

**ENERGY COMMISSION (ENERGY EFFICIENCY STANDARDS
AND LABELLING) (COMFORT FANS) REGULATIONS, 2022**

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IN exercise of the power conferred on the Minister responsible for Energy by subparagraph (i) of paragraph (a) of subsection (1) of section 56 of the Energy Commission Act, 1997 (Act 541) and on the advice of the Board, these Regulations are made this 28th day of June, 2022.

*Preliminary Provisions***Purpose of Regulations**

1. The purpose of these Regulations is to promote the efficient use and conservation of energy in the country and mitigate related climate change by

- (a) providing for
 - (i) the enforcement of Standards set out in the First Schedule and the minimum energy performance standards set out in Part One of the Second Schedule;
 - (ii) the labelling of electric mains-operated comfort fans;
 - (iii) supplementary product information on electric mains-operated comfort fans; and
 - (iv) the registration of models of comfort fans in the Appliance Energy Efficiency Register; and
- (b) prohibiting the manufacture, importation, offer for sale, sale, storage, donation, disposal, installation or use of a comfort fan that does not meet the minimum energy performance standards set out in Part One of the Second Schedule.

Application of Regulations

2. (1) These Regulations apply to a comfort fan with an electric power input not exceeding 125W, manufactured in the country or imported into the country for display, sale or use.

- (2) These Regulations do not apply to
 - (a) the rating plate or the equivalent of a rating plate affixed to a comfort fan for purposes of safety; and
 - (b) a comfort fan other than an electric mains-operated comfort fan.

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Duties and Requirements

Duty to comply with requirements

3. (1) A person who manufactures, imports, offers for sale, sells, stores, supplies, distributes, donates or otherwise disposes of a comfort fan for use in the country shall ensure that each model of the comfort fan

- (a) is registered with the Commission;
- (b) meets the
 - (i) Standards set out in the First Schedule;
 - (ii) minimum energy performance standards set out in Part One of the Second Schedule;
 - (iii) labelling requirements set out in the Third Schedule; and
 - (iv) information requirements set out in the Fourth Schedule.

(2) A person who advertises a comfort fan shall comply with the provisions of Part Five of the Fourth Schedule.

Prohibition of manufacture, importation, offer for sale, sale, storage, donation, disposal, installation or use of comfort fan

4. (1) A person shall not manufacture, import, offer for sale, sell, store, donate, or otherwise dispose of, install or use a comfort fan in the country unless the comfort fan

- (a) has a minimum service value as set out in Part One of the Second Schedule and measured in accordance with the Standards;
- (b) meets the requirements
 - (i) for maximum power consumption in off-mode and standby-mode as set out in Part Two of the Second Schedule; and
 - (ii) of the Standards; and
- (c) meets the requirements for maximum indoor sound power level of 65 dB(A) in accordance with the Standards.

(2) An enforcement authority shall

- (a) detain, cause to be re-exported or seize and destroy a comfort fan imported for use in the country contrary to subregulation (1); or

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- (b) seize and destroy a comfort fan manufactured for use in the country contrary to subregulation (1).

Category of comfort fan

5. The category of a comfort fan shall be determined in accordance with the categories set out in Part Two of the Fourth Schedule.

Energy efficiency star rating of comfort fan

6. The energy efficiency star rating of a comfort fan shall be determined in accordance with the ratings set out in Part One of the Second Schedule.

Voltage, input power or wattage of comfort fan

7. The manufacturer of a comfort fan shall ensure that the rated voltage, input power or wattage of the comfort fan is printed conspicuously and displayed on the base of the comfort fan.

Measurement methods

8. The information to be provided pursuant to regulations 10 and 11 shall be obtained by

- (a) a reliable, accurate and reproducible measurement which takes into account recognised state-of-the-art measurements; and
(b) calculation methods

in accordance with the Standards.

Use of circumvention device

9. (1) A manufacturer, an importer or an authorised representative of the manufacturer shall not use a circumvention device during the conduct of a test of a comfort fan.

(2) A person shall not manufacture, import, offer for sale, sell, store, donate, or otherwise dispose of, install or use a comfort fan which is designed to

- (a) detect that the comfort fan is being tested by recognising the test conditions or test cycle; or
(b) react specifically by automatically altering the performance of the comfort fan during the test with the aim of reaching a more favourable level for any of the parameters declared

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by the manufacturer, importer or authorised representative of the manufacturer, in the technical documentation or included in any other documentation provided.

(3) The energy consumption of a comfort fan and any of the other declared parameters shall not deteriorate after a

- (a) software; or
- (b) firmware

update, when measured with the same test standard originally used for the declaration of conformity, except with the consent of the Commission and the Standards Authority, before the update.

(4) A manufacturer, an importer or an authorised representative of the manufacturer shall inform the Commission and the Standards Authority in writing, with reasons, prior to an update of the software or firmware.

Technical documentation

10. (1) A person shall not manufacture, import, offer for sale, sell, store, distribute, donate or otherwise dispose of a comfort fan for use in the country, unless that person has provided the Commission with sufficient technical documentation to enable the Commission

- (a) ascertain the accuracy of the information contained
 - (i) in the Product Information Sheet; or
 - (ii) on the label; and
- (b) register each model of the comfort fan in the Appliance Energy Efficiency Register.

(2) The technical documentation referred to in subregulation (1) shall

- (a) be in the English language;
- (b) include the Product Information Sheet set out in Part One of the Fourth Schedule; and
- (c) contain the information set out in Part Three of the Fourth Schedule marked "Technical Documentation".

(3) The technical documentation shall

- (a) be prepared for each model of a comfort fan placed on the market; and

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(b) include

- (i) the name and address of the supplier;
- (ii) the description of the comfort fan, for purposes of identification;
- (iii) the model identifier of the manufacturer;
- (iv) the relevant drawings on the main design features of the model and parameters of the comfort fan that affect the energy consumption of the comfort fan;
- (v) reports of relevant measurement tests carried out in compliance with the Standards;
- (vi) details of calculations, extrapolations and tests carried out to verify the accuracy of calculations;
- (vii) the installation and operating instructions; and
- (viii) the period within which the model of the comfort fan was manufactured.

Labelling and information requirements

11. (1) A person shall not manufacture, import, offer for sale, sell, store, supply, distribute, donate or otherwise dispose of a comfort fan for use in the country unless the comfort fan and the packaging of the comfort fan meet the following requirements:

- (a) the comfort fan shall bear a label
 - (i) in the form set out in the Third Schedule; and
 - (ii) placed conspicuously on the comfort fan;
- (b) the information in respect of the comfort fan indicated on the packaging of the comfort fan shall be in the English language;
- (c) the Product Information Sheet in respect of the comfort fan shall be as set out in Part Two of the Fourth Schedule;
- (d) the label on the packaging containing the comfort fan shall
 - (i) contain the information set out in the Third Schedule; and
 - (ii) be printed in colour;
- (e) the labels on the comfort fan and the packaging of the comfort fan shall include the following information:
 - (i) the Quick Response Code;

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- (ii) the name or trade mark of the manufacturer;
- (iii) the model identifier of the manufacturer;
- (iv) the energy efficiency star rating of the comfort fan, determined in accordance with the test procedures specified in the Standards;
- (v) the input power or wattage of the comfort fan, measured in accordance with the test procedures specified in the Standards;
- (vi) the service value and air delivery rate of the comfort fan measured in accordance with the test procedures required by the Standards;
- (vii) the indoor sound power level of the comfort fan in dB(A);
- (viii) the year of manufacture; and
- (ix) the country of origin or manufacture;
- (f) the label on the comfort fan shall be printed in colour on a waterproof material and pasted conspicuously on the comfort fan;
- (g) the background of a label printed or pasted on each packaging containing the comfort fan shall be gold in colour;
- (h) all the stars on the label of the comfort fan shall be shaded in black; and
- (i) the text on the label of the comfort fan shall be black in colour.

