

**ENERGY COMMISSION (ENERGY EFFICIENCY STANDARDS
AND LABELLING) (REFRIGERATING APPLIANCES)
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 March, 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 refrigerating appliances;
 - (iii) supplementary product information on electric mains-operated refrigerating appliances; and
 - (iv) the registration of models of refrigerating appliances in the Appliance Energy Efficiency Register; and
- (b) prohibiting the manufacture, importation, sale, storage, donation, disposal, installation or use of a refrigerating appliance that does not meet the minimum energy performance standards set out in the Second Schedule.

Application of Regulations

2. (1) These Regulations apply to electric mains-operated refrigerating appliances with a volume of not less than ten litres and not more than one thousand five hundred litres, manufactured in the country or imported into the country for sale or use.

(2) These Regulations do not apply to

- (a) a rating plate or the equivalent of a rating plate affixed to a refrigerating appliance for purposes of safety;

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- (b) a refrigerating appliance which is designed to use an energy source other than electricity;
- (c) a professional refrigerated storage cabinet and a blast cabinet with the exception of professional chest freezers;
- (d) a mobile refrigerating appliance designed exclusively for use in caravans and other vehicles including
 - (i) mobile homes;
 - (ii) campervans;
 - (iii) rail cars; and
 - (iv) boats;
- (e) a refrigerating appliance which does not have the primary function to store foodstuffs through refrigeration;
- (f) a refrigerating appliance that has a total volume of less than thirty litres where the refrigeration function is secondary, such as boiled and cooled water dispensers;
- (g) a refrigerating appliance without the option to connect to a two hundred and thirty volt or four hundred volt mains electricity supply at fifty hertz; and
- (h) a stand alone ice-maker.

Duties and Requirements

Duty to comply with requirements

3. (1) A person who manufactures, imports, offers for sale, sells, stores, supplies, distributes or disposes of a refrigerating appliance for use in the country shall ensure that

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

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

Prohibition of manufacture, importation, sale, storage, donation, disposal, installation or use of refrigerating appliance

4. (1) A person shall not manufacture, import, offer for sale, sell, store, donate, dispose of, install or use a refrigerating appliance in the country, unless the refrigerating appliance meets the minimum energy performance standards set out in the Second Schedule.

(2) An enforcement authority shall

(a) detain, re-export or seize and destroy a refrigerating appliance imported for use in the country contrary to subregulation (1); or

(b) seize and destroy a refrigerating appliance manufactured in the country contrary to subregulation (1).

Category of refrigerating appliance

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

Energy efficiency star rating of refrigerating appliance

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

Voltage, input power or wattage of refrigerating appliance

7. The manufacturer of a refrigerating appliance shall ensure that the rated voltage, input power or wattage of that refrigerating appliance shall be visibly printed and displayed on the back or side of the refrigerating appliance.

Measurement methods

8. The information required under regulations 11 and 12 shall be obtained by

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

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(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 refrigerating appliance.

(2) A manufacturer, an importer or an authorised representative of the manufacturer or importer shall not place on the market, a refrigerating appliance which is designed to

(a) detect that the refrigerating appliance is being tested by recognising the test conditions or test cycle, or

(b) react specifically by automatically altering the performance of the refrigerating appliance during the test with the aim of reaching a more favourable level for any of the parameters declared by the manufacturer, importer or authorised representative of the manufacturer in the technical documentation or in any of the documentation provided.

(3) The energy consumption of the refrigerating appliance 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 Standards Authority, before the update.

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

Climate class

10. The climate class of a refrigerating appliance shall be printed visibly on the back or side of the refrigerating appliance.

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Technical documentation

11. (1) A person shall not manufacture, import, store, offer for sale, sell, distribute, donate or dispose of a refrigerating appliance unless the 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 refrigerating appliance 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 specified in Part Three of the Fourth Schedule.

(3) The technical documentation shall

- (a) be prepared for each model of a refrigerating appliance placed on the market; and
- (b) include
 - (i) the name and address of the supplier;
 - (ii) the description of the refrigerating appliance, for purposes of identification;
 - (iii) the model identifier of the manufacturer;
 - (iv) relevant drawings on the main design features of the model and parameters of the refrigerating appliance that affect the energy consumption of the appliance;
 - (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;

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- (vii) the installation and operating instructions; and
- (viii) the period within which the model of the refrigerating appliance was manufactured.

Labelling and information requirements

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

- (a) the refrigerating appliance shall bear a label in the form set out in the Third Schedule;
- (b) the information in respect of the refrigerating appliance indicated on the packaging of the refrigerating appliance shall be in the English language;
- (c) the Product Information Sheet in respect of the refrigerating appliance shall be as specified in Part One of the Fourth Schedule;
- (d) the label on the boxes containing a refrigerating appliance shall
 - (i) contain information in the form set out in the Third Schedule; and
 - (ii) be printed in colour;
- (e) the labels on the refrigerating appliance and the packaging of the refrigerating appliance shall include the following information:
 - (i) the Quick Response Code;
 - (ii) name or trade mark of the manufacturer;
 - (iii) model identifier of the manufacturer;
 - (iv) climate class;
 - (v) a one-star to seven-star energy efficiency rating in which the ascending number of stars represents a higher energy efficiency determined in accordance with Table 1 in Part One of the Second Schedule;

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- (vi) the energy efficiency star rating of the refrigerating appliance as specified in Table 1 in Part One of the Second Schedule determined in accordance with the test procedures specified in the Standards;
 - (vii) the annual energy consumption expressed in kilowatt-hours calculated with the total input power as defined in Part Two of the Second Schedule per year in cooling mode at full load, determined in accordance with the test procedures of the Standards and calculations set out in Part Two of the Second Schedule and rounded to the nearest integer;
 - (viii) the sum of the volumes of the frozen compartment expressed in litres and rounded to the nearest integer;
 - (ix) if the refrigerating appliance does not contain frozen compartments, the space provided and the value in litres in paragraph (viii) shall be left blank;
 - (x) the sum of the volumes of the chill compartments and the unfrozen compartments, expressed in litres and rounded to the nearest integer;
 - (xi) if the refrigerating appliance does not contain unfrozen compartments and chill compartments, the space provided and the value in litres in paragraph (x) shall be left blank;
 - (xii) the type of refrigerant and global warming potential of the refrigerant;
 - (xiii) sound power level expressed in dB(A) re 1 pW and rounded to the nearest integer; and
 - (xiv) the country of origin of the refrigerating appliance;
- (f) the label shall be printed in colour on a water proof material and pasted conspicuously on the outside of the front or top of the refrigerating appliance;
- (g) the background of a label printed or posted on the appliance shall be gold in colour;

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- (h) all the stars on the label shall be black in colour; and
- (i) the text shall be black in colour.

(2) Despite regulation 22, an update to the Standards shall take precedence over the requirements specified in paragraph (e) of subregulation (1) and Part One of the Second Schedule.

(3) A person shall not remove the label on a refrigerating appliance or the packaging of a refrigerating appliance before the first retail purchase of the refrigerating appliance.

(4) For the purposes of this regulation, “first retail purchase” means the purchase of a refrigerating appliance by the first end user.

Registration of Refrigerating Appliances

Appliance Energy Efficiency Register

13. (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 14.

Application for registration

14. (1) A person who

- (a) manufactures a refrigerating appliance in the country, or
- (b) imports a refrigerating appliance into the country

shall ensure that each model of the refrigerating appliance is registered with the Commission.

(2) A person who

- (a) manufactures a refrigerating appliance in the country, or
- (b) imports a refrigerating appliance into the country

shall apply to the Commission for registration of the refrigerating appliance.

