EXPLANATORY MEMORANDUM TO

THE ECODESIGN FOR ENERGY-RELATED PRODUCTS AND ENERGY INFORMATION (AMENDMENT) REGULATIONS 2026

2026 No. 750

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Energy Security and Net Zero and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Martin McCluskey, Parliamentary Under-Secretary of State (Minister for Consumers) at the Department for Energy Security and Net Zero confirms that this Explanatory Memorandum meets the required standard.

2.2 Tara Deshpande, Deputy Director for Electrification, Products Building and Delivery, at the Department for Energy Security and Net Zero confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Isabelle Dray- Sharma and Sophie Kong at the Department for Energy Security and Net Zero can be contacted by email at the following address with any queries regarding the instrument: efficientproducts@energysecurity.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument makes amendments to the Ecodesign for Energy-Related Products Regulations 2010 ("the 2010 Ecodesign Regulations") and the Ecodesign for Energy-Related Products and Energy Information (Household Tumble Dryers) Regulations 2026 ("the 2026 Tumble Dryers Regulations").

4.2 The amendments to the 2010 Ecodesign Regulations extend the existing arrangement of Conformité Européenne ("CE") mark recognition to include Energy-Related Products ("ErPs") sold in Great Britain ("GB") that are regulated under the European Union's ("EU") Regulation (EU) 2024/1781, being the new Ecodesign for Sustainable Products Regulation ("ESPR"). This means CE marked ErPs complying with the ESPR regime can be sold in Great Britain (GB), if they conform with GB ecodesign standards, without the need to affix a UK Conformity Assessment ("UKCA") marking.

4.3 The 2026 Tumble Dryers Regulations are amended to correct a number of technical errors in them, and also to ensure they give effect to the stated policy intention.

Where does the legislation extend to, and apply?

4.4 The extent of this instrument (that is, the jurisdiction in which the instrument forms part of the law) is Great Britain only.

4.5 The territorial application of this instrument (that is, where the instrument produces a practical effect) is Great Britain only.

5. Policy Context

What is being done and why?

5.1 This instrument makes amendments to the 2010 Ecodesign Regulations to add in reference to the new EU framework for setting ecodesign standards for ErPs: ESPR.

5.2 The purpose of the change is to extend CE mark recognition to apply to ErPs regulated under ESPR in the same way as for ErPs currently regulated under the Ecodesign Directive.

5.3 This allows CE marked products to continue being sold in GB if they conform with GB ecodesign standards, without the need to also affix a UK Conformity Assessment marking, even if they are complying with requirements made under the ESPR regime. This does not change the existing CE recognition for ErPs regulated under the EU's Directive 2009/125/EC (the "Ecodesign Directive").

5.4 Without this instrument, products complying with new EU regulations, made under ESPR, would not qualify for CE recognition in GB and would need to go through an additional assessment in order to be sold in GB. Extended CE mark recognition therefore benefits businesses by removing the costs of going through two different conformity assessment processes for selling the same goods in the EU and GB.

5.5 This instrument also amends the 2026 Tumble Dryers Regulations to correct technical errors, including errors identified by the Joint Committee on Statutory Instruments, and also to ensure that the Regulations operate as set out in the Government Response to the "Raising product standards for household tumble dryers" Consultation.

What was the previous policy, how is this different?

5.6 CE Marking recognition was put in place as part of EU Exit arrangements, and in May 2024 the time limit was removed, making recognition indefinite. This allowed CE marked products to be sold in GB without the need to also affix a UKCA marking, provided they comply with GB ecodesign standards.

5.7 The CE recognition provision added into the 2010 Ecodesign Regulations referred to the EU's Ecodesign Directive.

5.8 However, on 18th July 2024 the EU brought in a new framework for setting ecodesign standards - ESPR, which will in time replace the Ecodesign Directive. We are accordingly expecting EU ecodesign regulations, coming into force after mid-2027, to be made under ESPR rather than the Ecodesign Directive.

5.9 This instrument adds in reference to ESPR and therefore maintains the existing policy approach by ensuring that products complying with future ESPR regulations continue to benefit from CE recognition, avoiding additional assessment burdens for businesses.

