the benefits associated with the production and consumption of a good. In such circumstances there will be incentives to produce and consume more (in the case of negative externalities) or less (in the case of positive externalities) of a good than would be chosen if all costs and benefits were properly taken into account.

The standard example of a negative externality is that of pollution: if producers are not required to pay the cost incurred in remediating pollution they cause, or required to compensate those who suffer losses due to it, the cost of production, and the price of the resulting good, will be artificially low and consumption will be too high.

The case of the greenhouse effect clearly meets this criterion: greenhouse gas emissions associated with the use of electrical equipment contribute to a problem which is global in scale and affects everyone. In this context, equipment energy efficiency regulation constitutes one of a wide range of measures being taken by governments to reduce total emissions and hence address this issue. The regulations have two effects in this regard: First, by setting minimum standards, the regulations ensure that the least efficient electrical equipment is removed from the market, thus reducing the total greenhouse gas emissions that will be associated with each product category. Second, by requiring equipment to be labelled, they facilitate consumer choice and contribute to voluntary actions by consumers to reduce emissions.

2.2. Information issues

Information problems prevent competitive markets from functioning efficiently by preventing consumers from making rational decisions in accord with their own preferences and interests. That is, if consumers are not able to obtain relevant information about a product at reasonable cost, they will be impeded in their ability to choose the product that is most preferred.

In relation to electrical equipment, information regarding efficiency constitutes only one aspect of the product information that consumers will wish to acquire. In the absence of regulatory requirements, it can be expected that less information would be available and that it would not be presented in consistent ways. The opportunity for consumers to obtain better information would, in practical terms, often be quite limited.

Hence, regulation is potentially an efficient means of ensuring that appropriate information is made available to consumers in a consistent and usable form to underpin efficient or rational consumer choices. The EEE scheme is, in part, predicated on the assumption that better informed consumers will, on average, choose relatively more energy efficiency appliances.

2.3. Incentive issues

A third potential source of market failure relates to incentives. In many cases, the purchasers of electrical equipment may not be the same people as the final users. Where this is the case, the incentives of the purchaser and user may well differ, in ways that tend to lead to lower efficiency equipment being chosen.

For example, in many circumstances in which a landlord is purchasing electrical equipment that will be used by a prospective tenant, the predominant consideration is likely to be purchase price. In a similar circumstance, a person purchasing the equipment for their own use is likely to be more concerned with the relationship between purchase price and running costs.

Thus, while the overall cost of a more efficient equipment choice may be lower over the life of the asset, the less efficient equipment may be chosen in practice. The minimum energy standards adopted via EEE constitute, in part, a response to this issue. That is, many of the low-efficiency equipment types removed from the market would be unlikely to be chosen by a fully informed consumer concerned to minimise lifecycle costs. Thus, the minimum standards are likely to reduce the likelihood of poorly performing equipment being chosen due to market failures underpinned by incentive problems.

2.4. Fee-setting issues

As noted in Section 1, this RIS deals formally with only those aspects of the regulations which remain subject to the discretion of Victorian regulators under the relevant intergovernmental agreements. In effect, these issues relate solely to the setting of fees relating to the registration of relevant electrical equipment. In general, policy in relation to fee-setting involves a consideration of equity and efficiency issues in relation to the specific case. Thus:

- ***Efficiency*** – If fees are set at lower than the levels that would fully recover the costs of the administrative tasks associated with processing registration applications, manufacturers, importers and consumers of these types of equipment will obtain an effective subsidy from the taxpayer in respect of these activities. In general, where certain

By contrast, ensuring that there is full recovery of the efficient costs of the service will mean that manufactures and importers are able to make decisions on whether or not utilise EEE services in Victoria (vis-à-vis the other states which offer registration services).

- ***Equity*** – As noted above, if fees are set at levels below full cost recovery, general taxpayers subsidise the provision of testing and registration and, by implication, the costs of production and consumption of these appliances.

In the case of the registration fees in question, the costs and revenues involved are very small. Hence, the cost to the taxpayer of any cross-subsidies would also be small. On the other hand, the cost of registration fees represents a trivially small proportion of the costs associated with the production and sale of the appliances in question. This implies that moving from the existing fee structure – which recovers little more than half of the costs involved – to a full cost recovery based fee may have little practical impact on the behaviour of importers of appliances. Other factors such as the speed of approvals and the state in which imports are landed are likely to have a larger impact on decisions about where registration will occur.

3. Objectives of the proposed regulations

The objective of the proposed regulations is to improve the average level of efficiency of electrical equipment and, thereby, to contribute to:

- Reductions in greenhouse gas emissions and other pollution; and
- Reductions in overall energy use.

In relation to the specific aspects of the regulations that are subject to State Government discretion – that is, the setting of registration fees – the objective is to ensure that fee setting is consistent with the balance of efficiency and equity considerations reflected in the government's fees and charges guidelines.

4. Nature of the proposed regulations and the proposed enforcement regime

This section summarises the substantive elements of the proposed regulations. A copy of the regulations is attached to this Regulatory Impact Statement (RIS) as Appendix 1.

4.1. Summary of the proposed regulations

Overview

In general, the regulations require that all proclaimed electrical equipment must be registered prior to being offered for sale in Victoria. In order to obtain registration, a producer must apply to ESV, providing proof that the equipment meets the energy efficiency standards set out in the relevant Australian/New Zealand Standards, specified in the regulations. Registered equipment is also required to be labelled in a form specified, which contains information about their "star rating" and comparative energy efficiency.

Specific regulatory requirements

Regulation 5 states that equipment listed in Schedule 1 (excluding fluorescent lamp ballasts and external power supplies) must comply with relevant performance criteria, including minimum energy efficiency standards, as set out in the specified Australian/New Zealand Standards. This regulation applies to washing machines, dishwashers, fridges, household airconditioners and dryers.

Regulations 6 to 14 state the performance criteria applicable to fluorescent lamp ballasts, external power supplies and the equipment listed in Schedule 2. The classes of equipment listed in Schedule 2 are hot water services, certain electrical motors, three-phase and commercial airconditioners, distribution transformers, fluorescent lamps, refrigerated display cases and set top boxes.

Regulation 16 provides that the registering authorities in relation to equipment efficiency are ESV and its equivalents in other States and Territories. Part 3 establishes the required form for applications for registration and requires that it be stated whether equipment complies with the relevant requirements of Part 2.. It also requires that testing results confirming this compliance be provided. ESV is able to ask for any additional information in relation to the characteristics or energy efficiency of equipment that it believes necessary to determine the application. It may also rebate part or all of any registration fee.

Regulation 29(1) allows for a range of functionally identical equipment to be registered as a family of models, provided that they wear the same branding in the market.

Regulation 30 allows registrations of equipment to be transferred upon application, while regulation 31 allows ESV to refuse an application, but require that reasons be provided.

Regulations 32 to 41 provide that ESV may only register equipment if it meets the relevant efficiency requirements set out in Part 2 and if it is labelled in accordance with Part 4. Regulation 42 provides that ESV may set the expiry date of a registration, subject to a 5 year maximum registration period.

Regulation 43 allows ESV to cancel the regulation of any equipment which upon subsequent testing is found not to meet the relevant efficiency standards. However, regulation 44 requires that prior notice be given to the registration owner and that they have the opportunity to make a written submission.

Regulation 45 sets out labelling requirements for the appliances listed in Schedule 1 (excluding fluorescent lamp ballasts and external power supplies). This requires that the star rating of the equipment, as determined by the relevant Standard, must be displayed.

Regulations 46 - 52 establish labelling requirements specifically relating to fluorescent lamp ballasts, external power supplies and the equipment listed in Schedule 2. .

Regulation 53 requires efficiency labels to be included on display fronts or replicas of equipment used in any “offer to supply” equipment.

Part 5 of the regulations sets out provisions in relation to the keeping of a register of approved electrical equipment, while Part 6 authorises ESV to require samples of any registered equipment to be provided for testing at any time.

Part 7 of the regulations specifies the circumstances in which infringement notices can be issued under Section 140A of the Act. Part 8 of the regulations deals with savings and transitional arrangements.

Fees are set out in regulations 55 and 57. The fees are:

- Registration fee: 25.1 fee units (currently $285)
- Fee for transfer of registration: 8.4 fee units (currently $95)
- Fee for extract from register: 8.4 fee units (currently $95)[3]

These fees have been set on a full cost recovery basis.

[3] The value of a fee unit for the 2008-09 financial year is $11.35. The fees have been calculated to achieve full cost recovery based on the dollar amounts indicated. However, the fees will be denominated in fee units as indicated. Under the terms of the Monetary Units Act 2004, this will provide for automatic annual indexation of the fees.

5. Expected benefits and costs of the proposed regulations

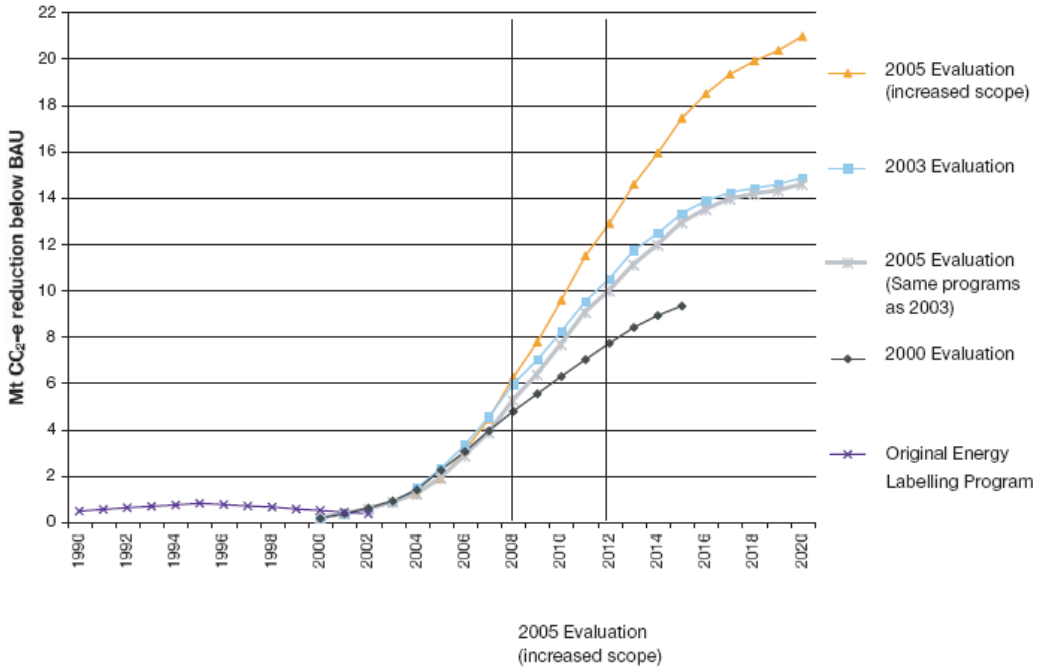
5.1. Overview of benefit and cost projections

In general terms, the expected benefits of the EEE scheme are the dollar value of reductions in energy consumption and the reductions in greenhouse gas emissions due to the use of more energy efficiency appliances. The expected costs are the increased capital costs of more energy efficient appliances and the costs of administering the scheme.

The drivers of both benefits and costs are twofold: first, the least efficient appliances are excluded from the market by the MEPS requirements and, second, consumers who are better informed of the relative and absolute energy use of appliances tend to purchase more energy efficient appliances than would otherwise be the case.

Prospective analyses of the expected benefits and costs of the Equipment Energy Efficiency Scheme have been produced in 2000, 2003 and 2005. Each of these prospective analyses has considered the expected impacts of the scheme over a 16 year time horizon, with the 2005 analysis considering the period 2005 to 2020 inclusive. Continued expansion in the scope of the programme means that projected emissions reductions are now three times as great as was estimated when the impact of the programme was first modelled. This is demonstrated in Graph 1, below, which is reproduced from the 2005 analysis.

Graph 1: Projections of the impact of the EEE Scheme on emissions



The 2005 analysis[4] includes the following estimates of the aggregate benefits and costs of the EEE scheme.

Table 1: Expected impacts of EEE scheme, 2005 – 2020

	0% Discount rate	5% Discount rate	10% Discount rate
Value of energy savings ($m)	$29,694	$17,830	$11,357
Costs ($m)	$13,129	$8,996	$6,568
Net benefit ($m)	$16,565	$8,834	$4,788
Benefit/cost ratio	2.3:1	2.0:1	1.7:1

As Table 1 indicates, the analysis conducts sensitivity analysis on the basis of the discount rate employed, using rates of 0%, 5% and 10% to generate three different sets of projections. The analysis adopts the 10% rate as the "base case" and discusses the performance of the scheme largely in these terms. However, since the "benchmark" discount rate for use in Victorian RIS is 3.5% the 5% scenario is of greater relevance in the current context.

Table 1 shows that the present value of the increased capital costs of appliances over the period 2005 – 2020 is $9.0 billion, calculated at a 5%

[4] *When You Keep Measuring it, You Know Even More about It.* Australian Greenhouse Office, Report 2005/05. Prepared for the AGO by George Wilkenfeld & Associates. Available at www.energyrating.gov.au

discount rate. Against this, the value of energy savings is $17.8 billion, yielding a Net Present Value (NPV) of $8.8 billion over the 16 years to 2020. The benefit/cost ratio is estimated at 2.0:1.

Table 1 also shows that lower discount rates yield higher net benefits and higher benefit/cost ratios for the scheme. This reflects the fact that a higher proportion of the costs (i.e. increased appliance purchase prices) occur in earlier years, while relatively more of the benefits, in terms of electricity cost savings, occur in later years. While it is not possible to recalculate these projections using the benchmark 3.5% discount rate, it is apparent that the NPV and benefit/cost ratio figures would both be higher than those indicated above using the 5% discount rate. Thus, an NPV figure of around $10 billion and a benefit/cost ratio of slightly more than 2.0: 1 are likely.