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

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

- (a) the refrigerating appliance meets the minimum energy performance standards; and

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- (b) the test report corresponds with the energy consumption that is provided on the label of the refrigerating appliance.
- (5) The following information shall be provided for each registration of a model of a refrigerating appliance:
- (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 the registration of a model 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 refrigerating appliance; and
 - (j) any other information the Commission may consider appropriate.

Consideration of application

15. (1) The Commission shall, on receipt of an application for registration of a refrigerating appliance, consider the application.

(2) The Commission shall in considering the application have regard to the requirements specified in subregulation (5) of regulation 14.

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Grant of application

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

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

(a) within three days from 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 14 in the Appliance Energy Efficiency Register.

(3) Where the Commission refuses to grant an application, the Commission shall within three days from 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 refrigerating appliance is required to meet.

Duties of Dealers and Suppliers of Refrigerating Appliance

Duty of dealer to keep, maintain and provide technical documentation

17. (1) A dealer shall keep and maintain technical documentation in respect of a refrigerating appliance for a period of not less than two years from 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 refrigerating appliance, for inspection.

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

(4) A dealer shall ensure that

(a) each refrigerating appliance, at the point of sale, including trade fairs, bears the label provided by suppliers in accordance with regulation 3, with the label being displayed

(i) conspicuously, in the case of a built-in refrigerating appliance; or

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- (ii) conspicuously on the outside of the front or top of the refrigerating appliance, in the case of any other refrigerating appliance;
- (b) in the event of distance selling, the label and Product Information Sheet are provided in accordance with the Fourth Schedule;
- (c) an audio advertisement, including radio, local information broadcast network on a specific model of a refrigerating appliance, where the brand, size, category or price is mentioned, contains information on the energy efficiency class and the range of efficiency classes available on the label in accordance with the Third Schedule;
- (d) a visual advertisement for a specific model of a refrigerating appliance, including an advertisement on the internet, contains the energy efficiency class and the range of energy efficiency classes available on the label, in accordance with the Third Schedule; and
- (e) a technical promotional material concerning a specific model of refrigerating appliance, including technical promotional material on the internet, which describes the specific technical parameters of the refrigerating appliance, includes the
 - (i) energy efficiency class of that model; and
 - (ii) range of energy efficiency classes available on the labelin accordance with the Third Schedule.

Duty of supplier to keep, maintain and provide technical documentation

18. (1) A supplier shall keep and maintain technical documentation in respect of each model of refrigerating appliance for a period of not less than two years from the date of local manufacture or importation.

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

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(3) Where a supplier fails to provide technical documentation in respect of a refrigerating appliance within forty-eight hours, the enforcement authority may detain the refrigerating appliance.

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

19. (1) A supplier shall keep and maintain a Product Information Sheet in respect of each refrigerating appliance in the form set out in Part One of the Fourth Schedule.

(2) A supplier shall, on request by an enforcement authority, provide that 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

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

- (a) the number of refrigerating appliances of each model that the person manufactured, exported or imported into the country in the relevant year;
- (b) the number of refrigerating appliances of each model that the person sold in the country in the relevant year;
- (c) the number of refrigerating appliances of each model that the person exported from the country in the relevant year; and
- (d) the name of each model of a refrigerating appliance that the person discontinued
 - (i) manufacturing in the relevant year;
 - (ii) exporting in the relevant year; or
 - (iii) importing in the relevant year; and

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(e) a copy of any test report, or other energy performance data specified by the Commission, for the model specified under paragraph (d).

(2) Upon a written request by the Commission, a person who manufactures in the country or imports into the country a refrigerating appliance, shall provide the following information to the Commission not later than forty days after receipt of the request:

- (a) the number of refrigerating appliances that the person has sold to a purchaser in the country in respect of each
 - (i) product class specified by the Commission; and
 - (ii) year preceding three years before the request; and
- (b) the energy performance characteristics of the refrigerating appliance as specified in the request.

Duty of supplier to ensure accuracy of information

21. (1) A supplier shall ensure that the information indicated on a Product Information Sheet or on a label in respect of a refrigerating appliance that the supplier supplies, is accurate.

(2) The duty imposed on a supplier under subregulation (1) does not affect any 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

22. (1) The information required under regulations 11, 12, 17, 18 and 19 shall be obtained in accordance with the test procedures specified in the Standards.

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

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Product brochure in respect of refrigerating appliance

23. Where a supplier provides a product brochure in respect of a refrigerating appliance, the brochure shall contain a Product Information Sheet which shall be in the

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

Information

Public information

24. (1) Information provided by a supplier, on the Product Information Sheet or on a label of a refrigerating appliance 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 refrigerating appliance that the supplier deals in.

Information in respect of mail order and other distance selling

25. (1) Where a person offers a refrigerating appliance 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 refrigerating appliance.

- (2) The information referred to in subregulation (1) shall
- (a) be in the English language;
 - (b) include the product registration number obtained from 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 and audio-visual broadcasting service provider

26. Where an audio or audio-visual broadcasting service provider advertises a refrigerating appliance and the information in the advertisement

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includes a 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;
- (b) the advertisement includes
 - (i) information on the energy efficiency star rating of the refrigerating appliance;
 - (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; and
- (c) the information is accurate.

Obligations of e-commerce platform

27. (1) A person shall not offer for sale, sell, supply, distribute or dispose of a refrigerating appliance through a promotion on the internet unless

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

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

- (a) enable the display of the electronic label and electronic Product Information Sheet provided by the dealer on the display mechanism in accordance with the provisions of 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

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

- (a) deceptive,

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- (b) misleading, or
- (c) false.

(2) A person shall not broadcast an advertisement relating to the energy performance of a refrigerating appliance 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 an endorsement labelling scheme.

Restriction on disclosure of information

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

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

that was obtained by the 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.

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Powers of Enforcement

Power of enforcement authority to require technical documentation

30. Where an enforcement authority suspects that the information given

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

in respect of a refrigerating appliance is incorrect, that enforcement authority may, by notice served on the supplier or importer of the refrigerating appliance, require the supplier or importer to furnish the enforcement authority with the technical documentation referred to in regulation 11, within the period specified in the notice.

Power of enforcement authority to inspect refrigerating appliance

31. An enforcement authority may, at any reasonable time, enter any premises to inspect a refrigerating appliance 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 refrigerating appliance

32. (1) Subject to these Regulations, where an enforcement authority has reasonable cause to suspect that an offence has been committed or is 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 refrigerating appliance;
- (c) detain or seize a refrigerating appliance that is
 - (i) not labelled;
 - (ii) not properly labelled; or
 - (iii) labelled in a deceptive or misleading manner;
- (d) detain or seize a refrigerating appliance that is imported without technical documentation which justifies the label affixed on the refrigerating appliance;

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- (e) detain or seize a refrigerating appliance to enable a test to be carried out;
- (f) seize or detain 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 refrigerating appliance 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 refrigerating appliance

33. (1) An enforcement authority may

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

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

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

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

(4) The test to be conducted in respect of a refrigerating appliance purchased, obtained or detained under regulation 32, shall be carried out in accordance with the test procedures in the Standards.

Detention, Re-Exportation and Seizure

Procedure for market surveillance and verification

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

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

Order to access premises to inspect, detain or seize refrigerating appliance or record

35. 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 refrigerating appliance if the enforcement authority has reasonable grounds to believe that a refrigerating appliance 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 refrigerating appliance

36. (1) An enforcement authority that exercises a power of detention under regulation 32 shall immediately give a written notice to the person against whom the power has been exercised.