(2) Despite regulation 21, an update to the Standards shall take precedence over the requirements specified in paragraph (e) of subregulation (1) and Part Two of the Second Schedule.

(3) Where

- (a) a side of the packaging is not large enough to contain a label and the blank border; or
- (b) a label would cover more than fifty per cent of the surface area of the largest side of a packaging,

the label and the blank border shall be reduced to not less than forty per cent of the largest side of the packaging and pasted on the largest side of the packaging.

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(4) A person shall not remove the label on a comfort fan or the packaging containing a comfort fan before the first retail purchase of the comfort fan.

(5) For the purposes of this regulation, “first retail purchase” means the purchase of a comfort fan by an end user.

Registration of Comfort Fans

Appliance Energy Efficiency Register

12. (1) The Commission shall establish, keep and maintain an Appliance Energy Efficiency Register.

(2) The Appliance Energy Efficiency Register shall contain the information specified in subregulation (5) of regulation 13.

Application for registration

13. (1) A person who

- (a) manufactures a comfort fan in the country; or
- (b) imports a comfort fan into the country

for use in the country shall, prior to the manufacture or importation, ensure that each model of the comfort fan is registered with the Commission.

(2) A person who

- (a) manufactures a comfort fan in the country; or
- (b) imports a comfort fan into the country

for use in the country shall apply to the Commission for registration of the comfort fan.

(3) An application for registration under subregulation (2) shall be made in writing or electronically on the website of the Commission and accompanied with the prescribed fee.

(4) An application for registration shall be accompanied with a test report from an accredited test laboratory that demonstrates that

- (a) the comfort fan meets the minimum energy performance standards set out in the Second Schedule; and
- (b) the test report corresponds to the energy consumption that is provided on the energy efficiency label of the comfort fan.

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(5) The following information shall be provided for each registration of a model of a comfort fan:

- (a) the brand or trademark, if any, used in connection with a supply of the model;
- (b) the model identifier issued by the manufacturer for each model covered by the registration;
- (c) the Product Information Sheet of the model;
- (d) the date the registration takes effect;
- (e) a unique identifier for the registration issued by the Commission;
- (f) the names and contact details of the applicant and contact person in relation to the registration;
- (g) if the model is to be registered as a replacement model of an earlier registered model, that fact and details to identify the replaced model, including the date the replacement was made;
- (h) if a model to be registered is affected by a replacement, that fact and details to identify the replaced model and replacement model, including the date the replacement was made;
- (i) any information specified in these Regulations in relation to that model of comfort fan; and
- (j) any other information the Commission may consider appropriate.

Consideration of application

14. (1) The Commission shall, on receipt of an application for registration of a comfort fan, consider the application.

(2) The Commission shall, in considering the application, have regard to the requirements specified in subregulation (5) of regulation 13.

Grant of application

15. (1) The Commission may, within fourteen days after receipt of an application, grant or refuse an application.

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(2) Where the Commission decides to grant an application, the Commission shall

(a) within three days after the date of the decision, inform the applicant, in writing or electronically as the case may be, of the decision; and

(b) enter the information specified in subregulation (5) of regulation 13 in the Appliance Energy Efficiency Register.

(3) Where the Commission refuses to grant an application, the Commission shall within three days after the date of the decision communicate to the applicant, in writing or electronically as the case may be,

(a) the reason for the refusal; and

(b) the applicable Standards the model of the comfort fan is required to meet.

Duties of Dealers and Suppliers of Comfort Fans

Duty of dealer to keep, maintain and provide technical documentation

16. (1) A dealer shall keep and maintain technical documentation in respect of a comfort fan for a period of not less than two years after the date of manufacture or importation.

(2) A dealer shall, within two days after a request by an enforcement authority, provide the enforcement authority with technical documentation in respect of a comfort fan for inspection.

(3) Where a dealer fails to provide technical documentation in respect of a comfort fan within two days after the request, the enforcement authority shall detain the comfort fan.

(4) A dealer shall ensure that

(a) each comfort fan, at the point of sale, including at trade fairs, bears the label provided by a supplier in accordance with regulation 3, with the label being displayed conspicuously;

(b) in the event of distance selling, the label and Product Information Sheet are provided in accordance with the Third and Fourth Schedules;

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- (c) an audio advertisement, including radio and local information broadcast network, on a specific model of a comfort fan where the brand, capacity, size, category or price is mentioned, contains information on the energy efficiency class and the range of energy efficiency classes available in accordance with Part Five of the Fourth Schedule;
- (d) a visual advertisement for a specific model of comfort fan, including an advertisement on the internet contains information on the energy efficiency class and the range of energy efficiency classes of the comfort fan available on the label, in accordance with Part Five of the Fourth Schedule; and
- (e) a technical promotional material concerning a specific model of comfort fan, including technical promotional material on the internet, which describes the specific technical parameters of the comfort fan includes
 - (i) the energy efficiency class of that model; and
 - (ii) the range of energy efficiency classes available on the labelin accordance with Part Five of the Fourth Schedule.

Duty of supplier to keep, maintain and provide technical documentation

17. (1) A supplier shall keep and maintain technical documentation in respect of each model of a comfort fan for a period of not less than two years after the date of manufacture or importation.

(2) A supplier shall, on request by an enforcement authority, provide the enforcement authority with the technical documentation of the comfort fan for inspection.

(3) Where a supplier fails to provide technical documentation in respect of a comfort fan within two days after the request, the enforcement authority shall detain the comfort fan.

Duty of supplier to keep, maintain and provide Product Information Sheet

18. (1) A supplier shall keep and maintain in the possession of the supplier a Product Information Sheet in respect of each comfort fan in the form set out in Part One of the Fourth Schedule.

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(2) A supplier shall, on request by an enforcement authority, provide the enforcement authority with a Product Information Sheet which shall be in the

- (a) English language; and
- (b) form set out in Part One of the Fourth Schedule.

Duty of supplier to provide information for statistical purposes

19. (1) A person who manufactures in the country, imports into the country or exports out of the country a comfort fan or an assembly of components that incorporates a comfort fan shall provide the Commission with the following information not later than four months after the end of each year:

- (a) the number of comfort fans of each model that the person manufactured, exported or imported into the country in the relevant year;
- (b) the number of comfort fans of each model that the person sold in the country in the relevant year;
- (c) the number of comfort fans of each model that the person exported from the country in the relevant year;
- (d) the name of each model of comfort fan that the person discontinued
 - (i) manufacturing in the relevant year;
 - (ii) exporting in the relevant year; or
 - (iii) importing in the relevant year; and
- (e) a copy of any existing test report, or other energy performance data specified by the Commission, for each model specified under paragraph (d).

(2) Upon a written request by the Commission, a person who manufactures a comfort fan for use in the country or imports a comfort fan into the country shall provide the following information to the Commission not later than forty days after receiving the request:

- (a) the number of comfort fans in each product class specified by the Commission that the person sold to a purchaser in the country in each of the preceding three years; and

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- (b) the energy performance characteristics of the comfort fans as specified in the request.

Duty of supplier to ensure accuracy of information

20. (1) A supplier shall ensure that the information indicated on a
- (a) Product Information Sheet; or
 - (b) label

in respect of a comfort fan is accurate.

(2) The duty imposed on a supplier under subregulation (1) does not affect any other right of action which a person may have by law against a person with respect to the inaccuracy of information on a Product Information Sheet or on a label.

Access to information on technical documentation and Product Information Sheet

21. (1) The information required under regulations 10, 11, 16, 17 and 18 shall be obtained in accordance with the test procedures required by the Standards.

(2) Information obtained in a manner other than in accordance with subregulation (1) shall, for the purposes of these Regulations, be invalid.