The NPV figure is calculated for Australia as a whole, given that the EEE scheme is a national one. Given that Victoria accounts for approximately 25% of Australia's population, it can be expected that the NPV of the scheme from the Victorian perspective would be equal to around $2.5 billion over the 16 year time period modelled.

5.2. Reductions in greenhouse gas emissions

The above benefit estimates (and, hence, the NPV and benefit/cost ratio figures) are based entirely on the dollar value of energy cost savings. That is, the projections prepared for the Australian Greenhouse Office do not attempt to place a dollar value on the expected greenhouse gas reductions resulting from the scheme. This is a surprising omission, given that reductions in greenhouse gas emissions constitute a major part of the rationale for the scheme. However, this may reflect a desire to emphasise that the scheme functions as a "no regrets" scheme. That is, based on the data above, the scheme generates real cash benefits, in net terms, even without taking the value of greenhouse gas reductions into account.

This approach perhaps also reflects the fact that there has been a desire to maintain methodological consistency between the projections made over time, while there would have been a limited real market in greenhouse gas emissions trading at the time the first projection was completed.

However, to achieve a complete view of the impact of the EEE scheme, it is necessary to take the value of greenhouse gas reductions into account. The 2005 projections indicate that total emissions reductions are expected to be 203.7 million tonnes of CO_2 equivalent between 2005 and 2020. As with the energy cost reduction benefits, these reductions in emissions would be weighted toward the latter part of the period modelled.

There is widespread variation in estimates of future carbon prices, with this variation based on both uncertainty as to the emissions reductions policies that will be pursued and on different assumptions as to the actual costs of reducing emissions in different contexts. This creates substantial difficulty in arriving at

an appropriate estimate of carbon prices. However, the largest real market in emissions permits currently in operation is that of the European Union. Current emissions permit prices for contracts over the period 2008 to 2014 (the latest data currently quoted are in the range of approximately €25 to €30 per tonne of CO_2 equivalent, or around A$42 to A$50 at current exchange rates. Moreover, the prices quoted show a steadily increasing trend over time. Thus, it is reasonable to take $50 per tonne as an appropriate average price for carbon emissions over the period 2005 – 2020, particularly given the weighting of the reductions due to the scheme toward the latter part of this period.

If this value is applied to the above estimate of emissions reductions due to the EEE scheme, the dollar value of these in undiscounted terms would be approximately $10 billion in undiscounted terms. The discounted value cannot be calculated accurately, given that the pattern of the reductions is not known. However, the notional "worst case", assuming that all the reductions occurred in 2020[5], would still yield a value of emissions reductions of $6.4 billion in 2008 dollars at a 3.5% discount rate, or $5.3 billion at a 5% discount rate.

The latter can be compared with the $17.8 billion expected value of energy cost reductions (at a 5% discount rate), indicating that adding the value of emissions reductions would increase the calculated value of the scheme by over 30%. This implies an adjusted NPV of the EEE scheme of $14.1 billion and a benefit/cost ratio of 2.6:1. As noted in the previous section, the adoption of a 3.5% discount rate would increase these figures still further.

5.3. Ex post assessment

As noted above, the main estimates of the impact of the program are largely prospective in nature. As such, they are necessarily subject to the significant uncertainties that attend most *ex ante* analysis. Following questioning of the likely accuracy of these projections by the Productivity Commission in the course of its 2005 inquiry into energy efficiency issues[6], a cost effectiveness analysis was commissioned by the Australian Greenhouse Office and completed during 2006[7]. This analysis focused on the impact of the energy efficiency standards adopted for domestic refrigeration (the first such standards to be adopted under the programme), since ex ante projections of the impact of mandatory labelling were not available. This reflected the fact that the program was implemented prior to the introduction of RIS requirements.

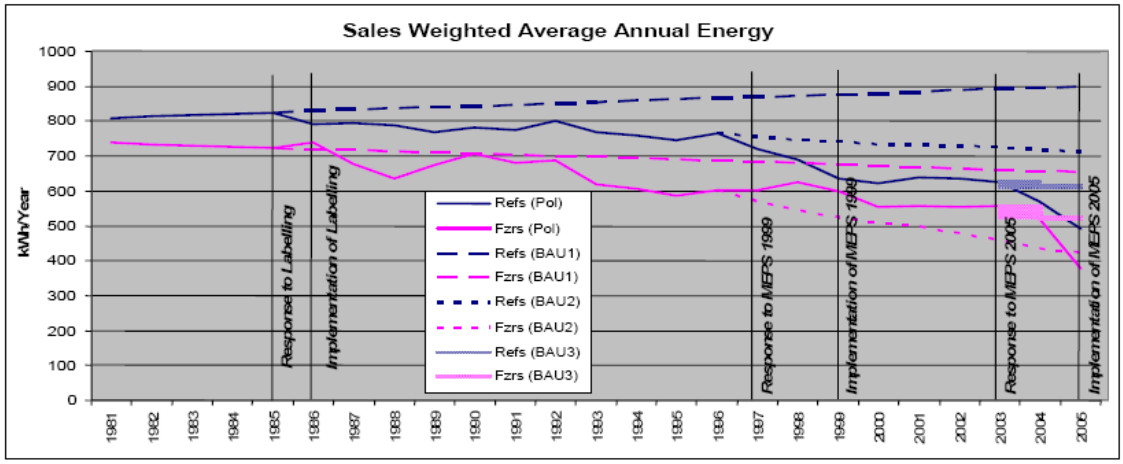
The study confirmed that the *ex ante* projections of the impact of the programme had been borne out in practice Indeed, it concluded that the initial assessments of the likely impact this aspect of the programme understated its

[5] In fact, only around 21 million tonnes of emissions savings (10% of the total) are estimated to occur in 2020.
[6] *The Private Cost-Effectiveness of Improving Energy Efficiency.* Productivity Commission, October 2005. http://www.pc.gov.au/inquiry/energy/docs/finalreport
[7] *Retrospective Analysis of the Impacts of Energy Labelling and MEPS: Refrigerators and Freezers*. Australian Greenhouse Office October 2006. Report prepared by EnergyConsult Pty Ltd.

true impact by approximately 34%. This result can be regarded as unsurprising, given the deliberate adoption of a number of conservative assumptions as part of the specification of the *ex ante* model adopted[8].

Graph 2 is reproduced from this report. It plots the average (sales weighted) efficiency of refrigerators and freezers for the period 1981 – 2005 and contrasts this performance with three "business as usual" scenarios. The first of these scenarios is that which would be expected to eventuate, based on 1980 – 1985 trend data, if neither mandatory labelling nor MEPS regulation had been introduced. The second is based on mandatory labelling being introduced but MEPS not proceeding. The third is based on the original 1999 MEPS standard being introduced but the second (2005) MEPS standard not being introduced.

Graph 2: Effectiveness of mandatory labelling and MEPS



Graph 2 shows that the weighted average energy consumption of a new refrigerator was approximately 500kWh per annum in 2005. By comparison, the first BAU projection is that consumption would have reached 900kWh without any policy intervention. The second BAU scenario, based on introducing only mandatory labelling, would have seen average consumption reach 700kWh, while the third scenario, based on retaining the 1999 MEPS standards would have seen average consumption of 600kWh.

The results differ somewhat for freezers: average consumption of less than 400kWh per annum compares with approximately 600kWh under the first BAU scenario, indicating a clear benefit from mandatory labelling. However, consumption under the second BAU scenario is similar to that observed in practice, casting doubt over the efficacy of MEPS in respect of freezers. The report fails to address this issue in detail.

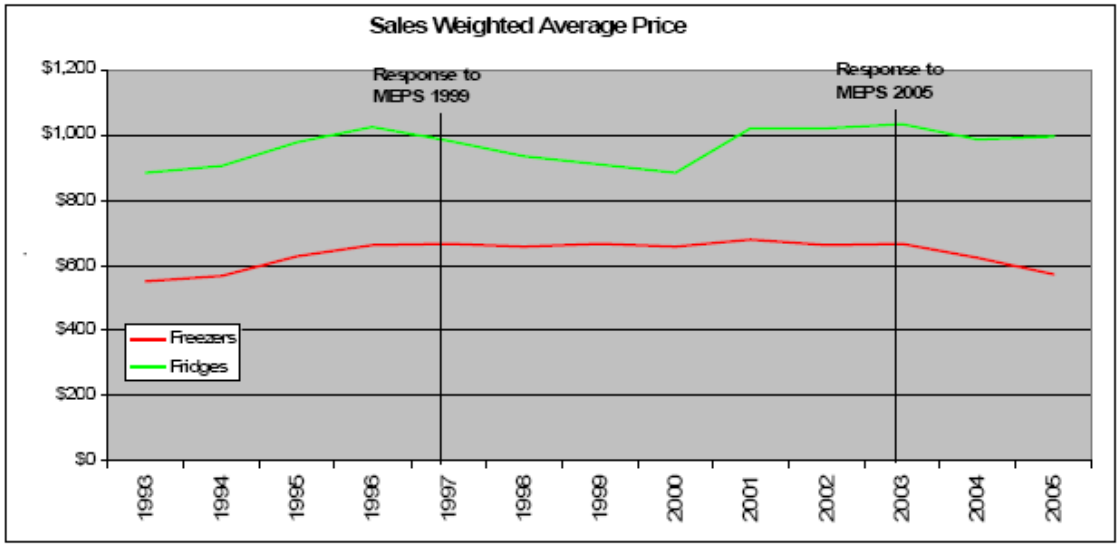
[8] See: *Equipment Energy Efficiency Scheme: Achievements 2006.* Australian Greenhouse Office, May 2007, p 9.

The overall conclusion of the report in relation to the impact of labelling and MEPS on energy performance is that:

> *The impact of MEPS is substantial, and savings continue to increase in line with projections. The MEPS 1999 has achieved annual energy savings of just under 700 GWh pa in 9 years, which is almost equivalent to annual savings attributed to energy labeling after 20 years. The vast amounts of impacts from MEPS 2005 are still to be achieved and it would be valuable to review the evaluation of the impacts of this MEPS in a further 2 to 3 years.* (AGO (2006), p 59).

Moreover, the report notes that, whereas *ex ante* analysis suggested that the MEPS regulations would be likely to increase average prices by between 1.6% and 8%, no such price increase has been observed in practice. Graph 3 shows the sales weighted trends in average appliance prices for refrigerators and freezers from 1993 – 2005. The graph shows that, while the prices of both refrigerators and freezers appears to demonstrate an upward trend throughout the mid – late 1990s, this trend did not continue, much less accelerate, following the introduction of MEPS in 1999.

Graph 3: Sales weighted average prices of refrigerators and freezers



Source: AGO (2006), p 32.

It can be noted that the report suggests that the impact of the regulations is likely to be observed starting from approximately two years prior to implementation. Thus, it is considered that the market response to the 1999 MEPS regulations should be observable from approximately 1997. Graph 3 shows that the price of freezers remained static from 1997 through to 2003, before declining between 2003 and 2005. For refrigerators, prices fell from

1997 to 2000, rose approximately 10% in 2001 and then remained approximately static from 2001 to 2005.

In sum, the ex post analysis conducted on the MEPS regulations as applied to refrigerators and freezers clearly demonstrates the effectiveness of the regulations, while suggesting that the costs of the regulations have been lower than anticipated. While it can be speculated that MEPS may have prevented price falls that would otherwise have occurred[9], there is certainly no direct evidence of real increases in the prices of refrigerators and freezers following its introduction.

5.4. Costs to ESV and expected fee revenues

The preceding sections have summarised the expected impact of the EEE programme as a whole. However, as noted at the outset, this RIS is formally concerned with the administration of the programme in Victoria and the recovery of those costs through registration fees for affected equipment, established via the proposed regulations.

5.4.1. Administration of the EEE programme

Applications for registration of an appliance are lodged electronically, via a central lodgment system that covers all jurisdictions. During the application process the applicant selects the jurisdiction in which they want their equipment to be registered. If Victoria is selected, the system forwards the application to ESV.

The documents required to be included with an application are uniform across all jurisdictions. The applicant fills in the required fields in the electronic application form and is asked to upload the test report and a likeness of the proposed equipment label, if one is required under the regulations. The applicant is also asked to provide additional supporting documentation, including various declarations, where relevant[10], and the appliance's User Manual.

ESV processes the registration applications, checking that all required material has been submitted and that the test results conform to the requirements of the regulations.

[9] That is, given that the prices of many types of electrical equipment have fallen significantly in recent years, it may be argued that such a trend would have been observed in the refrigerator and freezer markets but for MEPS. However, the pre-MEPS (i.e. 1993 – 1997) data showing generally rising price trends tends to undercut any such argument.

[10] Declarations include a power of attorney in cases where a consultant is acting for the applicant and in cases where a prototype was used for testing, a declaration that the equipment to be registered that relies on such tests is identical in efficiency terms to the prototype.

5.4.2. Costs to ESV

The administration of the EEE scheme in Victoria currently requires approximately 1.5 EFT staff within ESV. This comprises one staff member devoted full time to this task, plus smaller time inputs from two further staff members. These staff members are responsible for the following major functions:

- processing equipment registration applications;
- processing changes in registrations;
- Maintenance and update of the on-line application system;
- Issue of Infringement Notices for breaches of the ESA 1998;
- conducting audit activity in respect of registered equipment;
- Cancellation of equipment that fails check testing program;
- Financial tasks in relation to budget and preparation and payment of invoices; and
- Project management of national projects e.g. Check testing program (1997 – 2007).