5.10 It is a technical change to ensure the continuance of our existing CE recognition regime in light of the changes to the EU's legal framework for ecodesign regulations.

5.11 The 2026 Tumble Dryers Regulations set out updated ecodesign and energy labelling requirements for household tumble dryers in Great Britain. The 2026 Tumble Dryers Regulations aimed to bring Great Britain's requirements into line with those established in the Commission Regulation 2023/2533 (ecodesign) and Delegated Regulation (EU) 2023/2534 (energy labelling). Further information in relation to the 2026 Tumble Dryers Regulations is given in the Explanatory Memorandum published alongside those Regulations and available on legislation.gov.uk. There has been no

change of policy since the 2026 Tumble Dryers Regulations were made. The 2026 Tumble Dryers Regulations are amended only to correct a number of technical errors and otherwise to ensure they give effect to the policy as previously stated.

6. Legislative and Legal Context

How has the law changed?

6.1 Regulation 20B of the 2010 Ecodesign Regulations previously only recognised CE markings for products regulated under the Ecodesign Directive.

6.2 The Instrument amends the 2010 Ecodesign Regulations Regulation so that regulation 20B also recognises CE markings for products regulated under ESPR.

6.3 The Instrument also amends the 2026 Tumble Dryers Regulations to correct technical errors, and otherwise ensure that the Regulations give effect to the stated policy.

Why was this approach taken to change the law?

6.4 An Instrument to amend the 2010 Ecodesign regulations was necessary because the only possible route to make the required change is through legislation and the best way to do this is to amend the regulations that contain the CE recognition provision.

6.5 A number of errors were identified in the 2026 Tumble Dryer Regulations after those Regulations had been laid before Parliament. An Instrument to amend the 2026 Tumble Dryers Regulations is required because the only possible route to correct the errors identified is through further legislation. The amendments are being made in the same instrument as the amendments to the CE recognition provisions, so that they are corrected at the earliest possible opportunity.

7. Consultation

Summary of consultation outcome and methodology

7.1 The Government ran a six-week public consultation on the proposal to extend the recognition of CE marking for Ecodesign for Energy related products to include product regulations made under ESPR. Stakeholders had previously been engaged on the indefinite CE Marking recognition and this was brought into effect through the Product Safety and Metrology etc. (Amendment) Regulations 2024. The previous engagement occurred prior to the introduction of ESPR in the EU and therefore further consultation was necessary to allow for the inclusion of ESPR in the CE recognition arrangement.

7.2 The consultation received 17 responses including from manufactures, trade associations and other stakeholders. A government response to the consultation was published on gov.uk. All 17 respondents agreed with the proposal citing a range of reasons. The most commonly referenced benefits of the proposal were cost savings and a reduction of burdens on businesses.

7.3 Devolved governments were informed of the proposals in advance of the consultation but agreement from devolved governments was not necessary as the subject matter of the reform was reserved to Westminster.

7.4 The amendments to the 2026 Tumble Dryers Regulations were not subject to a separate public consultation because they are clarificatory and corrective in nature and are made to ensure that these regulations operate as originally intended, in line with our previously published policy intention.

8. Applicable Guidance

8.1 No guidance has been produced for this instrument.

8.2 In relation to the amendments to the 2010 Ecodesign Regulations this is because stakeholders are aware of the existing CE recognition arrangements and the instrument allows continuation of this.

8.3 In relation to the amendments to the 2026 Tumble Dryers Regulations, this is because the changes ensure that the Regulations operate as already set out in the Government Response to the "Raising product standards for household tumble dryers" Consultation.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because the changes brought about by the instrument are expected to have no significant direct or no significant indirect, impact on business, charities or voluntary bodies. This is because the instrument is continuing an existing policy rather than making any policy changes.

9.2 In relation to the 2026 Tumble Dryers Regulations, the amendments are made to ensure proper implementation of our previously stated policy intent, as set out in the Government Response. They are not expected to create additional costs for business, charities or voluntary bodies. They are corrective and clarificatory changes which align with our published policy intention.