(2) The written notice shall state

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

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

Procedure for re-labelling of detained refrigerating appliance

37. (1) Subject to these Regulations, where an enforcement authority detains a refrigerating appliance under paragraph (e) of subregulation (1) of regulation 32, that enforcement authority shall

- (a) within two days of the detention, submit a sample of the refrigerating appliance for testing; and

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(b) within two days of receipt of the test results, give notice in writing to the supplier of the refrigerating appliance to properly label the refrigerating appliance if the minimum energy performance standards have been complied with.

(2) The notice under paragraph (b) of subregulation (1), shall require a refrigerating appliance 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 refrigerating appliance, the supplier shall re-label the refrigerating appliance under the supervision of an officer authorised for the purpose, by the Commission or the Standards Authority.

(4) Where a supplier fails to re-label a refrigerating appliance or export the refrigerating appliance within twenty-eight days of the notice given under subregulation (2), the Commission shall in consultation with the Standards Authority, destroy the refrigerating appliance in a manner that the Commission may determine.

Procedure for re-exportation of imported refrigerating appliance

38. (1) An enforcement authority that exercises a power of detention or seizure under subregulation (1) of regulation 32 shall, within seven days of the detention or seizure, give an order in writing to the person against whom the power has been exercised to re-export the refrigerating appliance.

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

(3) The owner of the refrigerating appliance may be required to pay a deposit to cover the cost of re-exportation, if the refrigerating appliance does not meet the minimum energy performance standards under these Regulations.

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

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

Procedure for seizure of refrigerating appliance

39. (1) An enforcement authority that exercises a power of seizure under regulation 32 shall, within seven days of the seizure, give a written notice to the person against whom the power has been exercised.

(2) The written notice shall state

(a) the refrigerating appliance 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 40.

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

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

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

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

Petition and Compensation

Petition against seizure

40. (1) Subject to these Regulations, a person whose refrigerating appliance is seized may, within seven days after receipt of the written

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notice under subregulation (1) of regulation 39, petition the Executive Secretary for the release of the seized refrigerating appliance.

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

(a) confirm the seizure; or

(b) order the release of the seized refrigerating appliance to the petitioner on a specific day.

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

(4) The Board shall within thirty days of receipt of a complaint under subregulation (3)

(a) consult the Standards Authority; and

(b) take a decision on the complaint.

(5) The Board may release the seized refrigerating appliance 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 of the Board; or

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

apply to the court.

Forfeiture and destruction of seized refrigerating appliance

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

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

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(3) Where under subregulation (6) of regulation 40, the court upholds or affirms the decision of the Board to forfeit and destroy the refrigerating appliance, the Commission shall destroy the refrigerating appliance within the period given by the court.

Compensation for loss of refrigerating appliance or record seized

42. (1) Where an enforcement authority exercises power under these Regulations to seize a refrigerating appliance or record, that enforcement authority is liable to pay compensation to the owner of the refrigerating appliance 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 refrigerating appliance 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) 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).

Recovery of expenses by enforcement authority

43. (1) Where an enforcement authority

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

a refrigerating appliance, that enforcement authority may surcharge the dealer or supplier of the refrigerating appliance for the expenses incurred for the seizure or supervision.

(2) Despite subregulation (1), where a court convicts a person of an offence in respect of a contravention of a provision of these Regulations, the court may, in addition to any order the court may make as to costs

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and expenses, order the person convicted, to reimburse the enforcement authority for expenditure incurred by the enforcement authority in connection with the seizure.

Miscellaneous Provisions

Offences and penalties

44. (1) A person who

- (a) manufactures, imports, stores, offers for sale, advertises, sells, supplies or distributes a refrigerating appliance 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 11;
 - (iii) is not labelled or properly labelled contrary to regulation 12;
 - (iv) is labelled in a deceptive or misleading manner contrary to regulation 28,
- (b) uses a circumvention device contrary to regulation 9;
- (c) fails to register an appliance contrary to regulation 14;
- (d) fails to provide technical documentation contrary to regulation 11, 17 or 18;
- (e) fails to provide a Product Information Sheet contrary to regulation 19;
- (f) fails to provide information on a refrigerating appliance contrary to regulation 20;
- (g) provides inaccurate information contrary to regulation 21;
- (h) advertises a refrigerating appliance without providing accurate information on the energy efficiency star rating of the refrigerating appliance and the range of efficiency of the refrigerating appliance available, contrary to regulation 26;
- (i) offers for sale or sells a refrigerating appliance over the internet or other distance selling medium without providing the information required in regulation 25 or 27;

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- (j)* provides misleading information contrary to regulation 28;
- (k)* obstructs or interferes with an enforcement authority in the exercise of the powers of that enforcement authority contrary to regulation 32;
- (l)* fails to comply with the requirements for re-labelling contrary to regulation 37; or
- (m)* violates a seizure order contrary to regulation 39;

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, a member of a partnership or a firm, every director, officer of the body corporate or a 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 conviction to a fine of not less than five hundred penalty units and not more than one thousand penalty units for the offence 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 (1), 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.

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Interpretation

45. 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;
 - “airborne acoustical noise emission” means the sound power level of a refrigerating appliance, expressed in dB(A) re 1 pW A-weighted;
 - “Appliance Energy Efficiency Register” means an official record of energy efficiency information on models of electrical appliances that have been certified by the Commission and Standards Authority for use in the country;
 - “audio and audiovisual broadcasting service provider” means a person who provides a service which delivers radio programmes or programmes with hearing and sight components to persons having equipment appropriate for receiving that service, whether the delivery is effected by means of or uses the radiofrequency 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;
 - “built-in appliance” means a refrigerating appliance that is designed exclusively for installation within a kitchen cavity with the need of furniture finishing and tested as such;
 - “cellar compartment” means an unfrozen compartment with a target temperature of 12 °C and storage conditions;
 - “circumvention device” means any control, control device, software, component or part that alters the operating characteristics during any test procedure, resulting in measurements that are unrepresentative of the true characteristics of the refrigerating appliance that may occur during normal use under comparable conditions;
 - “climate class” means the atmospheric or ambient conditions outside the refrigerating appliance;

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- “compartment” means an enclosed space within a refrigerating appliance, separated from other compartments by a partition, container, or similar construction, which is directly accessible through one or more external doors and may itself be divided into sub-compartments;
- “court” means court of competent jurisdiction;
- “dealer” means a retailer or any other person who displays, offers for sale or sells a refrigerating appliance to an end user;
- “dedicated refrigerating appliance” means a refrigerating appliance with only one type of compartment;
- “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 refrigerating appliance” means a refrigerating appliance that operates on electricity supply from the grid of 230 ($\pm 10\%$) volt 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;
- “endorsement labelling scheme” includes a voluntary labelling scheme that guarantees appliance performance standards, that is equal to or exceeds the minimum threshold established by a recognised advisory body;
- “end user” means the final user of a refrigerating appliance;
- “energy efficiency rating” means the ratio of the annual energy consumption of the refrigerating appliance measured in kWh/day multiplied by 365 days to the standard annual energy consumption of the appliance expressed in kWh/year for a set of rating conditions as specified in the Standards;

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“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
- (e) any other authorised person designated by the Customs Division of the Ghana Revenue Authority, the Energy 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 environmental information about the performance characteristics of a refrigerating appliance;

“GS” means Ghana Standard;

“importer” means a person who places a refrigerating appliance from a foreign country on the Ghanaian market and supplies the refrigerating appliance for use;

“label” means a label of a refrigerating appliance which contains information on the consumption of energy by the refrigerating appliance;

“minimum energy performance standards (MEPS)” means standards prescribing minimum efficiencies or maximum energy consumption that a manufacturer is required to achieve in each product;

“premises” means land and any building, store, shop, apartment, or other structure on the land used for the storage of a refrigerating appliance;

“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 refrigerating appliance;

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“Quick Response Code” means a matrix barcode included on the energy label of a product model that links to the information on the model in the public part of the product database;