The average direct salary of these staff is estimated at $84,000 per annum. Thus, the total direct salary cost associated with the scheme is approximately $126,000. Analysis of ESV budget data indicates that a multiplier of 170% must be added to direct salary costs to obtain an estimate of total organization-wide costs[11]. Thus, the total costs attributable to the EEE programme are:

$126,000 + ($126,000 x 1.7) = $340,200

5.4.3. Fees revenue

A total of 1,254 registration applications were processed in 2007/08, while there were no requests for transfers of registration and no requests for extracts from the register[12]. The estimated revenue from registration related fees is $180,000. This represents 52.9% of the estimated cost associated with the

[11] That is, direct wage costs constitute 37% of the total ESV budget, while non-wage costs (including labour on-costs) constitute 63% of the budget. Thus, non-wage costs are (63/37) = 1.7 times wage costs. This multiplier has been used in lieu of the DTF "benchmark" multiplier for non-wage costs because it reflects the actual cost experience of the organisation in question.

[12] A total of 2,327 applications for registration were received in 2006/07. However, this reflected a large number of "appliance family" applications. Revenues in the two years varied little, indicating that the number of independent applications was roughly constant at the level indicated for 2007/08. Accordingly, the 2007/08 figure for applications is considered to be the most reliable guide to future applications numbers.

scheme, as calculated above. This implies a significant degree of cross-subsidy. That is, manufacturers and distributors of equipment subject to mandatory labeling and MEPS requirements are effectively being subsidized from elsewhere in the ESV budget.

This position has been considered in the light of the government's fees and charges guidelines[13]. The guidelines commence from a presumption in favour of fees based on full cost recovery, with any departures from this rule required to be justified in terms of equity or other policy considerations. The guidelines provide several examples of such considerations, including merit goods (i.e. those that provide significant benefits to third parties), the achievement of income distribution or social insurance goals and cases where full cost recovery may undermine innovation and product development.

The context for the registration and related fees under MEPS has been reviewed in accordance with these guidelines and it has been concluded that no compelling justification for departing from the presumption in favour of full cost recovery based fees exists. Consequently, it is proposed to increase the current fees to a level that will achieve full cost recovery.

Given that the fees currently recover only 52.9% of costs, a fee increase of approximately 89% would be required to achieve full cost recovery in the future, if it is assumed that the current volume of registration-related transactions continues. Table 2, below, demonstrates the impact on fee levels of this increase.

Table 2: Proposed (Existing) Fees

Fee for the registration of a model of proclaimed electrical equipment	$285 ($150) in respect of each model
Fee for the transfer of registration of proclaimed electrical equipment	$95($50) in respect of each model
Fee for extract from register	$95 ($50)

As indicated above, the implementation of these fees is expected to increase revenue from the current level of $180,000 per annum to approximately $340,000 per annum: an increase of $160,000 per annum.

[13] See *Cost Recovery Guidelines: Incorporating the information formerly published in the Guidelines for Setting Fees and User Charges Imposed by Departments and Central Government Agencies.* Department of Treasury and Finance, September 2007.

6. Identification and assessment of feasible alternatives

Consistent with the analytical approach taken throughout this RIS, the range of alternatives to be considered is limited to those elements of the proposed regulations over which Victoria has discretion – that is, alternatives that can be implemented within the context of Victoria continuing to meet its obligations under the intergovernmental agreements governing the Equipment Energy Efficiency Programme.

For a discussion of the threshold issue of alternatives to the labelling and MEPS requirements of the programme, readers should consult the national RIS listed in Appendix 1.

6.1. Fees maintained at current levels

6.1.1. Expected benefits of the alternative

As noted above, the fees currently charged under these regulations are set at levels that are well below the cost recovery level, with approximately 53% of ESV costs currently being recovered via fee revenue. The continuation of the fees at this level could be considered appropriate if it is believed that third parties benefit substantially as a result of the regulations.

The objectives of the mandatory labelling/MEPS requirements, as identified above, are to reduce greenhouse gas emissions and to reduce overall energy consumption. The former objective, in particular, is one whose beneficiaries are whole populations, rather than simply consumers of electrical appliances. Given this, there is a plausible basis on which to propose that a fee set at less than full cost recovery could be justified.

As noted above, the continuation of the current fee structure would lead to slightly more than half of the costs incurred by ESV in connection with the administration of the mandatory labelling/MEPS requirements being recovered form appliance manufacturers and importers. It is arguable that this level of cost recovery reflects an appropriate balance between the need for consumers to meet the costs associated with the program and the need for the taxpayer to contribute toward the achievement of the wider benefits of the program.

Continuing fees at their current levels would reduce the cost of registering an appliance and thereby making it eligible to be sold in the marketplace. This could, theoretically, have a positive impact on product variety and competition in the marketplace.

6.1.1. Expected costs of the alternative

This alternative would result in revenues that were $160,000 per annum less than those expected under the proposed fee structure being received by ESV. This is equivalent to $1.3 million in reduced revenues over ten years, in present value terms. The program activities carried out would therefore need to be subsidised by this amount from other sources.

While it was noted above that lower registration fees could theoretically favour product variety and competition in the market place, in practice these effects would be trivial. The registration fee is a once-only fee paid in respect of a particular product or product class. The effective cost per item sold due to the fee is obviously inversely proportional to the number of examples of the product sold. However, for virtually all of the products registered, sales would be numbered in the thousands per annum. If even 1,000 items are sold, the registration cost per item is equal to $285/1,000 = $0.28 per item. Hence, retention of the current fee would reduce this cost by approximately $0.13 per item, by comparison with the proposed full cost recovery based fee.

Moreover, while the whole population clearly has an interest in greenhouse gas reduction, it is clearly appropriate for consumers of greenhouse gas emitting products to bear the costs of a program that is designed to minimise those emissions, rather than for the general population to contribute to this cost.

6.2. Accepting appliance approvals undertaken in other countries to equivalent standards

6.2.1. Expected benefits of the alternative

Products affected by the mandatory labelling/MEPS requirements are able to be tested and registered in any of the states that carry out registration activities and subsequently sold throughout Australia. This reflects the fact that the MEPS and labelling standards are nationally uniform, so that a product that meets registration requirements in one state will also meet them in all other states and territories. The program also extends to New Zealand, so that registrations in any Australian state are valid for sales in New Zealand, and vice versa.

Box: Acceptance of registrations obtained in New Zealand

ESV along with the registering regulators in other States will accept registrations (called 'listings') granted in New Zealand with the following provisos:

1. The company responsible for the manufacture or importation of the product must have its registered offices in New Zealand.

2. The product must be either:

   (a) Imported into New Zealand (but not directly into Australia); or

   (b) Manufactured in New Zealand (not in Australia).

3. If this product is imported into Australia then it must only be imported through New Zealand.

ESV along with the registering regulators in other States will accept overseas test reports for application for registration.

It is potentially possible to allow products to be registered in Australia on the basis of the provision of the results of energy efficiency testing conducted in other countries that show the appliances meet equivalent overseas standards. This approach is adopted in practice in relation to a range of products (e.g. personal flotation devices) where it is judged that there is little or no substantive difference between the standards adopted in other countries and the equivalent Australian Standards.

Adopting this approach could yield efficiency gains due to the fact that product testing that may have been carried out in other countries would not need to be repeated in order to obtain access to the Australian market. In addition to the cost savings involved for appliance manufacturers/importers there would be benefits in terms of reduced delays in having products approved for sale in Australia as re-testing would not be required. It is also possible that a wider range of products would become available on the Australian market, since producers have little incentive in many cases to take Australian standards into account in their product design decisions, given the small size of the Australian market.

It should be noted that the costs of testing appliances for compliance with the standard is generally significantly higher than the actual registration fees charged by government. Hence, this alternative has the potential to yield more significant cost savings to producers (and, by extension, consumers) than does the alternative of adopting a lower registration fee, considered above.

6.2.2. Expected costs of the alternative

In the course of developing Australian Standards for energy efficiency to be adopted as part of the MEPS program, regulators will generally seek to adopt existing international standards where they exist and where they are adequate. However, in practice, it has been found that existing international standards are able to be used in only a minority of cases.

The Australian standards, including the testing methods adopted, may vary from major international standards for a range of reasons. In some cases, these may reflect the adoption of different technical judgements. However, in others they will reflect different operational contexts, such as the need to accommodate different voltages and operating temperatures.

For a number of product types, the AS or AS/NZS test methods are identical to, or are closely based on, IEC standards. An example is lighting, which is tested using identical methods to those specified by IEC. In other cases, regulators use the IEC as the base test method but adopt some amendments. Examples include electric motors, air conditioners and transformers. In other cases more extensive changes are made. For example, for dishwashers, the broad IEC approach is adopted but major modifications are made. Finally, in a number of product categories (e.g. refrigerators, dryers and washers) there is little direct relationship between the IEC test methods and those adopted under the AS/NZs.

In addition to the realities of substantive differences between many of the MEPS and their equivalent overseas standards it must be noted that a very large proportion of the affected appliances are actually imported, rather than locally manufactured. This means that there is little scope to accept appliances tested in accordance with overseas standards without substantially undercutting the relevance of the Australian Standards. From the Victorian perspective, there is no practical possibility of accepting compliance with overseas standards for registration purposes as a result of the fact that Victoria is party to an intergovernmental agreement that specifically requires all products to meet the relevant Australian Standards. That is, the existence of the IGA means that Victoria cannot make a unilateral decision on this front.

Finally, other practical concerns also underlie the decision not to accept products on the basis of the provision of the results of testing conducted that show the appliances meet equivalent overseas standards. These include practical issues of keeping track of compliance and check testing of products.

6.3. Charging differential fees for different appliances

In determining a fee structure, particularly one based on cost recovery, it is generally appropriate to charge differential fees where the costs of undertaking certain activities differ significantly. This option has been considered and

determined not to be appropriate in the context of these regulations because of the nature of the approvals process.

As discussed in Section 5.4.1, this process is identical for all appliance types being registered. The approval process involves verification that the relevant documentation has been provided and is complete and correct. It does not include the substantive task of testing the appliance, which is conducted prior to application being made, with a test report being submitted to the registering authority. Given this, the cost of processing applications for registration is essentially the same for all classes of appliance and a differentiated fee structure can, as a result, not be justified.

7. Conclusion

The proposed regulations will remake the current regulations setting out mandatory labelling and MEPS for a range of electrical appliances. The remade regulations will also establish MEPS for two new classes of appliance, being external power supplies and set top boxes. These regulations are made pursuant to an intergovernmental agreement to which Victoria is a party. As such, Victoria has an obligation to apply the labelling and MEPS requirements without amendment.

All of the MEPS contained in the proposed regulations have been subjected to RIS conducted at the national level. These have concluded that each standard is likely to yield net benefits to the community, measured in terms of reduced greenhouse gas emissions and reduced energy consumption. As indicated above, the most recent prospective assessment of the global benefits and costs of the program, covering the period 2005 – 2020 concludes that net benefits of $8.8 billion will accrue over this period and that there will be approximately $2 of benefits generated for each $1 of cost imposed by the program[14]. Moreover, these estimates are based solely on the value of reductions in energy consumption and do not take into account the value of greenhouse gas emissions reductions achieved. Thus, the program can be regarded as a "no regrets" policy in terms of greenhouse gas emission reductions. Adding plausible values for the greenhouse gas emissions averted would increase the benefits of the program by around $5.3 billion, or by more than 60 per cent.

The validity of these prospective analyses has been confirmed by an ex post analysis of the longest standing MEPS, which found that actual benefits were substantially larger than those estimated in RIS completed prior to the introduction of the standards.

Victoria acts as a registering authority for appliances under the program. The proposed regulations will substantially increase the fees charged for registration related activities in order to achieve full cost recovery in respect of these activities. The alternative of maintaining the fees at their current level has also been assessed in this RIS, as has the option of accepting testing carried out internationally in accordance with international standards for registration purposes. The relative merits of these three options have been considered in the light of three identified assessment criteria of efficiency, equity and legal feasibility. The following table summarises the results of this multi-criteria analysis, with each option being scored on a scale of 0 – 5 (with 5 representing the most preferred option) on each criterion.

[14] Based on a 5% discount rate.

Table 3: Summary results of multi-criteria analysis

	Efficiency	Equity	Legal feasibility	Total
Proposed Regs	3	5	5	13
Existing fees	2	3	5	10
International testing	5	5	0	10

Table 3 shows that the proposed regulations score highest with 13 points, while the two alternatives score 10 points each. The scores under each criterion have been determined as follows:

Efficiency

The option of accepting the results of international testing as well as local testing scores highest on the efficiency criterion, since it would mean that, for many appliances, local testing would not need to be undertaken. This would clearly yield regulatory cost savings. The proposed regulations score next highest, since the adoption of cost recovery based fees ensures that there are no cross-subsidies associated with the registration process and, consequently, no risk of perverse incentives being generated. The option of retaining the existing fees scores slightly lower, since it still recovers more than 50% of the costs associated with registration, but implies some level of cross-subsidy.

Equity.

The proposed regulations and the option of international testing being accepted both score five points on this criterion. This reflects the fact that the international testing option is assumed also to include the charging of full cost recovery based fees. In this case, there will be no unjustifiable cross-subsidy from taxpayers to appliance purchasers. The option of retaining the existing fees scores lower because there is a cross-subsidy equal to almost half of the registration related cost. This option would involve taxpayer subsidies to consumers and importers of the relevant appliances totalling around $1.3 million over ten years. This is not regarded as being justified in terms of the government's policies on fees and charges. Specifically, it is considered that there is no broader public benefit associated with the registration process that would justify a departure from the initial presumption in favour of full cost recovery based fee setting that is adopted in the government fees and charges guidelines.