Product brochure in respect of comfort fan

22. Where a supplier provides a product brochure in respect of a comfort fan, the brochure shall contain a Product Information Sheet which shall be in the

- (a) English language; and
- (b) form set out in Part One of the Fourth Schedule.

Information

Public information

23. (1) The information provided by a supplier on the Product Information Sheet or on a label of a comfort fan is deemed public information.

(2) A supplier is deemed to have consented to the publication of the information indicated on a Product Information Sheet or on a label in respect of a comfort fan.

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Information in respect of mail order and other distance selling

24. (1) Where a person offers a comfort fan for sale to another person in the country through a medium of communication including a mail order or any other distance selling medium, that person shall provide information in respect of the comfort fan.

(2) The information referred to in subregulation (1) shall

- (a) be in the English language;
- (b) include the product registration number assigned by the Commission upon registration in the Appliance Energy Efficiency Register;
- (c) include the information set out in Part Four of the Fourth Schedule; and
- (d) be written in a manner that is legible.

Obligations of audio or audio-visual broadcasting service provider

25. Where an audio or audio-visual broadcasting service provider advertises a comfort fan, and the information in the advertisement includes the brand, model, size, price and any other information that is specific to a particular model, that service provider shall ensure that

- (a) the advertisement has been vetted and approved by the Commission; and
- (b) the advertisement includes
 - (i) information on the energy efficiency star rating of the comfort fan;
 - (ii) a statement that the advertisement has been vetted and approved by the Commission; and
 - (iii) any other information required under Part Five of the Fourth Schedule.

Obligations of e-commerce platform

26. (1) A person shall not offer for sale, sell, supply, distribute or otherwise dispose of a comfort fan through a promotion on the internet unless

- (a) the energy efficiency rating of the comfort fan is posted next to the price of the comfort fan; and
- (b) the label of the comfort fan is made available to consumers in the same medium of communication.

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(2) Where an e-commerce service provider allows the direct sale of a comfort fan through the website of the service provider, the service provider shall

- (a) enable the display of the
 - (i) electronic label; and
 - (ii) electronic Product Information Sheet provided by the dealer on the display mechanism in accordance with Part Six of the Fourth Schedule; and
- (b) inform the dealer of the obligation to display the electronic label and electronic Product Information Sheet.

Misleading information

27. (1) A person shall not display a label, mark, symbol or inscription which relates to the energy consumption of a comfort fan, if the display is likely to be

- (a) deceptive;
- (b) misleading; or
- (c) false.

(2) A person shall not broadcast an advertisement relating to the energy performance of a comfort fan if the information in the advertisement is likely to be

- (a) deceptive;
- (b) misleading; or
- (c) false.

(3) Subregulations (1) and (2) do not apply to

- (a) a label;
- (b) a mark;
- (c) a symbol; or
- (d) an inscription

displayed under an environmental labelling scheme or endorsement labelling scheme.

Restriction on disclosure of information

28. (1) An enforcement authority shall not disclose information which consists of a

- (a) secret manufacturing process; or
- (b) trade secret

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that was obtained by that enforcement authority in the course of the exercise of a power or duty conferred on the enforcement authority by these Regulations.

(2) Despite subregulation (1), an enforcement authority may disclose information if

- (a) the information is public information; or
- (b) the disclosure is made
 - (i) for the purpose of facilitating the exercise of power by an enforcement authority under these Regulations or any other enactment;
 - (ii) in connection with the investigation of an offence; or
 - (iii) for the purpose of a civil or criminal proceeding.

Powers of Enforcement

Power of enforcement authority to require technical documentation

29. Where an enforcement authority suspects that the information given

- (a) in a Product Information Sheet; or
- (b) on a label

in respect of a comfort fan is incorrect, that enforcement authority may, by notice served on the supplier or importer of the comfort fan, require the supplier or importer to furnish the enforcement authority with the technical documentation referred to in regulation 10 within the period stipulated in the notice.

Power of enforcement authority to inspect comfort fan

30. An enforcement authority may, at any reasonable time, enter any premises to inspect a comfort fan if the enforcement authority has reason to believe that the premises are being used for a purpose in contravention of these Regulations.

Power of enforcement authority to detain or seize record or comfort fan

31. (1) Subject to these Regulations, where an enforcement authority has reasonable cause to suspect that an offence has been committed or is

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being committed, that enforcement authority may

- (a) at any reasonable time enter premises other than a dwelling place, and conduct an inspection in accordance with subsection (3) of section 52 of the Act;
- (b) require a person engaged in a business or employed in connection with a business to produce a record in respect of a comfort fan;
- (c) detain or seize a comfort fan that is
 - (i) not labelled;
 - (ii) not properly labelled; or
 - (iii) labelled in a deceptive or misleading manner;
- (d) detain or seize a comfort fan that is imported without technical documentation which justifies the label affixed on the comfort fan;
- (e) detain or seize a comfort fan to enable tests to be carried out;
- (f) detain or seize a record to be used as evidence in proceedings in respect of an offence under these Regulations;
- (g) cause a container to be opened for the purpose of inspection;
- (h) break open a container, where implementation of paragraph (g) is not practicable; or
- (i) detain or seize a comfort fan if the model is not registered in the Appliance Energy Efficiency Register.

(2) For the purposes of paragraphs (b) and (f) of subregulation (1), the enforcement authority may request for information stored electronically to be made available to the enforcement authority in printed form.

Power of enforcement authority to test comfort fan

32. (1) An enforcement authority may

- (a) obtain, remove and test a comfort fan; or
- (b) order the testing of a comfort fan

to ascertain whether a provision of these Regulations has been contravened.

(2) A person who suspects that a comfort fan offered for sale does not comply with the provisions of these Regulations may lodge a complaint with an enforcement authority.

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(3) The enforcement authority may, upon receipt of a complaint under subregulation (2), detain and test the comfort fan.

(4) The test to be conducted in respect of a comfort fan purchased, obtained or detained under regulation 31 shall be carried out in accordance with the test procedures required by the Standards.

Detention, Re-Exportation and Seizure

Procedure for market surveillance and verification

33. (1) Despite regulation 32, the Commission and the Standards Authority shall conduct market surveillance to ascertain whether a comfort fan on the market conforms to these Regulations.

(2) The Commission and the Standards Authority shall apply the verification procedure specified in the Fifth Schedule to conduct the market surveillance.

Order to access premises to inspect, detain or seize comfort fan or record

34. (1) Where

- (a) an enforcement authority is refused entry to premises;
- (b) a notification to enter premises would defeat the purpose of the entry;
- (c) the premises to be entered are unoccupied; or
- (d) the occupier of premises to be entered is temporarily absent;

the enforcement authority may apply to a court for an order to enter the premises to inspect, detain or seize a comfort fan or record, if the enforcement authority has reasonable grounds to believe that a comfort fan or record on the premises may assist in the disclosure of evidence of the commission of an offence under these Regulations.

Procedure for detention of comfort fan

35. (1) An enforcement authority that exercises a power of detention under these Regulations shall, immediately, give a written notice to the person against whom the power has been exercised.

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(2) The written notice shall state

- (a) the comfort fan that has been detained; and
- (b) the reason for the detention.

(3) Where an enforcement authority detains a comfort fan, that comfort fan may be kept in a warehouse or other secure location reserved for the purpose.

Procedure for re-labelling of detained comfort fan

36. (1) Subject to these Regulations, where an enforcement authority detains a comfort fan under paragraph (e) of subregulation (1) of regulation 31, the enforcement authority shall

- (a) within two days after the detention, submit a sample of the comfort fan for testing; and
- (b) within two days after receipt of the test results, give a notice in writing to the supplier of the comfort fan to properly label the comfort fan if the minimum energy performance standards have been complied with.

(2) The notice under paragraph (b) of subregulation (1) shall require a comfort fan to be re-labelled in the required manner or exported out of the country within twenty-eight days.