9.3 If these errors were not corrected, they could create uncertainty for industry and affect implementation of our policy intention. The amendments made by this instrument align the legal text with the Department's previously published policy position.

Impact on businesses, charities and voluntary bodies

9.4 The amendments to the 2010 Ecodesign Regulations have no, or no significant, impact on business, charities or voluntary bodies because the instrument is continuing an existing policy, by extending to cover EU regulation updates, rather than making any policy changes.

9.5 The amendments to the 2026 Tumble Dryers Regulations are not expected to impose new costs on businesses, charities or voluntary bodies because they do align with our previously stated the policy intention, as set out in our Government Response..

9.6 The amendments to the 2010 Ecodesign Regulations prevent an administrative cost and therefore has a small but positive impact, predominantly affecting micro, small and medium businesses.

9.7 This instrument has no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 As the changes to the 2010 Ecodesign Regulations are made under the Product Regulation and Metrology Act 2025, no review clause is required. Furthermore, the 2010 Ecodesign Regulations already includes a review clause.

10.2 Similarly, the 2026 Tumble Dryers Regulations already includes a review clause and there is no statutory requirement for the changes to the 2026 Tumble Dryers Regulations made by this instrument to be subject to their own review clause. The operation of the 2026 Tumble Dryers Regulations, as amended by this instrument, will be monitored through the Department's ongoing engagement with businesses, enforcement authorities and other stakeholders on ecodesign and energy labelling requirements.

10.3 The instrument does not include a statutory review clause and, in relation to the amendments to the 2010 Ecodesign Regulations, in line with the requirements of the Small Business, Enterprise and Employment Act 2015 the Minister for Energy Consumers has made the following statement.

10.4 "It is not appropriate in the circumstances to make provision for review as this instrument is expected to have no significant direct or no significant indirect, impact on business, charities or voluntary bodies."

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 This memorandum contains information for the Joint Committee on Statutory Instruments ("JCSI"). The amendments made by this instrument include amendments to remedy the errors identified by the JCSI in their Second Report of the Session 2026-27.

11.2 In their Second Report the JCSI identified errors in the commencement provision of the 2026 Tumble Dryers Regulations (regulation 2), as it referred to provisions not included in the Regulations, and also in regulation 15 of the Regulations, as the end date of that provision had not been stated clearly. The Department has also identified further errors in regulations 2 and 15. In particular, it was identified that some provisions were not mentioned in regulation 2 (in particular, Schedule 17) and that some provisions which needed to come into force on 19th September 2026 were being brought into force on a later date and visa versa. In relation to regulation 15, it was also identified that paragraph (1) of that regulation only made provision in respect of manufacturers of household tumble dryers but therefore was too narrowly drafted. The Department has taken this opportunity to make these corrections to regulations 2 and 15 alongside correcting the errors previously identified by the JCSI.

11.3 This instrument also makes other corrections to the Regulations, many of which are of a technical drafting nature, such as incorrect cross-references, but more substantive issues are also addressed at this time to ensure the Regulations reflect the stated policy intent. In particular:

(a) regulation 16 (energy information - transitional provision) is amended to make it clearer that it applies only where suppliers choose to provide a label without repairability information for a tumble dryer placed on the market in the period beginning with 19th September 2026 and ending with 18th January 2027;

(b) regulations 11, 16(2)(c) and 18(4) and Schedule 11 are amended to ensure the GB requirements are consistent with the stated policy intent.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").

13.2 The amendments to the 2010 Ecodesign Regulations however relate to the withdrawal of the United Kingdom from the European Union because they extend the arrangement of CE mark recognition which was initially established under EU withdrawal arrangements.

13.3 The amendments to the 2026 Tumble Dryers Regulations also relate to the withdrawal of the United Kingdom from the European Union because withdrawal means that GB is no longer subject to the EU's ecodesign and energy labelling regimes and has therefore implemented its own regimes. The 2026 Tumble Dryers Regulations and the amendments made by this instrument are made under those new regimes.