Legal feasibility

Both the proposed regulations and the option of retaining the existing fees score five points against this criterion, while the option of allowing international test results to be used scores zero points as it is not consistent with the current intergovernmental agreements in relation to the MEPS programme. Moreover, it would undermine the specific Australian Standards adopted, particularly given

the overseas origin of a large proportion of the appliances required to be registered. Consequently, this option has not been preferred.

8. Administrative burden statement

As a result of the Victorian government to 2006 *Reducing the Regulatory Burden* policy statement, all significant new administrative burdens created by legislation or regulation are required to be measured using a Standard Cost Model methodology, established by the Department of Treasury and Finance. The results of this analysis are generally expected to be reported in the RIS in respect of proposed regulations that would impose significant new administrative burdens.

New administrative burdens in respect of the proposed regulations will arise as a result of the expansion of the labelling/MEPS requirements to include new product categories. The proposed regulations incorporate set top boxes and external power supplies within their ambit for the first time. Review of the RIS prepared via CoAG processes in relation to these two product classes indicates that the new administrative burdens to be imposed may exceed the "materiality threshold" of $250,000 per annum adopted under the *Reducing the Regulatory Burden* policy. However, it should be noted that compliance arrangements in relation to external power supplies are still being developed.

In any event, these requirements are established pursuant to the national uniformity scheme and have, as noted, been the subject of an RIS prepared at the national level. Since Victoria has no capacity to affect the size of these administrative burdens under the terms of the national uniformity agreement, no SCM analysis has been undertaken as part of this RIS.

9. Assessment of impact on small business

The importers and distributors of the appliances covered by the MEPS scheme are almost invariably medium to large businesses. Hence, any impact of the proposed regulations on small business will be extremely limited. The registration fees, which are the only aspect of the regulations subject to Victorian control, are small in absolute terms and are considered unlikely to impose a significant burden, even where a registering business is a small business.

10. Consultation

A letter advising of the imminent remaking of the existing regulations and inviting stakeholder comment was sent by ESV to a total of 24 stakeholders on 19 February 2008. The letter specifically sought suggestions for improvements in the existing regulations, based on the stakeholders' practical experience in working with them.

However, it also noted that the focus of the consultation was on ESV's administration of the programme, rather than on the substantive merits of the programme per se, given that these issues are appropriately dealt with in the national context.

No responses to this letter were received from stakeholders. However, the release of this RIS for consultation provides a further opportunity for stakeholders to provide input in relation to this issue.

This RIS is being released for a 28 day consultation period.

11. Statement of compliance with National Competition Policy

The National Competition Policy Agreements ("NCPA") set out specific requirements with regard to all new legislation adopted by jurisdictions that are party to the agreements. Clause 5(1) of the Competition Principles Agreement sets out the basic principle that must be applied to both existing legislation, under the legislative review process, and to proposed legislation:

> *The guiding principle is that legislation (including Acts, enactments, Ordinances or Regulations) should not restrict competition unless it can be demonstrated that:*
>
> *(a) The benefits of the restriction to the community as a whole outweigh the costs; and*
> *(b) The objectives of the regulation can only be achieved by restricting competition.*

Clause 5(5) provides a specific obligation on parties to the agreement with regard to newly proposed legislation:

> *Each party will require proposals for new legislation that restricts competition to be accompanied by evidence that the restriction is consistent with the principle set out in sub-clause (1).*[15]

Accordingly, every regulatory impact statement must include a section providing evidence that the proposed regulatory instrument is consistent with these NCP obligations. The recently released OECD Competition Assessment Toolkit[16] provides a checklist for identifying potentially significant negative impact on competition in the RIA context. This is based on the following three questions:

- Does the proposed regulation limit the number or range of suppliers?
- Does the proposed regulation limit the ability of suppliers to compete?
- Does the proposed regulation limit the incentives for suppliers to compete vigorously?

According to the OECD, if all three of these questions can be answered in the negative, it is unlikely that the proposed regulations will have any significant negative impact on competition.

[15] Clause 5, Competition Principles Agreement, 11 April 1995 accessed at www.ncc.gov.au/pdf/PIAg-001.pdf

[16] See *Integrating Competition Assessment into Regulatory Impact Analysis.* OECD, Paris, 2007. (DAF/COMP(2007)8).

The Productivity Commission has noted the potential for the MEPS component of the EEE programme to have a negative impact on competition[17]. However, this issue relates to the substantive impacts of the programme and is outside the scope of the current RIS. No competition issues are believed to exist in relation to the issue of ESV's administration of the EEE programme. This is because the fees involved are sufficiently small in relative terms as to make it extremely unlikely that they would have any substantive impact on decisions as to whether to market a particular product family in Australia or even as to whether to register particular product families in Victoria or other states.

Consequently, the proposed regulations comply with the requirements of the National Competition Policy agreements.

[17] See Productivity Commission (2005), pp 192-3.

12. Compliance, enforcement and evaluation strategy

The following summarises the compliance, enforcement and evaluation related activities undertaken by ESV in respect of the EEE program.

Check Testing.

ESV contributes $26,000 per annum to the Equipment Efficiency Working Group Fund to cover the costs of the National Check Testing Program. All State and Territory regulatory agencies participate in the National Check testing program, which is conducted under the auspices of the E^3 Committee and the Energy Efficiency Working Group. This program, which involves a two-stage approach to check testing, is evaluated regularly.

Regulatory authorities commission NATA accredited laboratories (which must not be associated with the registration holder) to check test selected models to ensure that the energy label and/or performance claims made by suppliers are valid. Check testing is undertaken for all product types subject to mandatory energy labelling and/or MEPS requirements. To provide economies of scale and consistency the compliance testing of appliances is co-ordinated at the national level.

Models to be check tested are not selected on a random or statistical basis but rather on the basis of a series of factors that are considered to increase the risk of failure. In addition, regulatory agencies will consider complaints by third parties and will take action if the complaint includes a test report conducted by a NATA accredited laboratory that demonstrates a compliance failure in a product.

Suppliers of a product that is demonstrated to fail the check test criteria will have their registration cancelled and may be reported to the ACCC for further action and undertakings. Between 1999 and 2006, 117 appliances have failed check testing. Of these, 85 appliances were deregistered. In 2006/2007, 3 of these de-registrations were Victorian registrations. Check-testing is consequently an important and effective means of ensuring compliance with the MEPS requirements.

Retail Compliance Audits. ESV monitors compliance with the EE regulations in retail stores, internet listings and auction listings. ESV will audit 2,000 electrical equipment items for energy efficiency compliance in retailer shops and other outlets during 2007-08. Approximately one person day per month is devoted to this task. Two types of audit are undertaken. First, a store audit involves checking appliances on display to ensure that they are labeled as required. A four hour audit of a store such as Harvey Norman can cover as

many as 300 appliances (i.e. count as 300 audits within the estimated total of 2,000 above). The second type of audit is a desktop audit. These involve checking a store's website to ensure that the appliances pictured are appropriately labeled, Approximately 6 of these are undertaken per annum.

If a store is found to be non-compliant by virtue of selling unregistered appliances, a notice to comply is issued in the first instance. This may be followed by a direction to remove unlabelled appliances from the sales floor.

Infringement Notices – If a store that has been the subject of administrative action following a retail compliance audit is subsequently found to be non-compliant, an infringement notice is issued under the Electrical Safety Act 1998. ESV has issued 12 infringement notices since the regulations commenced in 1999. This low rate of issue is indicative of the success of other compliance activities.

Prosecutions – Even though ESV can prosecute offences under the Electrical Safety Act, prosecutions are usually referred by the E^3 Committee to the ACCC, which takes action against offenders under the provisions of s 52 of Trade Practices Act. This has occurred twice[18].

Evaluation mechanisms

ESV consistently monitors the results of the national check testing program and the results of store audits undertaken. These performance indicators are published in ESV's annual report, which is tabled in Parliament. ESV also records the number of notices to comply and infringement notices issued and monitors cancelled registrations.

Taken together, these measures provide a clear view of compliance with the program and enable any systemic problem areas to be identified and acted upon. The current evaluation processes are expected to continue without major amendment under the proposed regulations.

[18] See: http://www.accc.gov.au/content/index.phtml/itemId/763524 ; and attached media release.

Appendix 1: National RIS completed in relation to equipment types contained in the proposed regulations

This document contains links to the various Regulatory Impact Statements prepared for the Equipment Energy Efficiency National Scheme. Reference is also made to the specific regulations which brought the proposals assessed in the RIS into force in Victoria.

1. Items currently regulated

1999-FEB	Regulated Appliances	Regulatory Impact Statement: Energy Labelling and MEPS for Household Electrical Appliances in Australia - examines impact of the introduction of model state regulations and the new energy label for introduction in 2000.	Download 225 kB

This RIS was prepared for the introduction of the Mandatory National Scheme. Its recommendations were adopted by the making of the 1999 Regulations. The Regulations covered clothes washing machines, dishwashers, refrigerating appliances, air-conditioners, clothes dryers, and storage water heaters.

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2000,
S.R. No. 31/2000
Date of Making: 16.5.00
Date of Commencement: 17.5.00:

This amendment introduced new labelling requirements and a new label for household electrical appliances.

1999-NOV	Labelled Appliances	Regulatory Impact Statement Energy Labelling & MEPS for Household Electrical Appliances in Australia. Supplementary Cost-Benefit Analysis on Transition to a Revised Energy Label	Download 221 kB

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2001,
S.R. No. 93/2001
Date of Making: 25.9.01
Date of Commencement: 1.10.01: reg. 3

This amendment introduced efficiency requirements for three-phase cage induction motors and three-phase air-conditioners and heat pumps. It also provided for the voluntary labelling of three-phase air-conditioners and heat pumps and new efficiency requirements for storage water heaters.

2000-AUG	Air conditioners	Regulatory Impact Statement: Minimum Energy Performance Standards and Alternative Strategies for Airconditioners and Heat Pumps. Examines costs and benefits for PAC MEPS levels proposed for October 2001.	Download 326 kB

2000-SEP	Motors	Regulatory Impact Statement: Minimum Energy Performance Standards and Alternative Strategies for Electric Motors. Examines costs and benefits for motor MEPS levels proposed for October 2001.	Download 277 kB

2001-JUN	Water Heaters	Regulatory Impact Statement: Revised Minimum Energy Performance Standards and Alternative Strategies for Small Electric Storage Water Heaters	Download 519 kB

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2003,
S.R. No. 98/2003
Date of Making: 12.8.03
Date of Commencement: 17.8.03: reg. 3

This amendment introduced efficiency and labelling requirements for fluorescent lamp ballasts.

2001-JAN	Lamps	Regulatory Impact Statement: Minimum Energy Performance Standards and Alternative Strategies for Fluorescent Lamp Ballasts	Download 296 kB

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2004,
S.R. No. 24/2004
Date of Making: 30.3.04
Date of Commencement: 1.4.04: reg. 3

This amendment introduced new efficiency and testing requirements for dishwashers.

1999-NOV	Labelled Appliances	Regulatory Impact Statement Energy Labelling & MEPS for Household Electrical Appliances in Australia. Supplementary Cost-Benefit Analysis on Transition to a Revised Energy Label	Download 221 kB

Electricity Safety (Equipment Efficiency) (Further Amendment) Regulations 2004, S.R. No. 183/2004
Date of Making: 21.12.04
Date of Commencement: Regs 5-17 on 21.12.04: reg. 3(1); regs 18–21 on 1.1.05: reg. 3(2)

This amendment introduced efficiency requirements for distribution transformers, linear fluorescent lamps and refrigerated display cabinets. This amendment also prescribed new efficiency requirements for single-phase air-conditioners and heat pumps and household refrigerating appliances.

2002-FEB	Transformers	Regulatory Impact Statement: MEPS for Electricity Distribution Transformers. Report 2002/18	Download 566 kB

2003-DEC	Lamps	Minimum Energy Performance Standards for Linear Fluorescent Lamps: Regulatory Impact Statement by Mark Ellis & Associates (Report 2003/10, Dec 2003).	Download 747 kB

2004-FEB	Commercial Refrigeration	Regulatory Impact Statement - MEPS & Alternative Strategies for Commercial Refrigeration Prepared by Mark Ellis & Assocs with Steven Beletich Associates for AGO. (Report 2004/01)	Download 575 kB

2001-AUG	Refrigerators	Regulatory Impact Statement: Revised Minimum Energy Performance Standards for Household Refrigerators and Freezers. George Wilkenfeld and Associates, examines impact of US2001 MEPS levels for 2005 in Australia.	Download 403 kB

2003-AUG	Air Conditioners	Minimum Energy Performance Standards for Airconditioners, Regulatory Impact Statement. (Report 2003/08, Aug 2003).	Download 418 kB

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2005, S.R. No. 131/2005
Date of Making: 25.10.05
Date of Commencement: 27.10.05: reg. 3

This amendment introduced efficiency requirements for certain types of water heaters. It also prescribed new efficiency requirements for previously regulated water heaters.

2004-JUN	Water Heaters	Regulatory Impact Statement - MEPS for Miscellaneous Electric Water Heaters Prepared by Syneca Consulting for AGO. (Report 2004/03)	Download 348 kB

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2006, S.R. No. 34/2006
Date of Making: 28.3.06
Date of Commencement: 1.4.06: reg. 3

This amendment prescribed new efficiency requirements for single-phase household air-conditioners and heat pumps and three-phase cage induction motors.

2003-DEC	Motors	Revised Minimum Energy Performance Standards for Electric Motors: Regulatory Impact Statement by Syneca Consulting (Report 2003/11, Dec 2003).	Download 377 kB
2005-FEB	Airconditioning	Regulatory Impact Statement - Proposal to Increase MEPS for Room Airconditioners Prepared by Syneca Consulting for NAEEEC. (Report 2005/04)	Download 448 kB

Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2007, S.R. No. 16/2007
Date of Making: 27.3.07

Date of Commencement: 1.4.07: reg. 3

This amendment prescribed new efficiency requirements for dishwashers and clothes washing machines.