“rating plate” means a name plate that indicates the measurable performance capability of a refrigerating appliance;

“rated voltage” means voltage or voltage range marked on a refrigerating appliance, in volts (V);

“record” includes a book, document, label, mark, symbol, inscription and information in a non-documentary form;

“refrigerating appliance” means a factory assembled insulated cabinet with one or more compartments and a suitable volume and equipment for household or commercial use, cooled by natural convection or a frost-free system by which the cooling is effected by one or more energy-consuming means;

“refrigerator” means a refrigerating appliance intended for the preservation of food with compartments suitable for the storage of fresh food;

“refrigerator-freezer” means an appliance that has

(a) one compartment suitable for the storage of fresh food,

(b) a freezer compartment suitable for the freezing of food and the storage of frozen food under three-star cooling conditions;

“sale” includes a hire-purchase sale;

“Standards” means Ghana Standard as specified in the First Schedule;

“Standards Authority” means the Standards Authority established under the Standards Authority Act, 1973 (N.R.C.D. 173);

“supplier” includes

(a) a manufacturer or the authorised representative of a manufacturer resident in the country; and

(b) an importer or a person who introduces a refrigerating appliance on the domestic market;

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

“wattage” means the power marked on the refrigerating appliance, in watts (W); and

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

Revocation and savings

46. (1) The following Regulations are revoked:

(a) Energy Efficiency Standards and Labelling (Household Refrigerating Appliances) Regulations, 2009 (L.I. 1958); and

(b) Energy Efficiency Standards and Labelling (Household Refrigerating Appliances) (Amendment) Regulations, 2010 (L.I. 1970).

(2) Subregulation (1) shall not affect L.I. 1958 and L.I. 1970 in the operation of offences committed; penalties imposed or proceedings commenced before the coming into force of these Regulations.

Transitional provisions

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

(a) manufactured in the country; or

(b) imported into the country

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

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FIRST SCHEDULE

(regulations 1(a)(i), 3(1)(b)(i) and 45)

APPLICABLE STANDARDS

1. GS IEC 62552-1:2015 Household refrigerating appliances – Characteristics and test methods – Part 1: General Requirements
2. GS IEC 62552-2:2015 Household refrigerating appliances – Characteristics and test methods – Part 2: Performance Requirements
3. GS IEC 62552-3:2015 Household refrigerating appliances – Characteristics and test methods – Part 3: Energy consumption and volume
4. GS IEC 60704-2-14 Household and similar electrical appliances. Test Code for the determination of airborne acoustical noise- Part 2-14: Particular requirements for refrigerators, frozen-food storage cabinets and food freezers. Edition 2.1, 2019-03.
5. A refrigerating appliance imported or manufactured for use in Ghana shall be of Climate Class ST and T as indicated in GS IEC 62552-1:2015.
6. A refrigerating appliance of Climate Class ST is intended to be used at temperatures ranging from 16°C to 38°C.
7. A refrigerating appliance of Climate Class T is intended to be used at temperatures ranging from 16°C to 43°C.
8. A refrigerating appliance of Climate Class ST and T is required to satisfy performance requirements as specified in GS IEC 62552-2:2015 and GS IEC 62552-3:2015 as follows:
 - (a) Storage temperature test- Testing details as specified in clause 6 of GS IEC 62552-2:2015;
 - (b) Freezing capacity, cooling capacity, ice making capacity, temperature rise test- Testing details as specified in clauses 7 to 9 and Annex C of GS IEC 62552-2:2015;
 - (c) Pull down performance test- Testing as specified in Annex A of GS IEC 62552-2:2015;

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- (d) Water vapor condensation test- Testing as specified in Annex D of GS IEC 62552-2:2015; and
- (e) Energy consumption test- Testing as specified in clause 6 of GS IEC 62552-3:2015.

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SECOND SCHEDULE

(regulations 1(a)(i), 1(b), 3(1)(b)(ii), 4(1), 6, 12(1)(e),(v),(vi) and (vii) and 12(2))

MINIMUM ENERGY PERFORMANCE STANDARDS

PART ONE

1. Energy Efficiency Specification and Star Rating

(1) The Energy Efficiency performance of a refrigerating appliance is specified in terms of a star rating of the Energy Efficiency Index defined as the ratio of annual energy consumption of the refrigerating appliance to the standard annual energy consumption of that model measured as specified in the Standards and expressed in per cent.

(2) A refrigerating appliance shall be classified as *7-Star to 1-Star* where the Energy Efficiency Index is within the ranges specified in Table 1.

Table 1: Energy Efficiency Star Rating

“Energy efficiency Star Rating”	Energy efficiency index (EEI)
7 – Star	$EEI < 22$
6 – Star	$22 \leq EEI < 33$
5 – Star	$33 \leq EEI < 40$
4 – Star	$40 \leq EEI < 45$
3 – Star	$45 \leq EEI < 55$
2 – Star	$55 \leq EEI < 70$
1 – Star	$70 \leq EEI < 85$

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2. Airborne acoustical noise emission specification and classes

Airborne acoustical noise emission is measured in accordance with the Standards and shall be classified in the ranges as provided in Table 2.

Table 2: Airborne acoustical noise emission classes

Airborne acoustical noise emission	Airborne acoustical noise emission class
< 30 dB(A) re 1 pW	A
≥ 30 dB(A) re 1 pW and < 36 dB(A) re 1 pW	B
≥ 36 dB(A) re 1 pW and < 42 dB(A) re 1 pW	C
≥ 42 dB(A) re 1 pW	D

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PART TWO

CALCULATIONS OF EEI

1. The energy efficiency index (EEI), shall be calculated using the following formula:

$$EEI = \frac{AC}{SC} \times 100$$

Where:

AC = the annual energy consumption of the appliance measured in kWh/day \times 365 days (kWh/year)

SC = the standard annual energy consumption of the appliance expressed in kWh/year

2. The annual energy consumption (AC) of the refrigerating appliance is calculated as the weighted annual energy consumption after applying the regional factor, f , (on daily measurements in kWh/24hrs \times 365 days) at ambient temperatures of 16°C and 32°C as required by the standard and calculated as follows:

$$AC = \sum_{\text{compartments}} [(E_{\text{amb}16^{\circ}\text{C}} \times f) + (E_{\text{amb}32^{\circ}\text{C}} \times (1-f))] + E_{\text{aux}}$$

Where

$E_{\text{amb}16^{\circ}\text{C}}$ = total annual energy measured at ambient temperature 16°C measured by the Standards

$E_{\text{amb}32^{\circ}\text{C}}$ = total annual energy measured at ambient temperature 32°C measured by the Standards

E_{aux} = total annual energy measured for auxiliary equipment on appliance where required.

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f = is a regional factor evaluating the proportion of annual energy consumption contributions for the two ambient climatic conditions i.e. 16°C and 32°C. This factor is set equal to zero ($f = 0$) for Ghana as the climatic conditions of Ghana would be most amenable to measurements at 32°C all through the year.

Therefore

$$AC = \sum_{\text{compartments}} E_{\text{amb}32^{\circ}\text{C}} + E_{\text{aux}}$$

Where

$$E_{\text{amb}32^{\circ}\text{C}} = E_{24\text{hrs}} \times 365 \text{ kWh/year and}$$

$E_{24\text{hrs}}$ = daily energy consumption of the appliance measured in kWh at standard 32°C ambient conditions.