(3) Where a supplier is required under subregulation (2), to re-label a comfort fan, the supplier shall re-label the comfort fan under the supervision of an officer authorised for the purpose by the Commission or the Standards Authority.

- (4) Where a supplier fails to
- (a) re-label the comfort fan; or
 - (b) export the comfort fan

within twenty-eight days after the notice given under paragraph (b) of subregulation (1), the Commission shall, in consultation with the Standards Authority, destroy the comfort fan in a manner that the Commission may determine.

Procedure for re-exportation of imported comfort fan

37. (1) An enforcement authority that exercises a power of detention or seizure under these Regulations shall, within seven days after the detention or seizure, give an order in writing to the person against whom the power has been exercised to re-export the comfort fan.

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- (2) The order referred to in subregulation (1) shall state
- (a) the comfort fan to be re-exported;
 - (b) the reason for the order;
 - (c) the period within which the comfort fan is to be re-exported; and
 - (d) the fact that the supplier shall be responsible for the cost associated with the re-export.

(3) Where a comfort fan is kept within premises that are under the control of the owner of the comfort fan, the owner shall pay a security deposit against any breach of the re-exportation order.

(4) A security deposit under subregulation (3) shall be forfeited in the event of a breach of the re-exportation order, including the sale or destruction of a comfort fan which has been ordered to be re-exported.

(5) Where a person fails to pay a security deposit imposed under subregulation (3), the Commission may recover the amount imposed as a civil debt.

Procedure for seizure of comfort fan

38. (1) An enforcement authority that exercises a power of seizure under these Regulations shall, within seven days after the seizure, give a written notice to the person against whom the power has been exercised.

- (2) The written notice under subregulation (1) shall state
- (a) the comfort fan that has been seized;
 - (b) the reason for the seizure; and
 - (c) the venue and the period within which a petition against the seizure may be brought under regulation 39.

(3) Where an enforcement authority seizes a comfort fan, that comfort fan may be kept in a warehouse or other secure location reserved for the purpose.

(4) The owner of the comfort fan may be required to pay a deposit to cover the cost of destruction, if the comfort fan does not meet the minimum energy performance standards.

(5) Where a comfort fan is kept within premises that are under the control of the owner of the comfort fan, the owner shall pay a security deposit against any breach of the seizure order.

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(6) A security deposit under subregulation (5) shall be forfeited in the event of a breach of the seizure order, including the sale or destruction of a comfort fan which has been seized.

(7) Where a person fails to pay a security deposit imposed under subregulation (5), the Commission may recover the amount imposed as a civil debt.

Petition and Compensation

Petition against seizure

39. (1) Subject to these Regulations, a person whose comfort fan is seized may, within seven days after receipt of the written notice specified in subregulation (1) of regulation 38, petition the Executive Secretary for the release of the seized comfort fan.

(2) The Executive Secretary shall, within seven days after the receipt of a petition under subregulation (1),

(a) confirm the seizure; or

(b) order the release of the seized comfort fan to the petitioner on a specific day.

(3) A person who is dissatisfied with a decision of the Executive Secretary under subregulation (2) may appeal to the Board within seven days after the receipt of the decision.

(4) The Board shall within thirty days after the receipt of an appeal under subregulation (3)

(a) consult the Standards Authority; and

(b) take a decision on the appeal.

(5) The Board may release the seized comfort fan to the petitioner only if the Commission and the Standards Authority fail to prove that an offence under these Regulations has been committed.

(6) A person who is dissatisfied with

(a) a decision of the Board under subregulation (4) may, within fourteen days after the decision; or

(b) the failure of the Board to make a decision within thirty days after receipt of the appeal may, within fourteen days after the failure

apply to the court.

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Forfeiture and destruction of seized comfort fan

40. (1) Where an appeal to the Board under subregulation (3) of regulation 39 is not successful, the enforcement authority shall, within twenty-eight days of the decision of the Board, notify the owner of the comfort fan of the forfeiture and date of destruction of the seized comfort fan.

(2) The Commission may, in consultation with the Standards Authority, destroy a forfeited comfort fan in a manner that the Commission may determine.

(3) Where under subregulation (6) of regulation 39, the court upholds or affirms the decision of the Board to forfeit and destroy the comfort fan, the Commission shall destroy the comfort fan within the period given by the court.

Compensation for loss of comfort fan or record seized

41. (1) Where an enforcement authority exercises power under these Regulations to seize a comfort fan or record, that enforcement authority is liable to pay compensation to the owner of the comfort fan or record for any loss or damage caused by the exercise of the power, if

- (a) these Regulations have not been contravened in relation to the comfort fan or record; and
- (b) the loss or damage is not attributable to the neglect or the fault of the owner but an official of the Commission.

(2) Paragraph (b) of subregulation (1) does not apply in a case of *force majeure*.

(3) The compensation payable under subregulation (1) for a loss or damage shall not exceed the value of the comfort fan or record.

(4) A dispute as to the

- (a) right to compensation; or
- (b) amount of compensation payable to a person under subregulation (1),

shall be determined in the first instance by arbitration in accordance with the Alternative Dispute Resolution Act, 2010 (Act 798).

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Recovery of expenses by enforcement authority

42. (1) Where an enforcement authority

- (a) seizes,
- (b) tests, or
- (c) supervises the re-labelling or destruction of

a comfort fan, that enforcement authority may surcharge the dealer or supplier of the comfort fan for the expenses incurred for the seizure, testing or supervision.

(2) Despite subregulation (1), where a court convicts a person of an offence in respect of the contravention of a provision of these Regulations, the court may, in addition to any order that the court may make as to costs and expenses, order the person convicted to reimburse the enforcement authority for the expenditure incurred by the enforcement authority in connection with the seizure.

Miscellaneous Provisions

Offences and penalties

43. (1) A person who

- (a) manufactures, imports, offers for sale, advertises, sells, stores, distributes or otherwise disposes of a comfort fan that
 - (i) does not meet a requirement in respect of the minimum energy performance standards contrary to regulation 3;
 - (ii) is not accompanied by the required technical documentation contrary to regulation 10;
 - (iii) is not labelled or properly labelled contrary to regulation 11;
 - (iv) is labelled in a deceptive or misleading manner contrary to regulation 27;
- (b) uses a circumvention device contrary to regulation 9;
- (c) fails to comply with a labelling requirement contrary to regulation 11;
- (d) fails to provide technical documentation contrary to regulation 10, 16 or 17;

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- (e) fails to register a model of a comfort fan contrary to regulation 13;
 - (f) fails to provide a Product Information Sheet contrary to regulation 18;
 - (g) fails to provide information on a comfort fan contrary to regulation 19;
 - (h) provides inaccurate information contrary to regulation 20;
 - (i) advertises a comfort fan without providing accurate information on the energy efficiency star rating of the comfort fan and the range of energy efficiency of the comfort fan available, contrary to regulation 25;
 - (j) offers for sale or sells a comfort fan over the internet or other distance selling medium without providing the information required contrary to regulation 24 or 26;
 - (k) provides misleading information contrary to regulation 27;
 - (l) obstructs or interferes with an enforcement authority in the exercise of the powers of that enforcement authority contrary to regulation 31;
 - (m) fails to comply with the requirements for re-labelling contrary to regulation 36; or
 - (n) violates a seizure order or notice contrary to regulation 38;
- commits an offence and is liable on summary conviction to a fine of not less than one hundred and twenty-five penalty units and not more than two hundred and fifty penalty units or to a term of imprisonment of not less than six months and not more than twelve months or to both.

(2) A person who commits a second or subsequent offence under subregulation (1) after an earlier conviction under subregulation (1) is liable on summary conviction to a fine of not less than two hundred and fifty penalty units and not more than five hundred penalty units or to a term of imprisonment of not less than twelve months and not more than twenty-four months or to both.