2006-MAY	Wet Products	RIS - inclusion of standby power in the energy ratings of clothes washers & dishwashers.	Download 2 MB

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2. New items to be included in the new regulations

External Power Supplies

2007-MAR	External Power Supplies	Consultation RIS - MEPS and Alternative Strategies for External Power Supplies (Report 2007/02)	Download 1.3 MB

Set top boxes

2007-APR	Home Entertainment	E3 Committe Cost-Benefit Analysis: MEPS and Alternative Strategies for Set-top Boxes. Report No 2007/03.	Download 1 MB

Appendix 2: Exposure Draft

Electricity Safety (Equipment Efficiency) Regulations

Exposure Draft

TABLE OF PROPOSALS

Victoria

Electricity Safety (Equipment Efficiency) Regulations

Exposure Draft

PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are to—

(a) prescribe standards of energy efficiency and performance for proclaimed electrical equipment; and

(b) provide for the registration and labelling of proclaimed electrical equipment; and

(c) prescribe fees, penalties and other matters authorised by the **Electricity Safety Act 1998**; and

(d) to prescribe certain provisions of these Regulations that create offences as provisions in respect of which infringement notices may be served; and

(e) to make a related consequential amendment to the Electricity Safety (Infringements) Regulations 2000.

2 Authorising provisions

These Regulations are made under sections 154 and 157 of the **Electricity Safety Act 1998**.

3 Revocations

(1) The following regulations are **revoked**—

(a) the Electricity Safety (Equipment Efficiency) Regulations 1999[1];

(b) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2000[2];

(c) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2001[3];

(d) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2003[4];

(e) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2004[5];

(f) the Electricity Safety (Equipment Efficiency) (Further Amendment) Regulations 2004[6];

(g) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2005[7];

(h) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2006[8];

(i) the Electricity Safety (Equipment Efficiency) (Amendment) Regulations 2007[9];

(2) Regulation 5(d) of the Electricity Safety (Infringements) Regulations 2000[10] is **revoked**.

4 Definitions

In these Regulations—

accredited or approved laboratory means a laboratory accredited by the National Association of Testing Authorities or approved by Energy Safe Victoria;

AS 1056.1 means AS 1056.1 as referred to in Schedule 2 as published or amended from time to time;

AS 1359.5 means AS 1359.5 as referred to in Schedule 2 as published or amended from time to time;

AS 1361 means AS 1361 as referred to in Schedule 2 as published or amended from time to time;

AS 1731.14 means AS 1731.14 as referred to in Schedule 2 as published or amended from time to time;

AS 2374.1.2 means AS 2374.1.2 as referred to in Schedule 2 as published or amended from time to time;

AS/NZS 2007.1 means AS/NZS 2007.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 2007.2 means AS/NZS 2007.2 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 2040.1 means AS/NZS 2040.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 2040.2 means AS/NZS 2040.2 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 2442.1 means AS/NZS 2442.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 2442.2 means AS/NZS 2442.2 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 3823.1.1 means AS/NZS 3823.1.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 3823.2 means AS/NZS 3823.2 as referred to in Schedules 1 and 2 as published or amended from time to time;

AS/NZS 4474.1 means AS/NZS 4474.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 4474.2 means AS/NZS 4474.2 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 4665.1 means AS/NZS 4665.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 4665.2 means AS/NZS 4665.2 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 62087.1 means AS/NZS 62087.1 as referred to in Schedule 2 as published or amended from time to time;

AS/NZS 62087.2 means AS/NZS 62087.2 as referred to in Schedule 2 as published or amended from time to time;

AS/NZS 4692.1 means AS/NZS 4692.1 as referred to in Schedule 2 as published or amended from time to time;

AS/NZS 4692.2 means AS/NZS 4692.2 as referred to in Schedule 2 as published or amended from time to time;

AS/NZS 4782.2 means AS/NZS 4782.2 as referred to in Schedule 2 as published or amended from time to time;

AS/NZS 4783.1 means AS/NZS 4783.1 as referred to in Schedule 1 as published or amended from time to time;

AS/NZS 4783.2 means AS/NZS 4783.2 as referred to in Schedule 1 as published or amended from time to time;

display front means an assembly which is intended to represent the front of proclaimed electrical equipment;

distribution transformer means an electrical device that is used for stepping down electricity supply from high voltage to low voltage and which—

(a) is of the dry type or oil-immersed type; and

(b) operates on three-phase or single-phase; and

(c) has a power rating from 10 kVA to 2500 kVA; and

(d) has a system highest voltage up to 24 kV; and

(e) is on 11 or 22 kV networks;

heat exchange water heater means an electrical appliance—

(a) that has a heat storage volume within the range 45 to 710 litres; and

(b) in which potable water is heated by a heat transfer system that maintains a physical separation between a primary heat transfer fluid (which may be distilled, demineralized or potable water, specific refrigerants or chemicals) and potable water; and

(c) where the volume of heated water which is stored within the heat exchanger (and which is subsequently delivered as hot water to the user as required) is less than the volume of the heat transfer fluid;

linear fluorescent lamp means an electrical device which—

(a) is for general illumination; and

(b) is of the double-capped (FD or FDH) tubular type; and

(c) is of a nominal length of 550 mm to 1500 mm; and

(d) has a nominal lamp wattage of 16 watts or more; and

(e) is for use—

(i) in a luminaire; or

(ii) with a lamp ballast that is connected to a 230 V 50 Hz single-phase or similar mains supply; or

(iii) with a lamp ballast of the high frequency electronic type;

manufactured includes assembled or modified;

proclaimed electrical equipment means equipment to which an Order under section 67 of the Act applies;

refrigerated display cabinet means an electrical device that—

(a) is a cabinet cooled by a refrigerating system; and

(b) is used for the display or sale of foodstuffs; and

(c) enables chilled and frozen foodstuffs in the cabinet to be kept within certain temperature limits; and

(d) is of the remote or self-contained type;

registration fee means the fee set out in regulation 57(1);

registrable fluorescent lamp ballast means a ballast of the type referred to in clause 6.4.1 of AS/NZS 4783.2;

registration holder means a person in whose name proclaimed electrical equipment is registered or to whom registration of proclaimed electrical equipment has been transferred;

regulatory authority means—

(a) Energy Safe Victoria; or

(b) a person or body in another State or Territory that administers the minimum standards for energy efficiency of electrical equipment for that State or Territory;

relevant standard means the Standard specified in Column 3 of Schedule 1 in respect of the corresponding type of proclaimed electrical equipment set out in Column 2 of that Schedule;

remote refrigerated display cabinet means a refrigerated display cabinet that has a condensing unit not built into the cabinet;

self-contained refrigerated display cabinet means a refrigerated display cabinet that has a condenser unit built into the cabinet;

single-phase commercial airconditioner or heat pump means—

(a) a single-phase ducted airconditioner or heat pump; or

(b) a single-phase non-ducted airconditioner or heat pump that is used or designed for commercial use—

that is within the scope of section 1 of AS/NZS 3823.2;

single-phase household airconditioner or heat pump means a single-phase non-ducted airconditioner or heat pump that is used or designed for household use and that is within the scope of section 1 of AS/NZS 3823.2;

storage water heater means—

(a) a heat exchange water heater;

(b) a vented displacement water heater; or

(c) an unvented displacement water heater;

the Act means the **Electricity Safety Act 1998**;

transfer fee means the fee set out in regulation 57(2);

unvented displacement water heater means an electrical appliance—

(a) that incorporates a thermally insulated container in which water is heated and stored for subsequent use; and

(b) in which the required venting to atmosphere is controlled by a valve; and

(c) that has heating units of the tubular-sheathed immersion or bobbin type; and

(d) that has a hot water delivery of up to 630 litres;

vented displacement water heater means an electrical appliance that—

(a) incorporates a thermally insulated container in which water is heated and stored for subsequent use; and

(b) has a hot water delivery in the range of—

(i) 25 to 630 litres without an attached feed tank; or

(ii) 100 to 630 litres with an attached feed tank; and

(c) is open to the atmosphere so that under no conditions of use can the pressure at the surface of the water be other than atmospheric.

PART 2—STANDARDS

5 Minimum standards for energy efficiency and performance

(1) Proclaimed electrical equipment listed in Schedule 1 must comply with the performance criteria (other than minimum energy performance standards) set out in the relevant standard when tested in accordance with the relevant standard by an accredited or approved laboratory.

(2) Subregulation (1) does not apply to registrable fluorescent lamp ballasts and external power supplies.

(3) In addition to the requirements under subregulation (1), refrigerating appliances must also comply with the minimum energy performance standards set out in clause 3.5 of AS/NZS 4474.2 when tested in accordance with AS/NZS 4474.1 by an accredited or approved laboratory.

(4) Single-phase household airconditioners and heat pumps must, in addition to the requirements under subregulation (1), comply with—

(a) the minimum energy performance standard set out in clause 3.2 of AS/NZS 3823.2 when tested in accordance with clauses 3.4, 3.5, 3.6 and 3.7 of AS/NZS 3823.2 by an accredited or approved laboratory; or

(b) in the case of a single-phase airconditioner or heat pump labelled or marked as having Class A efficiency, the minimum energy performance standard set out in clause 3.3 of AS/NZS 3823.2 when tested in accordance with clauses 3.4, 3.5, 3.6 and 3.7 of AS/NZS 3823.2 by an accredited or approved laboratory.

6 Registrable fluorescent lamp ballasts

Registrable fluorescent lamp ballasts must comply with—

(a) the performance criteria set out in clause 6.2 of AS/NZS 4783.2 when tested in accordance with AS/NZS 4783.1 by an accredited or approved laboratory; and

(b) the minimum energy performance standards set out in clause 6.4.1 of AS/NZS 4783.2 when tested in accordance with AS/NZS 4783.1 by an accredited or approved laboratory; and

(c) in the case of a ballast labelled with an energy efficiency index classification of A1, the requirements set out in clause 5.3.2 of AS/NZS 4783.2 when tested in accordance with AS/NZS 4783.1 by an accredited or approved laboratory.

7 External power supplies

External power supplies must comply with—

(a) the minimum energy performance standards set out in clause 2.1 of AS/NZS 4665.2 when tested in accordance with AS/NZS 4665.1 by an accredited or approved laboratory; and

(b) in the case of a external power supply labelled or marked as a high efficiency power supply, the requirements set out in clause 3.1 of AS/NZS 4665.2 when tested in accordance with AS/NZS 4665.1 by an accredited or approved laboratory.

8 Storage water heaters

Storage water heaters must comply with the following minimum energy performance standards—

(a) in the case of unvented displacement water heaters—

(i) the requirements for rated hot water delivery set out in clause 2.2.1.2 of AS/NZS 4692.2 when tested in accordance with AS/NZS 4692.1 by an accredited or approved laboratory; and

(ii) the requirements regarding maximum allowable heat loss set out in the third column of Table A1 or Table A2 (as the case requires) in Appendix A of AS/NZS 4692.2 when tested in accordance with AS/NZS 4692.1 or AS 1056.1 (as the case may be) by an accredited or approved laboratory; and

(b) in the case of vented displacement water heaters—

(i) the requirements for rated hot water delivery set out in clause 2.2.2.2 of AS/NZS 4692.2 when tested in accordance with AS/NZS 4692.1 by an accredited or approved laboratory; and

(ii) the requirements regarding maximum allowable heat loss set out in clause 2.2.2.3 of AS/NZS 4692.2 when tested in accordance with AS/NZS 4692.1 or AS 1056.1 (as the case may be) by an accredited or approved laboratory; and

(c) in the case of heat exchange water heaters—

(i) the requirements for heat storage volume set out in clause 2.2.3.2 of AS/NZS 4692.2 when tested in accordance with AS/NZS 4692.1 by an accredited or approved laboratory; and

(ii) the requirements regarding maximum allowable heat loss set out in clause 2.2.3.3 of AS/NZS 4692.2 when tested in accordance with AS/NZS 4692.1 or AS 1361 (as the case may be) by an accredited or approved laboratory.

9 Three-phase cage induction motors

Three-phase cage induction motors must comply with—

(a) the minimum efficiency requirements set out in clause 2.2 of AS/NZS 1359.5 when tested in accordance with clause 2.2 of AS/NZS 1359.5 by an accredited or approved laboratory; or

(b) the minimum efficiency requirements set out in clause 2.3 of AS/NZS 1359.5 when tested in accordance with clause 2.3 of AS/NZS 1359.5 by an accredited or approved laboratory; or

(c) in the case of a three-phase cage induction motor labelled or marked as a high efficiency motor, the minimum high efficiency requirements set out in clause 3.2 or 3.3 of AS/NZS 1359.5 when tested in accordance with clause 3.2 or 3.3 of AS/NZS 1359.5 (as the case requires) by an accredited or approved laboratory.

10 Single-phase commercial airconditioners and heat pumps and three-phase airconditioners and heat pumps

Single-phase commercial airconditioners and heat pumps and three-phase airconditioners and heat pumps must comply with—

(a) if registered for energy labelling, the performance criterion set out in clause 2.9 of AS/NZS 3823.2when tested in accordance with clause 2.9 of AS/NZS 3823.2 by an accredited or approved laboratory; and

(b) the minimum energy performance standard set out in clause 3.2 of AS/NZS 3823.2 when tested in accordance with clauses 3.4, 3.5, 3.6 and 3.7 of AS/NZS 3823.2 by an accredited or approved laboratory.