3. The standard annual energy consumption of the appliance "SC" is calculated in kWh/year as:

$$SC = M \times \sum_{\text{compartments}} \left(V_c \times \frac{(32-T_c)}{28} \times FFC \right) \times CC \times BI + N + CH$$

Where,

" V_c " is the net storage volume (in litres) of a compartment (in accordance with the Standards);

" T_c " is the design temperature (in °C) of the compartment;

The values of M and N are given in Table 3;

The values of the volume correction factors FFC, CC, BI and CH are given in Table 4 and $\frac{(32-T_c)}{28}$ provides values for the thermodynamic

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factors, Q , for the various compartments of the refrigerating appliance as stated in Table 5.

Table 3: Values for M and N by household and commercial refrigerating category

<i>Appliance Category</i>	<i>Temperature of coldest compartment</i>	<i>M</i>	<i>N</i>
1. Larder Fridge (Fresh food)	$> -6^{\circ}\text{C}$	0.233	245
2. Refrigerator/chillers	$> -6^{\circ}\text{C}$	0.233	245
3. Refrigerator no star	$> -6^{\circ}\text{C}$	0.233	245
4. Refrigerator*	$\leq -6^{\circ}\text{C}$	0.643	191
5. Refrigerator**	$\leq -12^{\circ}\text{C}^{**}$	0.450	245
6. Refrigerator***/ 7. Fridge/freezer *(***)	$\leq -18^{\circ}\text{C}^{***}/*(***)$	0.777	303
8. Upright freezer	$\leq -18^{\circ}\text{C}^{***}$	0.539	315
9. Chest freezer	$\leq -18^{\circ}\text{C}^{***}$	0.472	286
10. Multi-door or other appliance		(1)	(1)

⁽¹⁾ For these appliances, the temperature and cooling star rating of the compartment with the lowest storage temperature will determine the values of M and N. Appliances with $-18^{\circ}\text{C}^{***}$ compartments shall be considered as fridge-freezers $*(***)$.

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Table 4: Values of correction factors for various operational conditions

<i>Correction factor</i>	<i>Value</i>	<i>Conditions</i>
FF (frost free)	1.2	For “frost free” (ventilated)
	1.0	frozen food compartments; Otherwise
CC (climate class 32°C)	1.2	For “tropical” appliances; For
	1.0	“sub-tropical” appliances
BI (built-in)	1.2	For “built-in appliances ⁽¹⁾ of
	1.0	under 58cm in width; Otherwise
CH (chill compartment)	50	For appliances with a chill
	kWh/y0	compartment of at least 15 litres; Otherwise

⁽¹⁾ An appliance is “built-in” only if it is designed exclusively for installation within a kitchen cavity with a need of furniture finishing, and tested as such.

Table 5: Thermodynamic factors for refrigerating appliance compartments

<i>Appliance Compartment</i>	<i>T_c (as defined by Standard for EEI calculation)</i>	<i>Thermodynamic factor (ρ)</i>
1. Cellar/Wine storage	+12°C	0.71
2. Fresh Food storage	+4°C	1.00
3. Refrigerator/chillers	2°C	1.07 ⁽¹⁾
4. Refrigerator no star	0°C	1.14
5. Refrigerator one-star (*)	-6°C	1.35

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<i>Appliance Compartment</i>	T_c (as defined by Standard for EEI calculation)	Thermodynamic factor (Ω)
6. Refrigerator two-star (**)	-12°C	1.57
7. Refrigerator three-star (***)	-18°C	1.79
8. Food freezer four-star *(***)	-18°C	1.79 ⁽¹⁾
9. Upright freezer	-18°C	1.79 ⁽²⁾
10. Chest freezer	-18°C	1.79 ⁽²⁾
11. Multi-door or other appliance	⁽³⁾	⁽³⁾
12. Other compartment ⁽⁴⁾	Design temperature	$\frac{(32-T_c)}{28}$

(1) For any two-star section (within a freezer) the thermodynamic factor is determined at T_c=-12°C

(2) For 'frost free' appliances as defined in the Standards, this index is increased by a provisional factor of 1.2 giving a value of 2.22 (this allows for the possible bias of the measurement method, which does not allow for the lack of ice build-up on "no frost" appliances. In practice, ice build-up will somewhat increase the consumption of "conventional" appliances).

(3) For multi-use compartments the thermodynamic factor is determined by the nominal temperature of the coldest compartment type capable of being set by the end-user and maintained continuously according to the manufacturer's instructions.

(4) For other compartments the thermodynamic factor is determined by the coldest design temperature capable of being set by the end-user and maintained continuously according to the manufacturer's instructions.

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THIRD SCHEDULE

(regulation 3(1)(b)(iii), 12(1)(a) and (d), 17(4)(c)(d) and (e))

THE LABEL

1. Label design

The label shall be in accordance with Figure 1 and shall include the information required by the notes.

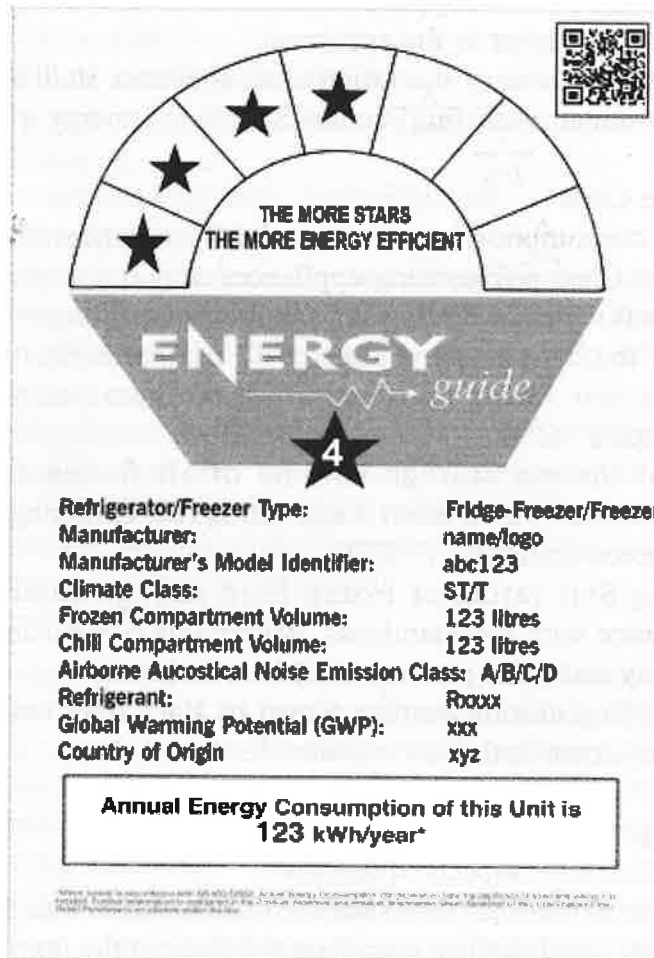


Figure 1: Label for the Refrigerating Appliance

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2. Notes to Figure 1

The following notes define the information to be included:

Notes

- (1) Quick reference (QR) code.
- (2) Refrigerating appliance type as in Part Two of the Fourth Schedule.
- (3) Name or trade mark of supplier.
- (4) Model identifier of supplier.
- (5) Type of refrigerant in the appliance.
- (6) The energy efficiency star rating of an appliance shall be determined in accordance with the Second Schedule (energy efficiency star rating).
- (7) Climate Class.
- (8) Energy consumption in accordance with the standards for Amb32°C Climatic Class refrigerating appliances only but expressed in kWh per year (i.e. per 24 hours x 365) to the nearest integer.
- (9) Sum of the net storage volume of all compartments which do not merit a star rating (i.e. operating temperature > -6 degrees centigrade (“°C”)).
- (10) Sum of the net storage volume of all frozen food storage compartments which merit a star rating (i.e. operating temperature ≤ -6 degrees centigrade (“°C”)).
- (11) Cooling Star rating of frozen food storage compartment, in accordance with the Standards. Where this compartment does not merit any stars, this position shall be left blank.
- (12) Product Registration number issued by the Commission.
- (13) Airborne acoustical noise emission level and class.