(3) Where an offence under these Regulations is committed by a body corporate or by a member of a partnership or other firm, every director or officer of the body corporate, or any member of the partnership or any other person concerned with the management of the firm shall be deemed to have committed that offence and is liable, on summary

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conviction, to a fine of not less than five hundred penalty units and not more than one thousand penalty units, and is in addition liable to the payment of compensation for the damage resulting from the breach.

(4) A person shall not be convicted of an offence under subregulation (3), if it is proved that

- (a) the person exercised due diligence to secure compliance with the provisions of these Regulations, and
- (b) the offence was committed without the knowledge, consent or connivance of that person.

Interpretation

44. In these Regulations, unless the context otherwise requires,

“accredited test laboratory” means a test laboratory that is recognised by the Standards Authority for laboratory testing and product certification;

“appliance” means a device or machine for performing a specific task;

“Appliance Energy Efficiency Register” means an official record, kept and maintained by the Commission, on energy efficiency information in respect of models of electrical appliances that have been certified by the Commission and Standards Authority for use in Ghana;

“audio or audio-visual broadcasting service provider” means a person who provides a service which delivers radio programmes or programmes with hearing and sight components to persons with equipment appropriate for receiving that service, whether the delivery is effected by means of or uses the radio frequency spectrum, cable, optical fibre, satellite, internet radio via streaming media on the internet, or any other means or a combination of those means intended to reach a wide audience;

“circumvention device” means any control, control device, software, component or part that alters the operating characteristics of a comfort fan during any test procedure, resulting in measurements that are unrepresentative of the true characteristics of the comfort fan that may occur during normal use under comparable conditions;

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“comfort fan” means a non-portable or portable appliance or device with rotating blades that

- (a) creates a current of air movement around or on parts of a human body for personal cooling comfort; and
- (b) may perform additional functionalities like lighting for cooling or ventilation;

“container” means a receptacle or enclosure for holding a product for storage, packaging and shipping;

“court” means a court of competent jurisdiction;

“dealer” means a retailer or other person who displays, offers for sale or sells a comfort fan to an end user;

“distance selling” means the sale of goods or services without the buyer and seller being physically present simultaneously;

“dwelling place” means place of residence;

“electric mains-operated comfort fan” means a comfort fan that operates on electricity supply from the grid of 230 ($\pm 10\%$) volts of alternating current at 50 Hz;

“electronic Product Information Sheet” means a document containing the following information in electronic format:

- (a) basic product information;
- (b) energy label information; and
- (c) special features and characteristics;

“end user” means the first user of a comfort fan;

“endorsement labelling scheme” includes a voluntary labelling scheme that guarantees the performance standards of the comfort fan, that are equal to or exceed the minimum threshold established by a recognised advisory body;

“energy efficiency rating” means the level of service value of the comfort fan measured as a ratio of the air delivery rate to the fan power input for a set of rating conditions specified in the Standards;

“enforcement authority” means

- (a) an authorised officer of the Commission;
- (b) an authorised officer of the Standards Authority;
- (c) an authorised officer of the Customs Division of the Ghana Revenue Authority;
- (d) an authorised officer of the Police Service; or

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- (e) any other authorised person designated by the Customs Division of the Ghana Revenue Authority, the Commission or the Standards Authority to carry out inspections for the purposes of these Regulations;
- “environmental labelling scheme” means a voluntary labelling scheme that provides detailed information on the environment in respect of the performance characteristics of a comfort fan;
- “equivalent model” means a model which has the same technical characteristics relevant for the technical information to be provided, but which is placed on the market or put into service by the same manufacturer, importer or authorised representative as another model with a different model identifier;
- “fan power input (P_p)” means the electric power input of a comfort fan in watts operating at the declared maximum fan flow rate, measured with the oscillating mechanism active, where applicable;
- “fan sound power level” means the A-weighted sound power level of the comfort fan while providing the maximum fan flow rate, measured at the outlet side;
- “GS” means Ghana Standards;
- “importer” means a person who places a comfort fan from a foreign country on the Ghanaian market and supplies that comfort fan for use;
- “label” means a material attached to a comfort fan the inscription of which contains information on the energy consumption of the comfort fan;
- “maximum fan flow rate” means the air flow rate of the comfort fan at its maximum setting (m^3/min), measured at the fan outlet with the oscillating mechanism, if applicable turned off;
- “minimum energy performance standards” mean a set of procedures and regulations that prescribe the minimum allowable values of energy efficiency or energy performance of manufactured products;

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- “model identifier” means the code, usually alphanumeric, which distinguishes a specific product model from other models with the same trademark or the same name of the manufacturer, importer or authorised representative;
- “oscillating mechanism” means the capability of the comfort fan to automatically vary the direction of the air flow while the comfort fan is operating;
- “premises” means land and any building, store, shop, apartment, or other structure on the land used for the storage of a comfort fan;
- “product brochure” includes a pamphlet or booklet that contains introductory information about a product;
- “Product Information Sheet” means a standard table of information related to a comfort fan;
- “Quick Response Code” means a matrix barcode included on the energy label of a product model that links to the information of the model in the public part of the product database;
- “rated voltage” means the voltage marked on a comfort fan in volts;
- “rating plate” means a name plate that indicates the measurable performance capability of a comfort fan;
- “record” includes a book, document, label, mark, symbol, inscription or information in electronic form;
- “sale” means the exchange of a product for consideration, including hire purchase, credit sale and purchase by instalment;
- “Standards” means quality specifications for comfort fans as stipulated in the First Schedule;
- “Standards Authority” means the Standards Authority established under the Standards Authority Act, 1973 (N.R.C.D. 173);
- “supplier” means a person or organisation that provides a product and includes
- (a) a manufacturer or the authorised representative of a manufacturer resident in the country; and

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(b) an importer or the person who introduces a comfort fan on the Ghanaian market;

“supply” includes an offer to supply, contract to supply and an advertisement for supply of a comfort fan but excludes the exhibition at a trade fair of a comfort fan that is prohibited by these Regulations;

“trade secret” means a secret device or technique used by a company in manufacturing the products of the company;

“wattage” means the power marked on a comfort fan, in watts (W); and

“year” means the period from 1st January to 31st December.

Transitional provision

45. A person who, before the coming into force of these Regulations, has

(a) manufactured in the country; or

(b) imported into the country

a comfort fan that does not comply with these Regulations, shall, within one year after the coming into force of these Regulations, sell, distribute, donate or otherwise dispose of that comfort fan.

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SCHEDULE

FIRST SCHEDULE

(regulations 1(a)(i), 3(1)(b)(i)) and 44)

STANDARDS

1. GS 1196:2018 – Specification for Electric Ceiling Type Fans and Regulators.
2. GS IEC 60879:1986 – Performance and construction of electric circulating fans and regulators.
3. **GS** ISO 12759:2010 – Efficiency classification for fans.
4. GS IEC 600342 – Safety requirements for electric fans and regulators.
5. GS IEC 60704-2-7:1997 – Household and similar electrical appliances – Test code for the determination of airborne acoustical noise – Particular requirements for fans.

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SECOND SCHEDULE

(regulations 1(a)(i), 1(b), 3(1)(b)(ii), 4 (1)(a) and (b)(i), 6 and 11(2))

MINIMUM ENERGY PERFORMANCE STANDARDS

PART ONE

(regulations 1(a)(i), 1(b), 3(1)(b)(ii), 4(1)(a) and 6)

Energy Efficiency

1. The Energy Efficiency level of a comfort fan is defined in terms of the minimum air delivery, minimum service value and the maximum power input at test voltage and at full speed as specified by the Standards.

The service value of a comfort fan is a ratio of the air delivery rate and the power consumption or power input measured at test conditions and procedures specified by the Standards and calculated using the formula

$$\text{Service Value (SV)} = \text{ADR} / \text{P}_{\text{input}} (\text{m}^3 / \text{minute} / \text{W})$$

Where

ADR = Air Delivery Rate of the fan measured in (cubic meters per minute) in accordance with the Standard; and

P_{input} = Rated Input Power in Watts (W) and applied during the test in accordance with the Standard.