11 Distribution transformers

Distribution transformers must comply with—

(a) the minimum power efficiency levels set out in clause 2.1 of AS 2374.1.2 when tested in accordance with section 4 of AS 2374.1.2 by an accredited or approved laboratory; and

(b) in the case of a distribution transformer labelled or marked as a high power efficiency transformer or a high efficiency transformer, the requirements set out in clause 3.1 of AS 2374.1.2 when tested in accordance with section 4 of AS 2374.1.2 by an accredited or approved laboratory.

12 Linear fluorescent lamps

Linear fluorescent lamps must comply with the minimum energy performance standard set out in clause 2.2 of AS/NZS 4782.2 when tested in accordance with clauses 2.3 and 2.4 of AS/NZS 4782.2 by an accredited or approved laboratory.

13 Refrigerated display cabinets

Refrigerated display cabinets must comply with—

(a) in the case of remote refrigerated display cabinets, the minimum energy performance standard set out in clause 2.1 of AS 1731.14 when tested in accordance with clause 2.1 of AS 1731.14 by an accredited or approved laboratory; and

(b) in the case of self-contained refrigerated display cabinets, the minimum energy performance standard set out in clause 2.2 of AS 1731.14 when tested in accordance with clause 2.2 of AS 1731.14 by an accredited or approved laboratory; and

(c) in the case of a remote refrigerated display cabinet labelled or marked as a high efficiency refrigerated display cabinet, the requirements set out in clause 3.1 of AS 1731.14 when tested in accordance with clause 3.1 of AS 1731.14 by an accredited or approved laboratory; and

(d) in the case of a self-contained refrigerated display cabinet labelled or marked as a high efficiency refrigerated display cabinet, the requirements set out in clause 3.2 of AS 1731.14 when tested in accordance with clause 3.2 of AS 1731.14 by an accredited or approved laboratory.

14 Set top boxes

Set top boxes must comply with—

(a) the minimum energy performance standards set out in clause 2.1 of AS/NZS 62087.2 when tested in accordance with AS/NZS 62087.1 by an accredited or approved laboratory; and

(b) in the case of a set top box labelled or marked as a high efficiency set top box, the requirements set out in clause 3.1 of AS/NZS 62087.2 when tested in accordance with AS/NZS 62087.1 by an accredited or approved laboratory.

PART 3—REGISTRATION

15 Proclaimed electrical equipment not requiring registration

This Part does not apply to fluorescent lamp ballasts that are not registrable fluorescent lamp ballasts.

16 Regulatory authorities

For the purposes of section 68 of the Act, proclaimed electrical equipment may be registered by—

(a) Energy Safe Victoria; or

(b) a person or body in another State or a Territory that administers the minimum standards for energy efficiency of electrical equipment for that State or Territory.

17 Applications for registration

A person may apply to Energy Safe Victoria for the registration of proclaimed electrical equipment.

18 Applications for the registration of electrical equipment that is listed in Schedule 1

(1) An application for the registration of proclaimed electrical equipment that is listed in Schedule 1 must—

(a) be in the form set out in Part 2 of the relevant standard specified in column 3 of that Schedule in relation to the equipment; and

(b) specify whether the equipment complies with the minimum standards set out in regulation 5; and

(c) be accompanied by—

(i) the results of testing and calculations referred to in section 2 of Part 2 of the relevant standard; and

(ii) a sample of the electrical equipment label to be attached to the equipment; and

(iii) the results of testing referred to in regulation 5; set out in the form required by the relevant standard; and

(iv) the applicable registration fee.

(2) Subregulation (1) does not apply to registrable fluorescent lamp ballasts and external power supplies.

19 Applications for the registration of a registrable fluorescent lamp ballast

An application for the registration of a registrable fluorescent lamp ballast must—

(a) be made in accordance with the requirements for an application for registration set out in section 7 of AS/NZS 4783.2; and

(b) be in the form set out in Appendix A of AS/NZS 4783.2; and

(c) specify whether the equipment complies with the performance criteria and the minimum energy performance standards set out in regulation 6; and

(d) be accompanied by—

(i) the results of testing referred to in regulation 6 set out in the form required by Appendix G of AS/NZS 4783.1; and

(ii) a likeness of the electrical equipment label to be printed on the equipment; and

(iii) the applicable registration fee.

20 Applications for the registration of an external power supply

An application for the registration of an external power supply must—

(a) be made in accordance with the requirements for an application for registration set out in section 6 of AS/NZS 4665.2; and

(b) be in the form set out in Appendix A of AS/NZS 4665.2; and

(c) specify whether the equipment complies with the performance criteria and the minimum energy performance standards prescribed in regulation 7; and

(d) if the equipment is labelled or marked as a high efficiency power supply, specify whether the equipment complies with the requirements prescribed in regulation 7(b); and

(e) be accompanied by—

(i) the results of testing referred to in regulation 7 in the form set out in Appendix C of AS/NZS 4665.1; and

(ii) a likeness of the electrical equipment label to be printed on the equipment; and

(iii) the applicable registration fee.

21 Applications for the registration of storage water heaters

An application for the registration of a storage water heater must—

(a) be made in accordance with the requirements for an application for registration set out in Appendix B of AS/NZS 4692.2; and

(b) be in the form set out in Appendix B of AS/NZS 4692.2; and

(c) specify whether the equipment complies with the minimum energy performance standards prescribed in regulation 8(a), 8(b) or 8 (c) (as the case requires); and

(d) be accompanied by the applicable registration fee.

22 Applications for the registration of three-phase cage induction motors

An application for the registration of a three-phase cage induction motor must—

(a) be made in accordance with the requirements for an application for registration set out in section 4 of AS/NZS 1359.5; and

(b) be in the form set out in Appendix C of AS/NZS 1359.5; and

(c) specify whether the equipment complies with the minimum efficiency requirements set out in regulation 9(a) or 9(b); and

(d) if the equipment is labelled or marked as a high efficiency motor, specify whether the equipment complies with the requirements set out in regulation 9(c); and

(e) be accompanied by the applicable registration fee.

23 Applications for the registration of a single-phase commercial airconditioner or heat pump or a three-phase airconditioner or heat pump

(1) An application for the registration of a single-phase commercial airconditioner or heat pump or a three-phase airconditioner or heat pump must—

(a) be made in accordance with the requirements for an application for registration set out in section 4 of AS/NZS 3823.2; and

(b) be in the form set out in Appendix B of AS/NZS 3823.2; and

(c) specify whether the equipment complies with the performance criterion and the minimum energy performance standard set out in regulation 10; and

(d) be accompanied by the applicable registration fee.; and

(2) If the applicant elects to register for energy labelling, in addition to the requirements of subregulation (1) the applicant must—

(a) include or be accompanied by an application in the form of Appendix B of AS/NZS 3823.2, and

(b) be accompanied by—

(i) the results of testing and calculations referred to in section 2 of AS/NZS 3823.2; and

(ii) a sample of the electrical equipment label to be attached to the airconditioner or heat pump.

24 Applications to register for energy labelling—airconditioner or heat pump

If the airconditioner or heat pump is already registered for the minimum energy performance standard, an application for the registration of that single-phase commercial airconditioner or heat pump or three-phase airconditioner or heat pump for energy labelling must—

(a) be made in accordance with the requirements for an application for registration set out in section 4 of AS/NZS 3823.2; and

(b) be in the form set out in Appendix B of AS/NZS 3823.2; and

(c) be accompanied by—

(i) the results of testing and calculations referred to in section 2 of AS/NZS 3823.2; and

(ii) a sample of the electrical equipment label to be attached to the airconditioner or heat pump.

25 Applications for the registration of a distribution transformer

An application for the registration of a distribution transformer must—

(a) be made in accordance with the requirements for an application for registration set out in section 5 of AS 2374.1.2; and

(b) be in the form set out in Appendix A of AS 2374.1.2; and

(c) specify whether the equipment complies with the minimum power efficiency levels set out in regulation 11(a); and

(d) if the equipment is labelled or marked as a high power efficiency transformer or a high efficiency transformer, specify whether the equipment complies with the requirements set out in regulation 11(b); and

(e) be accompanied by the applicable registration fee.

26 Applications for the registration of a linear fluorescent lamp

An application for the registration of a linear fluorescent lamp must—

(a) be made in accordance with the requirements for an application for registration set out in clause 3.1 of AS/NZS 4782.2; and

(b) be in the form set out in Appendix A of AS/NZS 4782.2; and

(c) specify whether the equipment complies with the minimum energy performance standard set out in regulation 12; and

(d) be accompanied by the applicable registration fee.

27 Applications for the registration of a refrigerated display cabinet

An application for the registration of a refrigerated display cabinet must—

(a) be made in accordance with the requirements for an application for registration set out in section 4 of AS 1731.14; and

(b) be in the form set out in Appendix C of AS 1731.14; and

(c) specify whether the equipment complies with the minimum energy performance standard set out in regulation 13(a) or 13(b) (as the case requires); and

(d) if the equipment is labelled or marked as a high efficiency refrigerated display cabinet, specify whether the equipment complies with the requirements set out in regulation 13(c) or 13(d) (as the case requires); and

(e) be accompanied the applicable registration fee.

28 Applications for the registration of a set top box

An application for the registration of a set top box must—

(a) be made in accordance with the requirements for an application for registration set out in section 6 of AS/NZS 62087.2; and

(b) be in the form set out in Appendix A of AS/NZS 62087.2; and

(c) specify whether the equipment complies with the performance criteria and the minimum energy performance standards set out in regulation 14; and

(d) if the equipment is labelled or marked as a high efficiency power supply, specify whether the equipment complies with the requirements set out in regulation 14(b); and

(e) be accompanied by—

(i) the results of testing referred to in regulation 14 in the form set out in Appendix B of AS/NZS 62087.2; and

(ii) a likeness of the electrical equipment label to be printed on the equipment; and

(iii) the applicable registration fee.

29 General matters regarding registration

(1) An application for the registration of proclaimed electrical equipment may specify a range of models of the one brand under the same application if each of the models referred to in the application has the same relevant physical characteristics, energy efficiency and performance characteristics.

(2) Energy Safe Victoria may require the applicant to provide any additional information about the physical characteristics, the energy efficiency and performance characteristics of the electrical equipment that it considers necessary to determine the application.

(3) Energy Safe Victoria may rebate the payment of a registration fee or part of a registration fee paid under this part if Energy Safe Victoria has granted the registration for a period of less than 12 months.

30 Applications for transfer of registration

(1) A person in whose name proclaimed electrical equipment is registered may apply to Energy Safe Victoria to have the registration transferred to another person.

(2) An application must be in writing and accompanied by—

(a) details of the registration holder, the proclaimed electrical equipment and the person to whom the registration is to be transferred; and

(b) the written consent of the person to whom the registration is to be transferred; and

(c) the transfer fee.

31 Notifying the applicant

(1) Energy Safe Victoria must notify an applicant for the registration or transfer of registration of its decision about the application within 30 business days after it makes the decision.

(2) If Energy Safe Victoria decides to refuse the registration or transfer of registration of proclaimed electrical equipment it—

(a) must notify the applicant of its decision within 10 business days after it makes the decision; and

(b) must include a statement of the reasons for the decision with the notification.

32 Requirements for registration of electrical equipment that is listed in Schedule 1

(1) Energy Safe Victoria may only register or transfer the registration of proclaimed electrical equipment that is listed in Schedule 1 if, in the opinion of Energy Safe Victoria—

(a) the equipment complies with the requirements of regulation 5(1); and

(b) the electrical equipment label complies with the requirements of regulations 45(1)(a) and 45(1)(b); and

(c) in the case of refrigerating appliances, the equipment also complies with the requirements of regulation 5(3); and

(d) in the case of single-phase household airconditioners and heat pumps, the equipment also complies with the requirements of regulation 5(4).

(2) Subregulation (1) does not apply to registrable fluorescent lamp ballasts and external power supplies.

33 Requirements for registration of a registrable fluorescent lamp ballast

Energy Safe Victoria may only register or transfer the registration of a fluorescent lamp ballast if, in the opinion of Energy Safe Victoria—

(a) the equipment complies with the requirements of regulation 6; and

(b) the electrical equipment label complies with the requirements of regulations 46(a) and 46(b).

34 Requirements for registration of an external power supply

Energy Safe Victoria may only register or transfer the registration of a external power supply if, in the opinion of Energy Safe Victoria—

(a) the equipment complies with the requirements of regulation 7; and

(b) the electrical equipment label complies with the requirements of regulation 47(a) and 47(b).

35 Requirements for registration of a storage water heater

Energy Safe Victoria may only register or transfer the registration of a storage water heater if, in the opinion of Energy Safe Victoria, the equipment complies with the requirements of regulation 8(a), 8(b) or 8(c) (as the case requires).

36 Requirements for registration of three-phase cage induction motors

Energy Safe Victoria may only register or transfer the registration of a three-phase cage induction motor if, in the opinion of Energy Safe Victoria, the equipment complies with the requirements of regulation 9(a) or 9(b) or, if the equipment is

labelled or marked as a high efficiency motor, regulation 9(c).

37 Requirements for registration of a single-phase commercial airconditioner or heat pump or three phase airconditioner or heat pump

(1) Energy Safe Victoria may only register or transfer the registration of a single-phase commercial airconditioner or heat pump or three phase airconditioner or heat pump if, in the opinion of Energy Safe Victoria—

(a) the equipment complies with the requirements of regulation 10; and

(b) where the applicant elects to be registered for energy labelling, the electrical equipment label complies with regulations 48(a) and 48(b).

38 Requirements for registration of a distribution transformer

Energy Safe Victoria may only register or transfer the registration of a distribution transformer if, in the opinion of Energy Safe Victoria, the equipment complies with the requirements of regulation 11(a) or if the equipment is labelled or marked as a high power efficiency transformer or a high efficiency transformer, regulation 11(b).