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 the front of the door or on the lid of the regulated appliance.

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- (3) Colours are to be used on the label in accordance with the following:
- (a) all text is in black or gold as illustrated;
 - (b) the background is gold;
 - (c) all stars shall be in black; and
 - (d) the border line shall be in black.

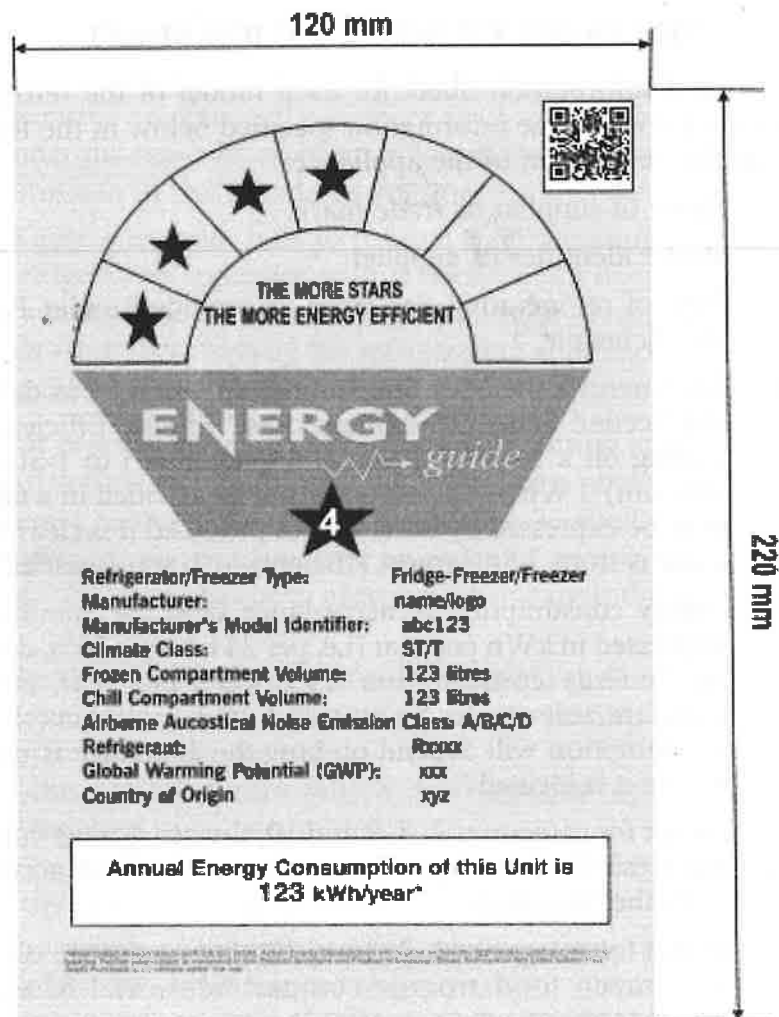


Figure 2: Label Dimension

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FOURTH SCHEDULE

*(regulation 3(2), 5, 11(2)(b) and (c), 12 (1)(c), 17(4)(b), 19(1) and (2)(b), 23(b),
25 (2)(c), 26 (b)(iii) and 27 (2) (a))*

PART ONE

THE PRODUCT INFORMATION SHEET

1. The Product Information Sheet for each model of the refrigerating appliance shall contain the information specified below in the form of a table or on the description of the appliance:

- (1) Name of supplier or trade mark.
- (2) Model identifier of supplier.
- (3) Type of refrigerating appliance as provided under Part 2 of this Schedule.
- (4) The Energy Efficiency Star Rating of the model as defined in the Second Schedule, expressed as “Energy Efficiency Star Rating on a scale of 7-Star (most efficient) to 1-Star (least efficient)”. Where this information is provided in a table this may be expressed by other means provided it is clear that the scale is from 7-Star (most efficient) to 1-Star (least efficient).
- (5) Energy consumption in accordance with the Standards but expressed in kWh per year (i.e. per 24 hours x 365), described as: “energy consumption XYZ kWh per year, based on standard test results for twenty-four hours. Actual energy consumption will depend on how the appliance is used and where it is located”.
- (6) Except for categories 2, 8, 9 and 10, the net storage volume of the fresh food storage compartment (+4°C) in accordance with the Standards.
- (7) Except for categories 1, 2, 3 and 10, the net storage volume of the frozen food storage compartment, and of the chill compartment when available, in accordance with the Standards.

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- (8) For categories 2 and 10, the net storage volume of each compartment in accordance with the Standards.
- (9) For category 3 appliances, the net storage volume of the “ice box”.
- (10) Cooling Star Rating of the frozen food storage compartment, if any, in accordance with the Standards.
- (11) The statement “no frost” may be included here when in accordance with the definitions given in the Standards.
- (12) “Power cut safe Z h” defined as “temperature rise time” in accordance with the Standards.
- (13) “Freezing capacity” in kg/24 hours in accordance with the Standards.
- (14) “Climate class” in accordance with the Standards.
- (15) Airborne Acoustical Noise level and class.
- (16) If the model is produced in order to be built-in, this should be stated.
- (17) The type of refrigerant in the refrigerating appliance should be stated.

2. Where a refrigerating appliance contains compartments other than a single fresh food compartment and a single frozen food compartment, extra lines may be added in respect of information to be given pursuant to subparagraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) of paragraph 1 to include the information in respect of these compartments. In this case the naming and order of listing of the compartments shall be

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consistent. Where the design temperature of a compartment does not conform to the star rating system, or the standard fresh food compartment temperature (+4°C), this design temperature shall be given.

3. The information contained in the label may be given in the form of a copy of the label, either in colour or in black and white. In this case the further information given only in the Product Information Sheet must still be included.

Sample Product Information Sheet

4. The format of the Product Information Sheet as presented in Table 1 may be used. In this case if the refrigerating appliance contains multiple compartments of the same type, the lines for these compartments shall be repeated. If a certain compartment type is not present, the compartment parameters and values shall be '-'.

Table 1: Product Information Sheet

Supplier's name or trade mark:			
Supplier's address:			
Model identifier:			
Type of refrigerating appliance:			
Low-noise appliance:	[yes/no]	Design type:	[built-in/freestanding]
Wine storage appliance:	[yes/no]	Other refrigerating appliance:	[yes/no]

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General product parameters:				
Parameter		Value	Parameter	Value
Overall dimensions (millimetre)	Height	X	Total volume (dm ³ or l)	x
	Width	X		
	Depth	X		
EEI		X	Energy Efficiency Class	[7-Star to 1-Star]
Airborne acoustical noise emissions (dB(A) re 1 pW)		X	Airborne acoustical noise emission class	[A/B/C/D]c
Annual energy consumption (kWh/a)		x.xx	Climate class:	[ST/T]
Minimum ambient temperature (°C), for which the refrigerating appliance is suitable		x°C	Maximum ambient temperature (°C), for which the refrigerating appliance is suitable	x°C
Compartment Parameters:				
Compartment type	Compartment parameters and values			
	Compartment Volume (dm ³ or l)	Recommended temperature setting for optimised food storage(°C) These settings shall not contradict the storage conditions set out in Part 3, Table 2.	Freezing capacity (kg/24 h)	Defrosting type (auto-defrost=A, manual defrost=M)