The test methods specified by the Standards are applicable to capacitor-type ac single-phase and dc fans of the different fan types - ceiling fans, standing (pedestal) fans, wall-mounted fans and table-top fans - and with different fan blade sizes and including the associated fan speed regulators.

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Definition of Energy Efficiency Star Rating for 1-Star to 7-Star appliances

2. An appliance shall be classified as *1-Star to 7-Star* where the minimum Service Value (SV) is within the ranges specified in Table 1 for each type of comfort fan.

Table 1. Energy Efficiency Star Rating – Comfort Fan

Energy Efficiency Star Rating	Ceiling Fan	Standing Tower Fan	Table-top / Wall-mounted / Box Fan
7-Star	$5.00 \leq SV$	$3.00 \leq SV$	$2.50 \leq SV$
6-Star	$4.75 \leq SV < 5.00$	$2.58 \leq SV < 3.00$	$2.15 \leq SV < 2.50$
5-Star	$4.50 \leq SV < 4.75$	$2.15 \leq SV < 2.58$	$1.80 \leq SV < 2.15$
4-Star	$4.25 \leq SV < 4.50$	$1.73 \leq SV < 2.15$	$1.45 \leq SV < 1.80$
3-Star	$4.00 \leq SV < 4.25$	$1.30 \leq SV < 1.73$	$1.10 \leq SV < 1.45$
2-Star	$3.75 \leq SV < 4.00$	$0.88 \leq SV < 1.30$	$0.75 \leq SV < 1.10$
1-Star	$3.5 \leq SV < 3.75$	$0.45 \leq SV < 0.88$	$0.40 \leq SV < 0.75 \leq$

3. The minimum Service Value and minimum Air Delivery Rate for the three types of fans are provided in Table 2.

Table 2: Minimum Service Value and Minimum Air Delivery Rate

<i>Fan category</i>	<i>Air Delivery rate (m³ / min)</i>	<i>Service Value (m³ / min / W)</i>
Ceiling Fan	210	3.50
Standing Fan	50	0.45
Table-top Fan	22	0.40

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PART TWO

(regulations 4(1)(b)(i) and 11(2))

REQUIREMENTS FOR MAXIMUM POWER CONSUMPTION IN OFF-MODE AND STANDBY MODE

Off mode	Power consumption of equipment in any off-mode condition shall not exceed 0,50 W.
Standby mode	The power consumption of equipment in any condition providing only a reactivation function, or providing only a reactivation function and a mere indication of enabled reactivation function, shall not exceed 0,50 W.
	The power consumption of equipment in any condition providing only information or status display, or providing only a combination of reactivation function and information or status display shall not exceed 1,00 W.
Availability of standby or off mode	Equipment shall, except where this is inappropriate for the intended use, provide off mode or standby mode or another condition which does not exceed the applicable power consumption requirements for off mode or standby mode when the equipment is connected to the mains power source.
Power management	<p>When equipment is not providing the main function, or when other energy-using products are not dependent on its functions, equipment shall, unless inappropriate for the intended use, offer a power management function, or a similar function, that switches equipment after the shortest possible period of time appropriate for the intended use of the equipment, automatically into:</p> <ul style="list-style-type: none"> - standby mode, or - off mode, or <p>another condition which does not exceed the applicable power consumption requirements for off mode and/or standby mode when the equipment is connected to the mains power source. The power management function shall be activated before delivery.</p>

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THIRD SCHEDULE

(regulations 3(1)(b)(iii), 11(1)(a)(i), 11(1)(d)(i), 16(4)(b))

THE LABEL

1. Label design

The design of the label for comfort fans shall be in accordance with Figure 1 and shall include the information required by the notes.

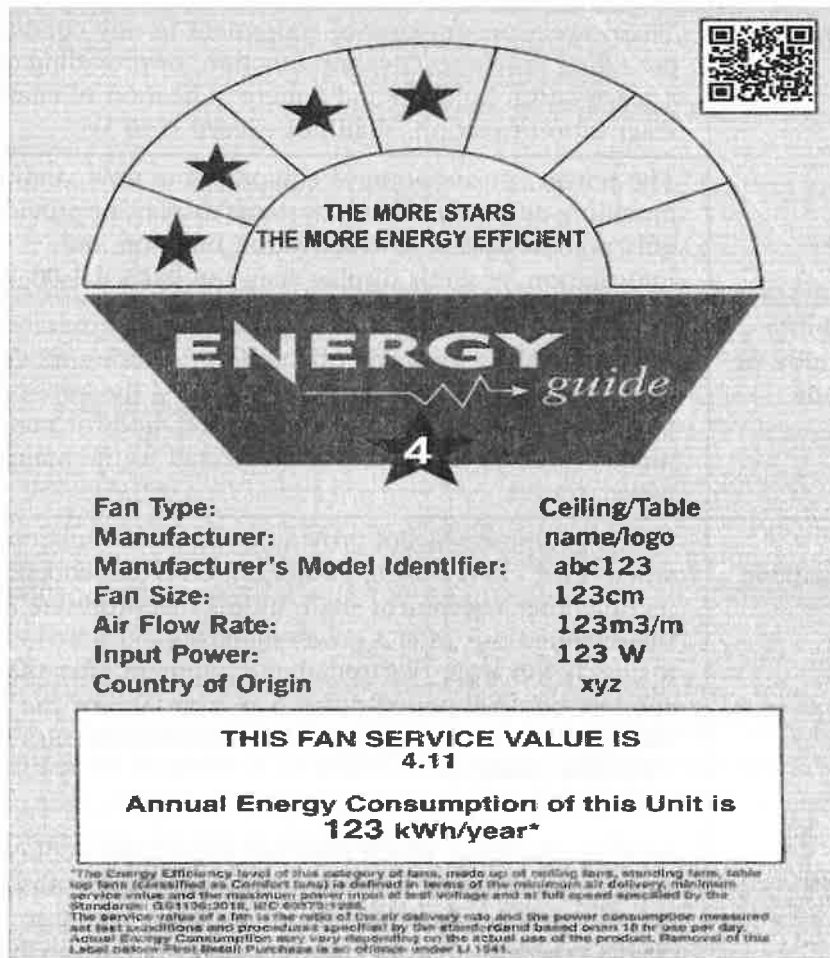


Figure 1: Label for Comfort Fans

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2. Notes to Figure 1

The following notes define the information to be included on the label:

- (a) Quick Response Code;
- (b) type or category of comfort fan ("XYZ"/"AC or DC");
- (c) name or trade mark of supplier;
- (d) model identifier of supplier;
- (e) size of comfort fan (marked "mm")*;
- (f) Country of origin;
- (g) Energy efficiency star rating of comfort fan;
- (h) Rated input power in watts (marked "W" or "watts");
- (i) Air Delivery Rate (marked "m³/minute");
- (j) Annual Energy Consumption (marked "kWh/year"); and
- (k) Rated voltage or voltage range (marked "V" or "volts")*.

Note *: Information should also be marked on the fan regulator

3. Printing

- (1) Figure 2 defines aspects of the label.
- (2) The dimensions of the labels shall be in accordance with the illustration in Figure 2 and shall be placed on side or container of the regulated appliance.
- (3) Colours are to be used on the label in accordance with the following:
 - (a) all text shall be in black or gold as illustrated;
 - (b) the background shall be gold;
 - (c) all stars shall be in black; and
 - (d) border line shall be in black.

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3. Dimensions of Labels

The dimensions of the labels are shown in Figure 2.