39 Requirements for registration of a linear fluorescent lamp

Energy Safe Victoria may only register or transfer the registration of a linear fluorescent lamp if, in the opinion of Energy Safe Victoria, the equipent complies with the requirements of regulation 12.

40 Requirements for registration of a refrigerated display cabinet

Energy Safe Victoria may only register or transfer the registration of a refrigerated display cabinet if, in the opinion of Energy Safe Victoria, the equipment complies with the requirements of regulation 13(a) or 13(b) (as the case requires) or if the equipment is labelled or marked as a high efficiency refrigerated display cabinet, regulation 13(c) or 13(d) (as the case requires).

41 Requirements for registration of a set top box

Energy Safe Victoria may only register or transfer the registration of a set top box if, in the opinion of Energy Safe Victoria, the equipment complies with the requirements of regulation 14(a) or if the equipment is labelled or marked as a high efficiency set top box, regulation 14(b).

42 Duration of registration

A registration expires on the date specified by Energy Safe Victoria not exceeding 5 years after the date on which it is granted, unless cancelled sooner.

43 Cancellation of registration

(1) Energy Safe Victoria may, in accordance with regulation 43, cancel the registration of proclaimed electrical equipment in any of the following circumstances—

(a) if, when examined or tested by a regulatory authority—

(i) a sample of the equipment does not conform with the results of testing provided by the applicant; or

(ii) a sample of the equipment does not comply with the minimum standard or other requirements (as the case may be) set out in Part 2 for that type of equipment; or

(iii) a sample of the equipment does not comply with the information set out on the sample of the electrical equipment label that accompanied the application for registration of that equipment; or

(iv) in the case of registrable fluorescent lamp ballasts and external power supplies, a sample of that equipment does not comply with the information set out on the likeness of the label that accompanied the application for registration of that equipment; or

(v) the label or mark on the equipment does not comply with the requirements of Part 4 for the labelling or marking (as the case may be) of that equipment; or

(b) if the registration holder engages in conduct which misleads or is likely to mislead the public as to the physical characteristics, energy efficiency or performance characteristics of the equipment; or

(c) if the registration holder provides to Energy Safe Victoria false or misleading information relating to an application for registration or transfer of registration; or

(2) Energy Safe Victoria may cancel the registration of proclaimed electrical equipment at the request of the registration holder.

(3) If the registration of proclaimed electrical equipment is cancelled under subregulation (1)(a), Energy Safe Victoria may also cancel the registration of any other proclaimed electrical equipment that Energy Safe Victoria is satisfied—

(a) has the same relevant physical characteristics, energy efficiency and performance characteristics as the equipment whose registration was cancelled under subregulation (1)(a); and

(b) was registered on the basis of the same results of testing as the equipment referred to in subregulation (1)(a).

44 Requirements for cancellation of registration

(1) If Energy Safe Victoria proposes to cancel the registration of proclaimed electrical equipment under regulation 43(1), Energy Safe Victoria must notify the registration holder of the proposed cancellation and of the reasons for the proposed cancellation.

(2) The registration holder may make a written submission within 15 business days after a notice under subregulation (1) is given as to why the registration should not be cancelled.

(3) If, after receiving the registration holder's submission, or if no submission is received, Energy Safe Victoria decides to cancel the registration, Energy Safe Victoria must give the registration holder 5 business days notice of the date of cancellation of the registration.

PART 4—LABELLING OR MARKING OF EQUIPMENT

Division 1—Mandatory labelling of equipment

45 Electrical equipment labels

(1) For the purposes of section 68 of the Act, an electrical equipment label for proclaimed electrical equipment that is listed in Schedule 1 must—

(a) state the comparative energy consumption, star rating and star rating index of the equipment as determined in accordance with section 2 of Part 2 of the standard set out in column 3 of Schedule 1 in relation to the equipment; and

(b) be in the form and contain the particulars set out in section 5 of Part 2 of the relevant standard; and

(c) be attached to the equipment as—

(i) described in Part 2 of the relevant standard; or

(ii) approved in writing by a regulatory authority; and

(d) not be attached in a manner that obscures the label; and

(e) not contain any words, figures or symbols that mislead or are likely to mislead with respect to the equipment's comparative energy consumption, star rating, star rating index or performance characteristics.

(2) Subregulation (1) does not apply to registrable fluorescent lamp ballasts and external power supplies.

46 Labelling of registrable fluorescent lamp ballasts

For the purposes of section 68 of the Act, an electrical equipment label for a registrable fluorescent lamp ballast must—

(a) state the energy efficiency index classification of the ballast determined in accordance with clause 5.3.1 of AS/NZS 4783.2; and

(b) be in accordance with the requirements of clause 5.4.1 of AS/NZS 4783.2; and

(c) not be attached in a manner that obscures the label; and

(d) not contain any words, figures or symbols that mislead or that are likely to mislead with respect to the energy efficiency index classification or performance characteristics of the ballast.

47 Labelling of external power supplies

For the purposes of section 68 of the Act, an electrical equipment label for an external power supply must—

(a) state the energy performance mark of the external power supply determined in accordance with Appendix A of AS/NZS 4665.1; and

(b) be in accordance with the requirements of Appendix A of AS/NZS 4665.1; and

(c) not be attached in a manner that obscures the label; and

(d) not contain any words, figures or symbols that mislead or that are likely to mislead with respect to the energy efficiency index classification or performance characteristics of the power supply.

Division 2—Other labelling or marking of equipment

48 Labelling of certain airconditioners and heat pumps

For the purposes of section 68 of the Act, a label for a single-phase commercial airconditioner or heat pump or a three-phase airconditioner or heat pump, which has been registered for energy labelling must—

(a) state the comparative energy consumption, star rating and star rating index of the airconditioner or heat pump as determined in accordance with section 2 of AS/NZS 3823.2; and

(b) be in the form and contain the particulars set out in section 5 of AS/NZS 3823.2; and

(c) be attached to the airconditioner or heat pump as—

(i) described in section 5 of AS/NZS 3823.2; or

(ii) approved in writing by a regulatory authority; and

(d) not be attached in a manner that obscures the label; and

(e) not contain any words, figures or symbols that mislead or that are likely to mislead with respect to the comparative energy consumption, star rating, star rating index or performance characteristics of the airconditioner or heat pump.

49 Labelling or marking of three-phase cage induction motors

A person must not supply or offer to supply a three-phase cage induction motor that is labelled or marked as a high efficiency motor unless the label or mark specifies or indicates that the motor complies with the minimum high efficiency level set out in clause 3.2 or clause 3.3 of AS/NZS 1359.5.

50 Labelling or marking of distribution transformers

A person must not supply or offer to supply a distribution transformer that is labelled or marked as a high power efficiency transformer or a high efficiency transformer unless the label or mark specifies or indicates that the distribution transformer complies with the requirements set out in clause 3.1 of AS 2374.1.2.

51 Labelling or marking of refrigerated display cabinets

A person must not supply or offer to supply a refrigerated display cabinet that is labelled or marked as a high efficiency refrigerated display cabinet unless the label or mark specifies or indicates that the refrigerated display cabinet complies with the requirements set out in—

(a) clause 3.1 of AS 1731.14 in the case of remote display cabinets; or

(b) clause 3.2 of AS 1731.14 in the case of self-contained display cabinets.

52 Labelling or marking of set top boxes

A person must not supply or offer to supply a set top box that is labelled or marked as a high efficiency set top box unless the label or mark specifies or indicates that the set top box complies with the requirements set out in clause 3.1 of AS 62087.2.

Division 3—General

53 Offer of supply

(1) A person must not offer to supply proclaimed electrical equipment listed in Schedule 1 by means of a display front or a replica of the electrical equipment or any part of the electrical equipment unless—

(a) the display front or replica is labelled with the label approved for the electrical equipment; and

(b) the label—

(i) is attached to the display front or replica in a conspicuous manner; and

(ii) does not contain any words, figures or symbols that mislead or are likely to mislead with respect to the equipment's comparative energy consumption, star rating, star rating index or performance characteristics.

Penalty: 10 penalty units.

(2) This regulation does not apply to registrable fluorescent lamp ballasts and external power supplies.

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PART 5—REGISTER

54 Register of proclaimed electrical equipment

(1) Energy Safe Victoria must keep a register of proclaimed electrical equipment that is registered by Energy Safe Victoria.

(2) Energy Safe Victoria may enter in the register any details supplied in an application for registration or transfer of registration.

55 Extract from Register

(1) On payment of the prescribed fee, Energy Safe Victoria may provide an extract from the register.

(2) The prescribed fee for an extract from the register is 8·4 fee units.

56 Change of particulars

If a registration holder's name or address changes, the registration holder must notify Energy Safe Victoria in writing within 20 business days after the change occurs.

Penalty: 5 penalty units.

57 Fees

(1) The fee for registration of proclaimed electrical equipment is 25·1 fee units in respect of each model.

(2) The fee for a transfer of registration is 8·4 fee units in respect of each model.

PART 6—SAMPLES AND TESTING

58 Testing by Energy Safe Victoria

(1) Energy Safe Victoria may at any time require any registered proclaimed electrical equipment to be examined or tested to determine whether it complies with section 68 of the Act and these Regulations.

(2) For the purposes of subregulation (1), Energy Safe Victoria, by notice given to the registration holder, may require the registration holder to provide a sample of the registered proclaimed electrical equipment or the electrical equipment label for that equipment.

(3) A registration holder who has received notice under subregulation (2), must deliver the sample or label required by the notice to Energy Safe Victoria or to a laboratory nominated by Energy Safe Victoria within 15 business days after receipt of the notice.

Penalty: 5 penalty units.

59 Liability for samples

Energy Safe Victoria may dispose of electrical equipment in the possession of Energy Safe Victoria or held on behalf of Energy Safe Victoria for the purposes of these Regulations if the equipment is not collected within 20 business days after Energy Safe Victoria has given notice to the registration holder that the equipment is ready for collection.

PART 7—INFRINGEMENT OFFENCES

60 Provisions for which infringement notices may be served

For the purposes of paragraph (b) of the definition of ***prescribed offence*** in section 140A of the Act, regulations 53(1), 56 and 58(3) are prescribed provisions.

PART 8—SAVINGS AND TRANSITIONAL

61 Proclaimed electrical equipment registered under the 1999 regulations

(1) A registration granted under the Electricity Safety (Equipment Efficiency) Regulations 1999, which was in force immediately before the commencement of these Regulations, has effect from the date the registration was granted until—

(a) 5 years after that date; or

(b) if it was granted for less than 5 years, for the duration of the registration.

(2) A registration referred to in subregulation (1) may be transferred or cancelled in accordance with these Regulations.

62 Pending applications for registration

(1) Any application for the registration of proclaimed electrical equipment, which had not been finalised on the commencement of these Regulations, may be completed as if the Electricity Safety (Equipment Efficiency) Regulations 1999 Regulations were still in force.

(2) Any registration granted under the Electricity Safety (Equipment Efficiency) Regulations 1999 may be transferred or cancelled in accordance with these Regulations.

63 Proclaimed electrical equipment registered and labelled before a change in Standards

(1) This regulation applies if—

(a) proclaimed electrical equipment has been registered in accordance with Part 3 and labelled in accordance with Part 4; and

(b) a subsequent amendment or republication of an Australian/New Zealand Standard or Australian Standard referred to in these Regulations has the effect of changing the requirements relating to registration, performance or labelling under these Regulations for that type of proclaimed electrical equipment.

(2) Registered proclaimed electrical equipment that, before any change referred to in subregulation (1)(b)—

(a) was manufactured in or imported into Australia; and

(b) was registered and labelled or marked in accordance with these Regulations as in force immediately before the change; and

(c) complied with the relevant requirements of Part 2 and Part 4 in respect of that type of equipment as in force immediately before the date of the change—

is taken to be registered and labelled or marked in accordance with, and to comply with, these Regulations if it continues to be so registered and labelled or marked and so compliant despite the change.

64 Transitional—external power supplies and set top boxes in stock before 1 December 2008

An external power supply or a set top box that was manufactured in or imported into Australia before 1 December, 2008 is deemed to be registered and labelled in accordance with these Regulations.

SCHEDULES

SCHEDULE 1

STANDARDS FOR ELECTRICAL EQUIPMENT THAT REQUIRE REGISTRATION AND LABELLING

Column 1 *Item*	*Column 2* *Proclaimed electrical equipment*	*Column 3* *Relevant standard*
1	Clothes washing machines	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 1: Methods for measuring performance, energy and water consumption', AS/NZS 2040.1; and Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 2: Energy efficiency labelling requirements', AS/NZS 2040.2.
2	Dishwashers	Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 1: Methods for measuring performance, energy and water consumption', AS/NZS 2007.1; and Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 2: Energy efficiency labelling requirements', AS/NZS 2007.2

Column 1 *Item*	*Column 2* *Proclaimed electrical equipment*	*Column 3* *Relevant standard*
3	Refrigerating appliances	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 1: Energy consumption and performance', AS/NZS 4474.1; and Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2.
4	Single-phase household airconditioners and heat pumps	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 1.1: Non-ducted airconditioners and heat pumps—Testing and rating for performance', AS/NZS 3823.1.1; and Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2.
5	Rotary clothes dryers	Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 1: Energy consumption and performance', AS/NZS 2442.1; and Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 2: Energy labelling requirements', AS/NZS 2442.2.

Column 1 *Item*	*Column 2* *Proclaimed electrical equipment*	*Column 3* *Relevant standard*
6	Registrable fluorescent lamp ballasts	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 1: Method of measurement to determine energy consumption and performance of ballast-lamp circuits', AS/NZS 4783.1; and Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2.
7	External power supplies	Australian/New Zealand Standard, 'Performance of external power supplies Part 1: Test method and energy performance mark', AS/NZS 4665.1; and Australian/New Zealand Standard, 'Performance of external power supplies Part 2: Minimum energy performance standard (MEPS) requirements', AS/NZS 4665.2.