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Pantry	[yes/no]	x.x	X	-	[A/M]
Wine storage	[yes/no]	x.x	X	-	[A/M]
Cellar	[yes/no]	x.x	X	-	[A/M]
Fresh food	[yes/no]	x.x	X	-	[A/M]
Chill	[yes/no]	x.x	X	-	[A/M]
0-star or ice-making	[yes/no]	x.x	X	-	[A/M]
1-star	[yes/no]	x.x	X	-	[A/M]
2-star	[yes/no]	x.x	X	-	[A/M]
3-star	[yes/no]	x.x	X	-	[A/M]
4-star	[yes/no]	x.x	X	x.xx	[A/M]
2-star section	[yes/no]	x.x	X	-	[A/M]
Variable temperature compartment	compartment types	x.x	X	x.xx (for 4-star compartments) or -	[A/M]
For 4-star compartments					
Fast freeze facility			[yes/no]		
Light source parameters a,b:					
Type of light source			[type]		
Energy Efficiency Class			[7-Star to 1-Star]		
Minimum duration of the guarantee offered by the manufacturer:					
Additional information:					
Weblink to the manufacturer's website or the Appliance Energy Efficiency Register as may be determined by the Commission, where the information on the model of the appliance is found:					

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PART TWO

CATEGORIES OF APPLIANCE

The refrigerating appliances covered by these Regulations shall be divided into the following 'categories': -

Table 2: Categories of Appliance

<i>Category</i>	<i>Description in product information sheet</i>
1	Household and commercial refrigerators, without low temperature compartments
2	Household and commercial refrigerators / chillers, with compartments at 4°C / 10°C
3	Household and commercial refrigerators, with no-star low temperature compartments
4	Household and commercial refrigerators, with low temperature compartments (*)
5	Household and commercial refrigerators, with low temperature compartments (**)
6	Household and commercial refrigerators, with low temperature compartments (***)
7	Household and commercial refrigerators or freezers, with low temperature compartments *(***)
8	Household and commercial food freezers, upright
9	Household and commercial food freezers, chest
10	Household and commercial refrigerators and freezers with more than two doors, or other appliances not covered in categories 1 to 9

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PART THREE

TECHNICAL DOCUMENTATION

1. The technical documentation referred to in regulation 11 shall include the following elements:

- (a) the information as set out in Part 1 of this Schedule;
- (b) the information as set out in Table 1 of this Part. If the refrigerating appliance contains multiple compartments of the same type, the lines for these compartments shall be repeated. If a certain compartment type is not present, the compartment parameters and values shall be '-'. If a parameter is not applicable, the values of that parameter shall be '-'.

Table 1: Additional information to be included in the technical documentation

A general description of the refrigerating model, sufficient for it to be unequivocally and easily identified:			
Product specifications:			
General product specifications:			
Parameter	Value	Parameter	Value
Annual energy consumption (kWh/a)	X	Auxiliary energy (kWh/a)	x
Standard annual energy consumption (kWh/a)	x.xx	EEI (%)	x
Temperature rise time (h)	x.xx	Combi parameter	x.xx
Door heat loss factor	x.xxx	Load factor	x.xx
Anti-condensation heater type	[manual on-off/ ambient/other/ none]		

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Additional product specifications for refrigerating appliances						
Parameter		Value				
Daily energy consumption at 32 °C (kWh/24h)		x.xxx				
Incremental defrost and recovery energy consumption at 32 °C (Wh)		x.xx				
*Defrost interval, at 32 °C (h)		x.xx				
Compartment specifications:						
Compartment type	Compartment parameters and values					
	Target temperature (°C)	Thermodynamic parameter (rc)	Nc	Mc	Defrost factor (Ac)	Built-in factor (Bc)
Pantry	x	x.xx	x	x.xx	x.xx	x.xx
Wine storage	x	x.xx	x	x.xx	x.xx	x.xx
Cellar	x	x.xx	x	x.xx	x.xx	x.xx
Fresh food	x	x.xx	x	x.xx	x.xx	x.xx
Chill	x	x.xx	x	x.xx	x.xx	x.xx
0-star or ice making	x	x.xx	x	x.xx	x.xx	x.xx
1-star	x	x.xx	x	x.xx	x.xx	x.xx
2-star	x	x.xx	x	x.xx	x.xx	x.xx
3-star	x	x.xx	x	x.xx	x.xx	x.xx
4-star	x	x.xx	x	x.xx	x.xx	x.xx
2-star section	x	x.xx	x	x.xx	x.xx	x.xx
Variable temperature compartment	x	x.xx	x	x.xx	x.xx	x.xx
Additional information:						
The references of the Ghana Standards or other reliable accurate and reproducible methods applied:						
A list of all equivalent models, including model identifiers:						
*only for products with one or more auto-defrost systems						

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2. Where the information included in the technical documentation for a particular model has been obtained:

- (a) from a model that has the same technical characteristics relevant for the technical information to be provided but is produced by a different manufacturer; or
- (b) by calculation on the basis of design or extrapolation from another model of the same or a different manufacturer or both.

The technical documentation shall include the details of such calculation, the assessment undertaken by the manufacturer to verify the accuracy of the calculation and, where appropriate, the declaration of identity between the models of different manufacturers.

Table 2: Storage conditions and target temperature per compartment type

Group	Compartment type	Note	Storage conditions		T _c
			T _{min}	T _{max}	
Name	Name	no.	°C	°C	°C
Unfrozen compartments	Pantry	[1]	+14	+20	+17
	Wine storage	[2][6]	+5	+20	+12
	Cellar	[1]	+2	+14	+12
	Fresh food	[1]	0	+8	+4
Chill compartment	Chill	[3]	-3	+3	+2
Frozen compartments	0-star & ice-making	[4]	n.a.	0	0
	1-star	[4]	n.a.	-6	-6
	2-star	[4][5]	n.a.	-12	-12
	3-star	[4][5]	n.a.	-18	-18
	freezer (4-star)	[4][5]	n.a.	-18	-18
Notes					
(1) T _{min} and T _{max} are the average values measured over the test period (average over time and over a set of sensors).					
(2) The average temperature variation over the test period for each sensor shall be no more than ±0.5 kelvin (K). During a defrost and recovery period the average of all sensors is not permitted to rise more than 1.5 K above the average value of the compartment.					

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- (3) T_{min} and T_{max} are instantaneous values during the test period.
 - (4) T_{max} is the maximum value measured over the test period (maximum over time and over a set of sensors).
 - (5) If the compartment is of the auto-defrosting type, the temperature (defined as the maximum of all sensors) is not permitted to rise more than 3,0 K during a defrost and recovery period.
 - (6) T_{min} and T_{max} are the average values measured over the test period (average over time for each sensor) and define the maximum allowed temperature operating range
- n.a.=not applicable

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PART FOUR

MAIL ORDER AND OTHER DISTANCE SELLING

1. Mail order catalogues and other communication shall contain at least, the following information, given in the order specified below:
 - (a) energy efficiency star rating of the model in accordance with subparagraph (4) of paragraph 1 of Part 1 of the Fourth Schedule (energy efficiency star rating);
 - (b) energy consumption in accordance with subparagraph (5) of paragraph 1 of Part 1 of the Fourth Schedule (energy consumption);
 - (c) net storage volume of the fresh food storage compartment (+4°C) in accordance with subparagraph (6) or (8) of paragraph 2 of the Third Schedule (net storage volume);
 - (d) net storage volume of the frozen food storage compartment, and of the chill compartment when available, in accordance with subparagraph (7) of paragraph (1) or, as the case may be, subparagraph (8) or (9) of paragraph 1 of Part 1 of the Fourth Schedule (net storage volume);
 - (e) cooling star rating in accordance with subparagraph (10) of paragraph 1 of Part 1 of the Fourth Schedule;
 - (f) airborne acoustical noise level and class;
 - (g) type of refrigerant in the refrigerating appliance.
2. The size and font, in which all the information referred to in paragraph 1 is printed, shall be legible.