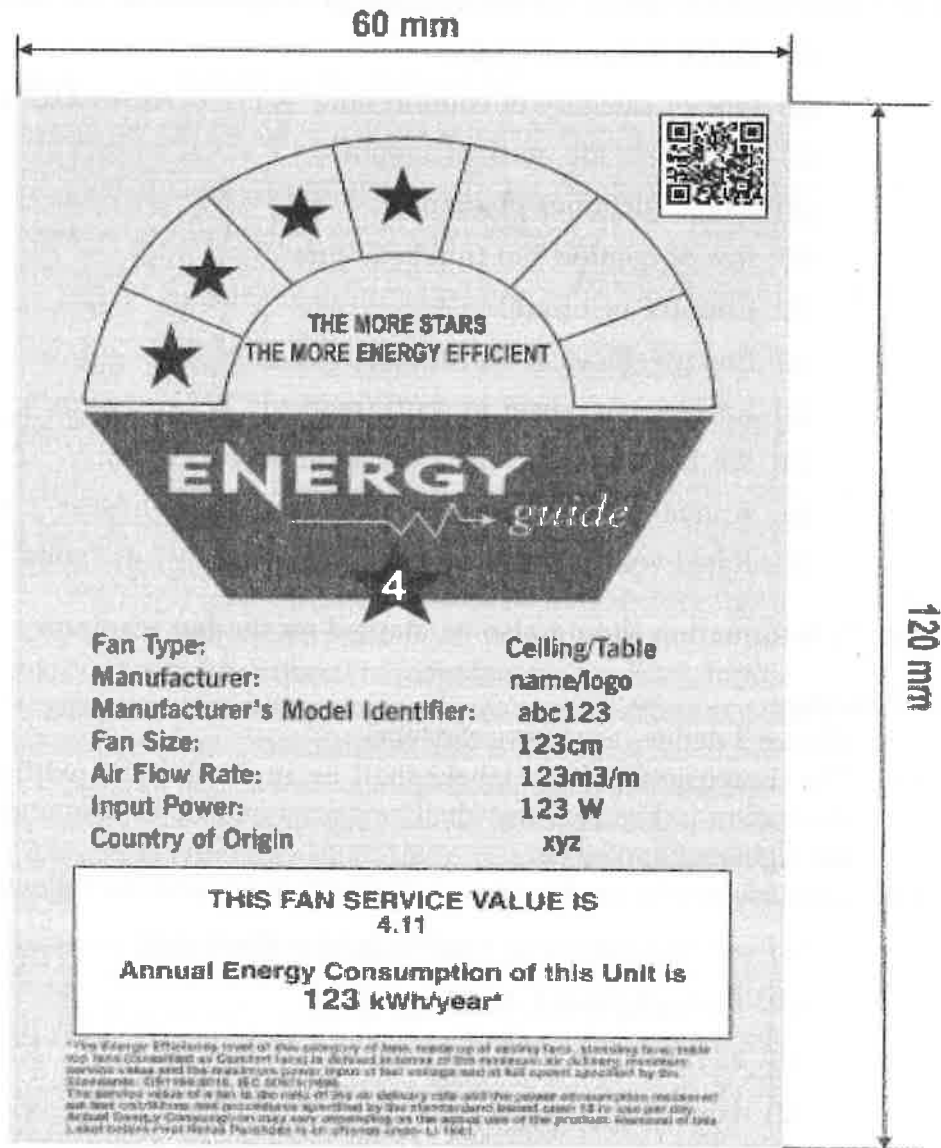


Figure 2: Dimensions of Label

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FOURTH SCHEDULE

(regulations 3(1)(b)(iv), 3(2), 5, 10(2) (b) and (c), 11(1) (c), 16(4)(b), (c), (d) and (e), 18(1), 18(2)(b), 22(b), 24(2)(c), 25(b) (iii) and 26(2)(a))

PART ONE

(regulations 10(2)(b), 18(1) and 18(2)(b))

Product Information Sheet

The Product Information Sheet shall contain the information specified below. The information may be given in the form of a table (*See Table 1*) covering a number of comfort fans supplied by the same supplier, in which case it shall be given in the order specified, or given in the description of the comfort fan.

- (a) name of supplier or trade mark;
- (b) model identifier of supplier;
- (c) type or category of comfort fan;
- (d) power factor;
- (e) rated speed in rev/min;
- (f) air delivery at test voltage;
- (g) service value at rated voltage;
- (h) number of blades;
- (i) type of regulator and number of running positions;
- (j) class of insulation;
- (k) type of bearings;
- (l) user instructions including disposal if necessary; and
- (m) minimum air delivery rate, power input rating, the minimum service value in m³/minute/watt and the estimated annual energy consumption in kwh/year in accordance with the Standards.

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The actual service value and energy consumption will depend on how the comfort fan is used together with the accompanying fan regulator.

PART TWO
(regulations 5 and 11(1)(c))

Product Information Requirements for Comfort Fans

The supplier shall provide the product information as detailed in Table 1. If a certain feature is not present, the related parameters and values shall be '-'.

Table 1. Sample Product Information Sheet

Information to identify the model(s) to which the information relates to[fill in as necessary]			
Description	Symbol	Value	Unit
Type or Category of Fan	<i>Ceiling/ Standing/ Table etc.</i>		
Power Supply type	<i>AC/DC</i>		
Fan blade size		<i>[x.x]</i>	mm
Power Factor	<i>Pf</i>		-
Maximum fan flow rate	<i>F</i>	<i>[x.x]</i>	m ³ /min
Fan power input	<i>P</i>	<i>[x.x]</i>	W
Service value	<i>SV</i>	<i>[x.x]</i>	(m ³ /min) /W

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Standby power consumption	P_{SB}	[x.x]	W
Fan sound power level	L_{WA}	[x]	dB(A)
Maximum air velocity	C	[x.x]	meters /sec
Measurement standard for service value	[state here the reference to measurement standard used]		
Contact details for obtaining more information	Name and address of the manufacturer or of its authorised representative.		

PART THREE
(regulation 10(2)(c))

Technical documentation

The technical documentation referred to in regulation 10 shall include the following elements:

- (a) the information as set out in Part One; and
- (b) the information as set out in Part Two. If a parameter is not applicable, the values of that parameter shall be '-'.

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PART FOUR

(regulation 24(2)(c))

Mail Order and other Distance Selling

1. Mail order catalogues and other communication shall contain the following information, given in the order specified below:

(a) the label of the comfort fan as presented in the Third Schedule; and

(b) the information in Part One, Part Two and Part Three of this schedule.

2. The size and font, in which all the information referred to in paragraph 1 is printed, shall be legible.

PART FIVE

(regulations 3(2), 16(4)(c), (d) and (e) and 25(b) (iii))

Information to be provided in audio advertisements, visual advertisements, in technical promotional material, in distance selling, except distance selling on the internet

1. In an audio advertisement, for the purposes of ensuring conformity with the requirements laid down in subregulation (2) of regulation 3, the energy efficiency class of the model of appliance being advertised and the range of energy efficiency classes available on the market shall be stated in the advertisement.

2. In a visual advertisement, for the purposes of ensuring conformity with the requirements laid down in subregulation (2) of regulation 3, the energy efficiency class and the range of energy efficiency classes available on the label shall be shown as set out in paragraph 5 of this Part.

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3. In technical promotional material, for the purposes of ensuring conformity with the requirements laid down in subregulation (2) of regulation 3, the energy efficiency class and the range of energy efficiency classes available on the label shall be shown as set out in paragraph 5 of this Part.
4. Any paper-based distance selling must show the energy efficiency class and the range of energy efficiency classes available on the label as set out in paragraph 5 of this Part.
5. The energy efficiency class and the range of energy efficiency classes shall be shown, as indicated in Figure 1, with
 - (a) an arrow, containing the letter of the energy efficiency class in hundred percent white, Calibri Bold and in a font size at least equivalent to that of the price, when the price is shown;
 - (b) the colour of the box shall be gold;
 - (c) the range of available energy efficiency classes in hundred percent black; and
 - (d) the size shall be such that the box is clearly visible and legible.
6. The number embedded in the black star corresponding with the energy efficiency class of the appliance star shall be in hundred percent white and positioned in the center of the black star in the box, with a border of 0.5 pt in hundred percent black placed around the box and the star showing the energy efficiency star rating class.
7. By way of derogation, if the visual advertisement, technical promotional material or paper-based distance selling is printed in monochrome, the box can be in monochrome in that visual advertisement, technical promotional material or paper-based distance selling.