SCHEDULE 2

STANDARDS FOR ELECTRICAL EQUIPMENT THAT REQUIRE REGISTRATION ONLY

Column 1 *Item*	*Column 2* *Proclaimed electrical equipment*	*Column 3* *Relevant Standard*
1	Storage water heaters	Australian Standard, 'Storage water heaters Part 1: General requirements', AS 1056.1; and Australian/New Zealand Standard, 'Electric water heaters Part 1: Energy consumption, performance and general requirements', AS/NZS 4692.1; and Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2; and Australian Standard, 'Electric heat exchange heaters—For domestic applications', AS 1361.
2	Three-phase cage induction motors	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5.
3	Three-phase airconditioners and heat pumps	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2.

Column 1	*Column 2*	*Column 3*
Item	*Proclaimed electrical equipment*	*Relevant Standard*
4	Single-phase commercial airconditioners and heat pumps	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2.
5	Distribution transformers	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2.
6	Linear fluorescent lamps	Australian/New Zealand Standard, 'Double-capped fluorescent lamps—Performance specifications Part 2: Minimum Energy Performance Standard (MEPS)', AS/NZS 4782.2.
7	Refrigerated display cabinets	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14.
8	Set top boxes	Australian/New Zealand Standard, 'Methods of measurement for the power consumption of audio, video and related equipment', AS/NZS 62087.1; and Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2

ENDNOTES

[1] Reg. 3(1)(a): S.R. No. 48/1999.

[2] Reg. 3(1)(b): S.R. No. 31/2000.

[3] Reg. 3(1)(c): S.R. No. 93/2001.

[4] Reg. 3(1)(d): S.R. No. 98/2003.

[5] Reg. 3(1)(e): S.R. No. 24/2004.

[6] Reg. 3(1)(f): S.R. No. 183/2004.

[7] Reg. 3(1)(g): S.R. No. 131/2005.

[8] Reg. 3(1)(h): S.R. No. 34/2006.

[9] Reg. 3(1)(i): S.R. No. 16/2007.

[10] Reg. 3(2): S.R. No. 136/2000 as amended by S.R. No. 114/2004.

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Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2008 is $11.35. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2008 is $113.42.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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Table of Applied, Adopted or Incorporated Matter Required by the Subordinate Legislation Regulations 2004

Note that the following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5(1)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 1: Methods for measuring performance, energy and water consumption', AS/NZS 2040.1	The whole

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 1: Methods for measuring performance, energy and water consumption', AS/NZS 2007.1. Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances—Part 1: Energy consumption and performance', AS/NZS 4474.1 Australian/New Zealand Standard, 'Performance of household electrical appliances—Room airconditioners—Part 1.1: Non-ducted airconditioners and heat pumps—Testing and rating for performance', AS/NZS 3823.1.1 Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers—Part 1: Energy consumption and performance', AS/NZS 2442.1	

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5(1)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines—Part 2: Energy labelling requirements', AS/NZS 2040.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers—Part 2: Energy labelling requirements', AS/NZS 2007.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances—Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Room air-conditioners—Part 2: Energy labelling requirements', AS/NZS 3823.2	Section 3

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers—Part 2: Energy labelling requirements', AS/NZS 2442.2	
Regulation 5(3)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances—Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2	Clause 3.5
Regulation 5(3)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances—Part 1: Energy consumption and performance', AS/NZS 4474.1	The whole
Regulation 5(4)(a)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Room airconditioners—Part 2: Energy labelling requirements', AS/NZS 3823.2	Clauses 3.2, 3.4, 3.5, 3.6 and 3.7

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5(4)(b)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Room airconditioners—Part 2: Energy labelling requirements', AS/NZS 3823.2	Clauses 3.3, 3.4, 3.5, 3.6 and 3.7
Regulation 6(a)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Clause 6.2
Regulation 6(a)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 1: Method of measurement to determine energy consumption and performance of ballast-lamp circuits', AS/NZS 4783.1	The whole
Regulation 6(b)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Clause 6.4.1

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 6(b)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 1: Method of measurement to determine energy consumption and performance of ballast-lamp circuits', AS/NZS 4783.1	The whole
Regulation 6(c)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Clause 5.3.2
Regulation 6(c)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 1: Method of measurement to determine energy consumption and performance of ballast-lamp circuits', AS/NZS 4783.1	The whole

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 7(a)	Australian/New Zealand Standard, 'Performance of external power supplies Part 2: Minimum energy performance standard (MEPS) requirements', AS/NZS 4665.2	Clause 2.
Regulation 7(a)	Australian/New Zealand Standard, 'Performance of external power supplies Part 1: Test method and energy performance mark', AS/NZS 4665.1	The whole
Regulation 7(b)	Australian/New Zealand Standard, 'Performance of external power supplies Part 2: Minimum energy performance standard (MEPS) requirements', AS/NZS 4665.2	Clause 3.1
Regulation 7(b)	Australian/New Zealand Standard, 'Performance of external power supplies Part 1: Test method and energy performance mark', AS/NZS 4665.1	The whole
Regulation 8(a)(i)	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	Clause 2.2.1.2

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 8(a)(i)	Australian/New Zealand Standard, 'Electric water heaters Part 1: Energy consumption, performance and general requirements', AS/NZS 4692.1	The whole
Regulation 8(a)(ii)	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	Appendix A
Regulation 8(a)(ii)	Australian Standard, 'Storage water heaters Part 1: General requirements', AS 1056.1	The whole
Regulation 8(b)(i)	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	2.2.2.2
Regulation 8(b)(i)	Australian/New Zealand Standard, 'Electric water heaters Part 1: Energy consumption, performance and general requirements', AS/NZS 4692.1	The whole

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 8(b)(ii)	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	2.2.2.3
Regulation 8(b)(ii)	Australian/New Zealand Standard, 'Electric water heaters Part 1: Energy consumption, performance and general requirements', AS/NZS 4692.1	The whole
Regulation 8(b)(ii)	Australian Standard, 'Storage water heaters Part 1: General requirements', AS 1056.1	The whole
Regulation 8(c)(i)	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	2.2.3.3
Regulation 8(c)(i)	Australian/New Zealand Standard, 'Electric water heaters Part 1: Energy consumption, performance and general requirements', AS/NZS 4692.1	The whole

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 8 (c)(ii)	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	2.2.3.3
Regulation 8(c)(ii)	Australian/New Zealand Standard, 'Electric water heaters Part 1: Energy consumption, performance and general requirements', AS/NZS 4692.1	The whole
Regulation 8(c)(ii)	Australian Standard, 'Electric heat exchange heaters—For domestic applications', AS 1361	The whole
Regulation 9(a)	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5	Clause 2.2
Regulation 9(b)	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5	Clause 2.3

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 9(c)	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5	Clauses 3.2 and 3.3
Regulation 10(a)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Clause 2.9
Regulation 10(b)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Clauses 3.2, 3.4, 3.5, 3.6 and 3.7
Regulation 11(a)	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Clause 2.1

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 11(a)	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Section 4
Regulation 11(b)	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Clause 3.1
Regulation 11(b)	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Section 4
Regulation 12	Australian/New Zealand Standard, 'Double-capped fluorescent lamps—Performance specifications Part 2: Minimum Energy Performance Standard (MEPS)', AS/NZS 4782.2	Clauses 2.2, 2.3 and 2.4
Regulation 13(a)	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Clause 2.1

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 13(b)	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Clause 2.2
Regulation 13(c)	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Clause 3.1
Regulation 13(d)	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Clause 3.2
Regulation 14(a)	Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2	Clause 2.1
Regulation 14(a)	Australian/New Zealand Standard, 'Methods of measurement for the power consumption of audio, video and related equipment', AS/NZS 62087.1	The whole
Regulation 14(b)	Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2	Clause 3.1

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 14(b)	Australian/New Zealand Standard, 'Methods of measurement for the power consumption of audio, video and related equipment', AS/NZS 62087.1	The whole
Regulation 18(1)(a)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 2: Energy efficiency labelling requirements', AS/NZS 2040.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 2: Energy labelling requirements', AS/NZS 2442.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 2: Energy efficiency labelling requirements', AS/NZS 2007.2	Appendix C

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 18(1)(a)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2	Appendix E
Regulation 18(1)(a)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Appendix B
Regulation 18(1)(c)(i)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 2: Energy efficiency labelling requirements', AS/NZS 2040.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 2: Energy efficiency labelling requirements', AS/NZS 2007.2	Section 2

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2 Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 2: Energy labelling requirements', AS/NZS 2442.2	
Regulation 18(1)(c)(iii)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 1: Methods for measuring performance, energy and water consumption', AS/NZS 2040.1	Appendix L

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 18(1)(c)(iii)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 1: Methods for measuring performance, energy and water consumption', AS/NZS 2007.1	Appendix K
Regulation 18(1)(c)(iii)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 1: Energy consumption and performance', AS/NZS 4474.1	Appendix Q
Regulation 18(1)(c)(iii)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 1.1: Non-ducted airconditioners and heat pumps—Testing and rating for performance', AS/NZS 3823.1.1	Section 7
Regulation 18(1)(c)(iii)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 1: Energy consumption and performance', AS/NZS 2442.1	Appendix G

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 19(a)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Section 7
Regulation 19(b)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Appendix A
Regulation 19(d)(i)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 1: Method of measurement to determine energy consumption and performance of ballast-lamp circuits', AS/NZS 4783.1	Appendix G
Regulation 20(a)	Australian/New Zealand Standard, 'Performance of external power supplies Part 2: Minimum energy performance standard (MEPS) requirements', AS/NZS 4665.2	Section 6

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 20(b)	Australian/New Zealand Standard, 'Performance of external power supplies Part 2: Minimum energy performance standard (MEPS) requirements', AS/NZS 4665.2	Appendix A
Regulation 20(e)(i)	Australian/New Zealand Standard, 'Performance of external power supplies Part 1: Test method and energy performance mark', AS/NZS 4665.1	Appendix C
Regulation 21	Australian/New Zealand Standard, 'Electric water heaters Part 2: Minimum Energy Performance Standard (MEPS) requirements and energy labelling', AS/NZS 4692.2	Appendix B
Regulation 22(a)	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5	Section 4

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 22(b)	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5	Appendix C
Regulation 23(1)(a)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 4
Regulation 23(1)(b)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Appendix B

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 23(2)(a)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Appendix B
Regulation 23(2)(b)(i)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 2
Regulation 24(a)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 4
Regulation 24(b)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Appendix B

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 24(b)(c)(i)	Australian/New Zealand Standard, 'Performance of electrical appliances— Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 2
Regulation 25(a)	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Section 5
Regulation 25(b)	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Appendix A
Regulation 26(a)	Australian/New Zealand Standard, 'Double-capped fluorescent lamps— Performance specifications Part 2: Minimum Energy Performance Standard (MEPS)', AS/NZS 4782.2	Clause 3.1

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 26(b)	Australian/New Zealand Standard, 'Double-capped fluorescent lamps—Performance specifications Part 2: Minimum Energy Performance Standard (MEPS)', AS/NZS 4782.2	Appendix A
Regulation 27(a)	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Section 4
Regulation 27(b)	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Appendix C
Regulation 28(a)	Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2	Section 6
Regulation 28(b)	Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2	Appendix A

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 28(e)(i)	Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2	Appendix B
Regulation 45(1)(a)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 2: Energy efficiency labelling requirements', AS/NZS 2040.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 2: Energy efficiency labelling requirements', AS/NZS 2007.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2	Section 2

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 2: Energy labelling requirements', AS/NZS 2442.2	
Regulation 45(1)(b) and (c)	Australian/New Zealand Standard, 'Performance of household electrical appliances—Clothes washing machines Part 2: Energy efficiency labelling requirements', AS/NZS 2040.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Dishwashers Part 2: Energy efficiency labelling requirements', AS/NZS 2007.2	Section 5

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Australian/New Zealand Standard, 'Performance of household electrical appliances—Refrigerating appliances Part 2: Energy labelling and minimum energy performance standard requirements', AS/NZS 4474.2 Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2 Australian/New Zealand Standard, 'Performance of household electrical appliances—Rotary clothes dryers Part 2: Energy labelling requirements', AS/NZS 2442.2	
Regulation 46(a)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Clause 5.3.1

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 46(b)	Australian/New Zealand Standard, 'Performance of electrical lighting equipment—Ballasts for fluorescent lamps Part 2: Energy labelling and minimum energy performance standards requirements', AS/NZS 4783.2	Clause 5.4.1
Regulation 47(a) and (b)	Australian/New Zealand Standard, 'Performance of external power supplies Part 1: Test method and energy performance mark', AS/NZS 4665.1	Appendix A
Regulation 48(a)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 2
Regulation 48(b)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 5

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 48(c)(i)	Australian/New Zealand Standard, 'Performance of electrical appliances—Airconditioners and heat pumps Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements', AS/NZS 3823.2	Section 5
Regulation 49	Australian/New Zealand Standard, 'Rotating electrical machines—General requirements Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements', AS/NZS 1359.5	Clauses 3.2 and 3.3
Regulation 50	Australian Standard, 'Power transformers Part 1.2: Minimum Energy Performance Standard (MEPS) requirements for distribution transformers', AS 2374.1.2	Clause 3.1
Regulation 51	Australian Standard, 'Refrigerated display cabinets Part 14: Minimum energy performance standard (MEPS) requirements', AS 1731.14	Clauses 3.1 and 3.2

Statutory Rule Provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 52	Australian/New Zealand Standard, 'Minimum energy performance standard (MEPS) requirements for digital television set top boxes', AS/NZS 62087.2	Clause 3.1