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PART FIVE

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

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

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- (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.

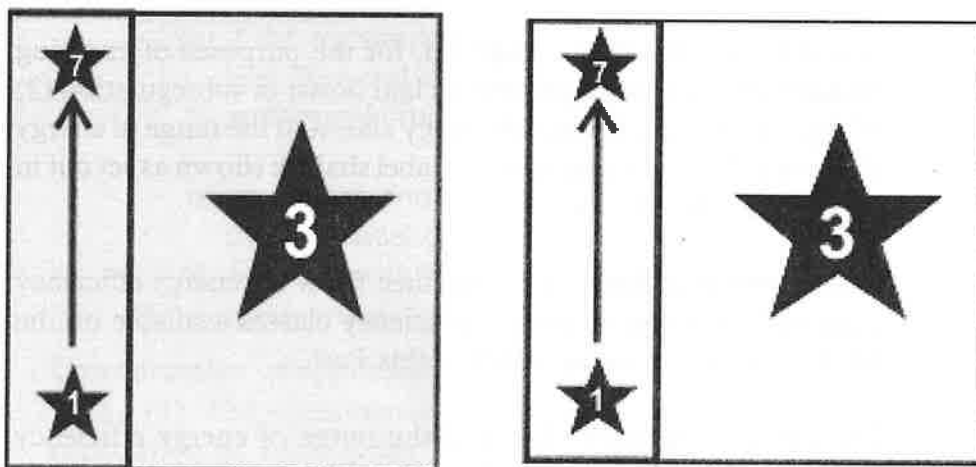


Figure 1: Coloured / monochrome Star Rating with range of energy efficiency classes indicated

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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, in the public part of Appliance Energy Efficiency Register or by requesting a printed copy.
9. For all the situations mentioned in paragraphs 2 to 4 and 8, it must be possible for the customer to obtain, on request, a printed copy of the label and the Product Information Sheet.

PART SIX

Information to be provided for 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.

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5. The image used for accessing the label in the case of nested display, as indicated in Figure 2, shall:
- 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;
 - 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;
 - have the range of available energy efficiency classes in hundred percent black; and
 - 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:

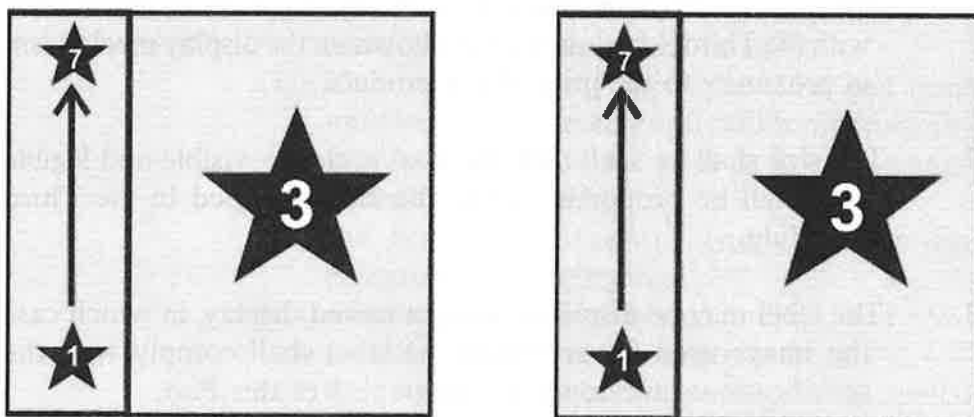


Figure 2: Coloured Star Rating, with range of energy efficiency classes indicated

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6. In the case of a nested display, the sequence of display of the label shall be as follows:
- (a) 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;
 - (b) the image shall link to the label set out in the Third Schedule;
 - (c) the label shall be displayed after a mouse click, mouse roll-over or tactile screen expansion on the image;
 - (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;
 - (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.
7. The electronic Product Information Sheet made available by suppliers in accordance with subregulation (2) of regulation 19 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 34(2))

**VERIFICATION PROCEDURE FOR MARKET
SURVEILLANCE**

Table: Verification tolerances for measured parameters

Parameter	Verification Tolerances
Rated gross volume	<i>The measured value shall not be less than the rated value (*) by more than three percent or one litre, whichever is the greater value</i>
Rated storage volume	<i>The measured value shall not be less than the rated value by more than three percent or one litre, whichever is the greater value. Where the volumes of the cellar compartment and fresh food storage compartment are adjustable, relative to one another by the user, this measurement uncertainty applies when the cellar compartment is adjusted to its minimum volume.</i>
Freezing capacity	<i>The measured value shall not be less than the rated value by more than ten percent.</i>
Energy consumption	<i>The measured value shall not be greater than the rated value (E 24h) by more than ten percent.</i>
Wine storage appliances	<i>The value measured for the relative humidity shall not exceed the nominal range by more than ten percent.</i>
Airborne acoustical noise emissions	<i>The measured value shall meet the rated value.</i>
(*) 'Rated value' means a value that is declared by the manufacturer.	

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1. The verification tolerances set out in this Schedule relate only to the verification of the declared parameters by the Commission and the Standards Authority and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation.
2. The values and classes on the label or in the Product Information Sheet shall not be more favourable for the supplier than the values reported in the technical documentation.
3. Where a model has been designed to be able to detect it is being tested (by recognising the test conditions or test cycle), and to react specifically by automatically altering the performance during the test with the objective of reaching a more favourable level for any of the parameters specified in these Regulations or included in the technical documentation or included in any of the documentation provided, the model and all equivalent models shall be considered not compliant.
4. When verifying the compliance of a product model with the requirements laid down in these Regulations, the Commission and the Standards Authority shall apply the following procedure:
 - (a) The Commission and the Standards Authority shall verify one single unit of the model.
 - (b) The model shall be considered to comply with the applicable requirements if
 - (i) the values given in the technical documentation pursuant to the Second Schedule (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the

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supplier than the corresponding values given in the test reports; and

- (ii) the values published on the label and in the Product Information Sheet are not more favourable for the supplier than the declared values, and the indicated energy efficiency class and the airborne acoustical noise emission class are not more favourable for the supplier than the class determined by the declared values; and
 - (iii) when the Commission and Standards Authority test the unit of the model, the determined values (that is the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in the Table.
5. If the results referred to in subsubparagraph (iii) of subparagraph (b) of paragraph 4 are not achieved, the model and all equivalent models shall be considered not to comply with these Regulations.
6. If the result referred to in subsubparagraphs (i) and (ii) of subparagraph (b) of paragraph 4 is not achieved, the Commission and Standards Authority shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more equivalent models.
7. The model shall be considered to comply with the applicable requirements if for these three units the arithmetic mean of the determined values complies with the respective tolerances given in the Table.

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8. If the result referred to in paragraph 7 is not achieved, the model and all equivalent models shall be considered not to comply with these Regulations.
9. The Commission and Standards Authority shall provide all relevant information to all the enforcement authorities and the Public without delay once a decision has been taken on the non-compliance of the model according to paragraphs 5 and 7.
10. The Commission and Standards Authority shall use the measurement and calculation methods set out in the Second Schedule.
11. The Commission and Standards Authority shall only apply the verification tolerances set out in the Table and shall only use the procedure set out in paragraphs 4 to 9 for the requirements referred to in this Schedule.
12. For the parameters in the Table, no other tolerances, such as those set out in the Standards or in any other measurement method, shall be applied.

In the case of three additional units tested as prescribed in paragraph 6, the determined value means the arithmetic mean of the values determined for these three additional units.

HON. DR. MATTHEW OPOKU PREMPEH

Minister responsible for Energy

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Date of *Gazette* notification: 1st April, 2022.

Entry into force: 29th June, 2022.