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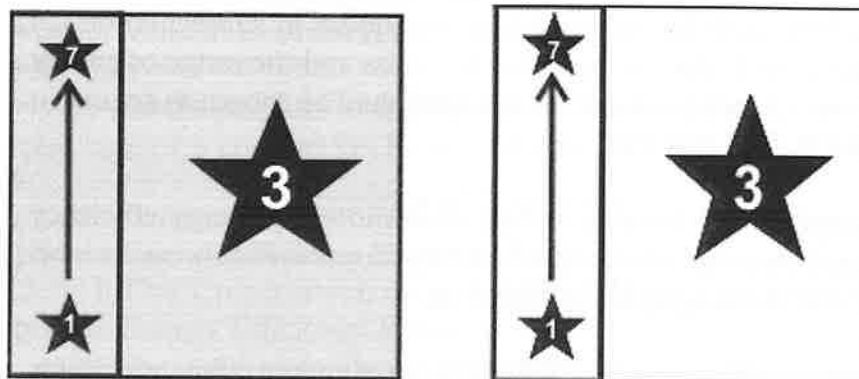


Figure 1: Coloured/monochrome Star Rating, with range of energy efficiency classes indicated

8. Telemarketing-based distance selling must specifically inform the customer of the energy efficiency class of the product and of the range of energy efficiency classes available on the label, and that the customer can access the full label and the product information sheet through a free access website, the public part of the Appliance Energy Efficiency Register of the Commission or by requesting a printed copy.
9. For all the situations mentioned in paragraphs 2 to 4 and 8, it shall be possible for the customer to obtain, on request, a printed copy of the label and the Product Information Sheet.

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PART SIX
(regulation 26(2)(a))

Information to be provided in the case of distance selling through the Internet

1. The appropriate label made available by suppliers in accordance with the Third Schedule shall be shown on the display mechanism in proximity to the price of the product.
2. The size shall be such that the label is clearly visible and legible and shall be proportionate to the size specified in the Third Schedule.
3. The label may be displayed using a nested display, in which case the image used for accessing the label shall comply with the specifications laid down in paragraph 5 of this Part.
4. If nested display is applied, the label shall appear on the first mouse click, mouse roll-over or tactile screen expansion on the image.
5. The image used for accessing the label in the case of nested display, as indicated in Figure 2, shall
 - (a) be a box in gold colour with a black star and an embedded number corresponding to the energy efficiency star rating of the product on the label;
 - (b) indicate the energy efficiency star rating of the product in the box in hundred percent black, calibri bold and in a font size equivalent to that of the price;
 - (c) have the range of available energy efficiency classes in hundred percent black; and

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- (d) have one of the following two formats, and its size shall be such that the box is clearly visible and legible. The number showing the energy efficiency star rating shall be positioned in the centre of the box, with a visible border in hundred percent black placed around the box and the number of the energy efficiency star rating:

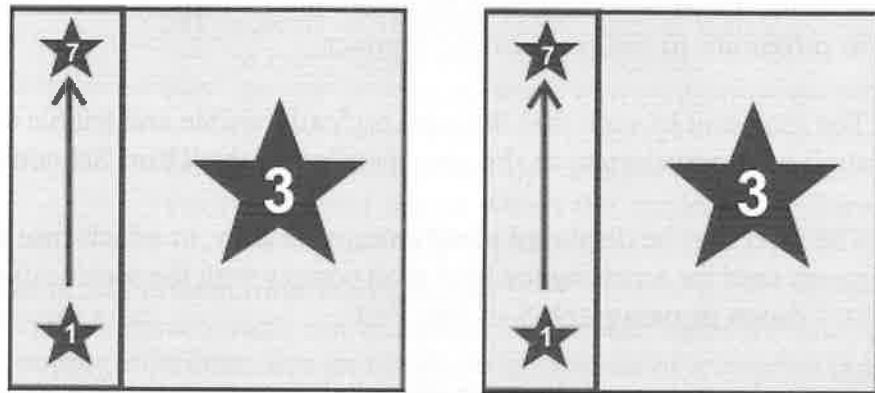


Figure 2: Coloured Star Rating with range of energy efficiency classes indicated

6. In the case of a nested display, the sequence of display of the label shall be as follows:
- the image referred to in paragraph 5 of this Part shall be shown on the display mechanism in proximity to the price of the product;
 - the image shall link to the label set out in the Third Schedule;
 - the label shall be displayed after a mouse click, mouse roll-over or tactile screen expansion on the image;

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- (d) the label shall be displayed by pop up, new tab, new page or inset screen display;
- (e) for magnification of the label on tactile screens, the device conventions for tactile magnification shall apply;
- (f) the label shall cease to be displayed by means of a close option or other standard closing mechanism; and
- (g) the alternative text for the graphic, to be displayed on failure to display the label, shall be the energy efficiency class of the product in a font size equivalent to that of the price.

The electronic Product Information Sheet made available by suppliers in accordance with subregulation (2) of regulation 26 shall be shown on the display mechanism in proximity to the price of the product. The size shall be such that the Product Information Sheet is clearly visible and legible. The Product Information Sheet may be displayed using a nested display or by referring to the product database, in which case the link used for accessing the Product Information Sheet shall clearly and legibly indicate "Product Information Sheet". If a nested display is used, the Product Information Sheet shall appear on the first mouse click, mouse roll-over or tactile screen expansion on the link.

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FIFTH SCHEDULE

(regulation 33(2))

VERIFICATION PROCEDURE FOR MARKET SURVEILLANCE

Table: Measured parameters verification tolerances

Parameter	Verification Tolerances
Fan blade size	The determined value, shall not be more than three percent or 10mm — whichever is the greater value — than the declared value.
Power Factor	The determined value, a shall not be more than ten percent lower than the declared value.
Maximum fan flow rate	The determined value, a shall not be more than ten percent lower than the declared value.
Fan power input	The determined value, a shall not be more than ten percent higher than the declared value.
Service value	The determined value, a shall not be more than ten percent higher than the declared value.
Standby power consumption	The determined value, a shall not differ from the declared value by more than ten percent.
Fan sound power level	The determined value, a shall not be more than 5 dB(A) re 1 pW more than the declared value.
Maximum air velocity	The determined value, a shall not be more than ten percent higher than the declared value.
Annual Energy Consumption	The determined value, a shall not be more than ten percent higher than the declared value.

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1. For the purposes of checking conformity with the requirements specified in these Regulations, the Commission and the Standards Authority shall test a single comfort fan.
2. If the measured parameters do not meet the values declared by the supplier within the tolerance ranges set out in the Table, the measurements shall be carried out on three more comfort fans. The arithmetic mean of the measured values of these three comfort fans shall meet the values declared by the supplier within the range defined in the Table.
3. Otherwise, the model and all other equivalent comfort fan models shall be considered not to comply with the requirements specified in these Regulations.
4. The designated surveillance authorities shall use reliable, accurate and reproducible measurement procedures, which take into account the generally recognised measurement methods, as set out in the Standards.

In the case of three additional units tested as prescribed in paragraph 2, the determined value means the arithmetic mean of the values determined for these three additional units.

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HON. DR. MATTHEW OPOKU PREMPEH
Minister responsible for Energy

Date of *Gazette* notification: 5th July, 2022.

Entry into force: 2nd November, 2022.