Ecodesign regulations: from preparatory study to adoption
Kiev, 13 November 2015
Imagine a Conveyor Belt...
Ecodesign Process – Preparatory Phase

Step 1: Ecodesign Working Plan
Step 2: Contract Preparatory studies (tender)
Step 3: Preparatory study
Step 4: Consultation Forum + WD
Step 5: Impact assessment + draft IM

Source: Speeding up adoption of Ecodesign and Energy Label Measures, ECEEE 2013 (Hans-Paul Siderius)
### Step 1 - Workplans

|---------------------------------------|---------------------|---------------------|-----------------------------|

*Images of various electrical and electronic devices are shown, corresponding to the respective workplans.*
Step 3 Preparatory Study – the MEErP Structure

Source: MEErP 2011 Methodology Report (VHK)
Task 1 – Scope

- Product categories and definitions
- Test standards
- Legislation, voluntary agreements and labels
Task 2 – Markets

- EU production, imports and exports
- Market and stock data
- Market trends
- Consumer costs
Task 3 – Users

- Environmental impacts
- Product and systems
- End of life
Task 4 – Technologies

• Technical product description
• Standard improvement options
• “Best available technology”
• “Best not yet available technology”
• “Bill of Materials”
Task 5 – Environment and Economics

• A typical product “base case”
• Environmental impact
• Cost for consumers
• EU summary
Task 6 – Design

- Design options
- Improvements and costs
- “Least Life Cycle Cost”
- “Best Available Technology”
Task 7 – Scenarios

- Stakeholders, barriers, “pros and cons”
- Policy measures e.g. requirements
- Environmental impact of scenarios
- Economic impact of scenarios
The initial working document

• Using the results of the preparatory study, the Commission takes other inputs and prepares a draft working document, which covers the main elements of a potential regulation

• The Commission then calls for a Consultation Forum 4 weeks after papers are circulated
The Consultation Forum

- The Consultation Forum is attended by:
  - Member State representatives from EU-28
  - 30 other representatives from manufacturer, retailer, standardisation, consumer and environmental groups and networks

- Drafts are discussed and Commission takes note of views and requests further written comments if necessary
Ecodesign Process – Adoption Phase

Step 6: Cabinet approval for ISC and ISC
Step 7: WTO notification
Step 8*: Regulatory Committee + final draft IM
Step 9*: Scrutiny by EP and Council
Step 10*: Adoption by EC
Step 11: Publication in OJ

Source: Speeding up adoption of Ecodesign and Energy Label Measures, ECEEE 2013 (Hans-Paul Siderius)
Inter-Service Consultation and WTO

- The working document is improved using the results of the CF and other consultations
- A draft is prepared for Inter-Service Consultation, with the Commission’s other services
- Following any amendments resulting from the ISC, the working document is sent to the World Trade Organisation as formal notification that a new regulation is likely to be established
- The Commission calls for a Regulatory Committee
Regulatory Committee

- After 4 weeks there is a Regulatory Committee, for EC and Member State administrators only
- The draft will be further discussed and voted on
- Rules of Qualified majority apply (to pass measure or vote down) - complicated but basically 255 votes out of 345
- Following positive vote, the proposal is put to EU Ministers for checking
Regulatory Committee voting

Voting Calculator - use it to simulate Council voting

How to use
Voting rule: qualified majority

- select all countries
- unselect all countries
- clear votes
- vote 'yes'
- vote 'no'
- vote 'abstain'
- participating
- not participating

Member states: 28
Votes: 345
Population: 506

Final result: ?

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Minimum votes required: 14
Votes so far: 27
Participating: 27
Population: 345
Regulatory Committee voting

Distribution of votes for each Member State

- Germany, France, Italy, United Kingdom - 29
- Spain, Poland - 27
- Romania - 14
- Netherlands - 13
- Belgium, Czech Republic, Greece, Hungary, Portugal - 12
- Austria, Bulgaria, Sweden - 10
- Denmark, Ireland, Lithuania, Slovakia, Finland - 7
- Cyprus, Estonia, Latvia, Luxembourg, Slovenia - 4
- Malta - 3

TOTAL 345
European Parliament

• Similar process to Regulatory Committee
• European Parliament has 3 months to deliver a verdict
• 1st part is to clear through Environment committee
  If pass through (simple majority) then Regulation can be published
• If rejected then measure has to go to full Parliament meeting and again simple majority to accept/reject
• If rejected then goes back to Commission and process starts again from CF stage
...and finally for Ecodesign

- Regulation is translated and published in Official Journal
- Normally 20 days later, the regulation comes into force
How long can this take?

Typically 40 to 80 months

Depends on:

• Level of technical complexity
• Level of contentiousness
• Staff capacity
• Quality of the preparatory study
• Availability of data
Ecodesign Regulations

• The process has delivered regulations for 25 product groups
• More to follow…
Thank you for listening
Any questions?

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