

*Draft Regulations laid before Parliament under section 52(5) of the Environment Act 2021 (c. 30) and section 20(3) of the Regulatory Enforcement and Sanctions Act 2008 (c. 13), for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2026 No. \*\*\*\***

## The Mandatory Water Efficiency Labelling Regulations 2026

*Made* - - - -

\*\*\*

*Coming into force*

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The Secretary of State makes these Regulations in exercise of the powers conferred by sections 52 and 143(1) of, and Schedule 6 to, the Environment Act 2021 (“the 2021 Act”)(a) and section 4(4)(a) of the Regulatory Enforcement and Sanctions Act 2008 (“the 2008 Act”)(b).

The Secretary of State has—

- (a) obtained the consent of the Welsh Ministers, the Scottish Ministers, and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland in accordance with section 52(4) of the 2021 Act;
- (b) obtained the consent of the Welsh Ministers in accordance with section 4(6) of the 2008 Act;
- (c) consulted those persons he considers appropriate, in accordance with paragraphs 5(1)(a) and 14(1) of Schedule 6 to the 2021 Act;
- (d) had regard to the matters set out in paragraph 5(2) of Schedule 6 to the Act, in accordance with paragraph 5(1)(b) of Schedule 6 to the 2021 Act.

In accordance with section 52(5) of the 2021 Act and section 20(3) of the 2008 Act, a draft of these Regulations has been laid before, and approved by resolution of, each House of Parliament.

## PART 1

### Introductory

#### **Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Mandatory Water Efficiency Labelling Regulations 2026.

(2) These Regulations come into force on [six months after making, date TBC].

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland, except as provided in paragraph (4).

(4) The following provisions do not extend to Northern Ireland—

- (a) regulation 4;
- (b) regulation 5(1)(a)(ii);
- (c) regulation 14(2)(b).

#### **Interpretation**

2. In these Regulations—

“authorised person” means a person authorised by the market enforcement authority in accordance with regulation 20;

“authorised representative” means a person who is established in the United Kingdom and is appointed by a manufacturer by written mandate to act on its behalf in relation to such tasks as are specified in the mandate with regard to the manufacturer’s obligations under these Regulations;

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(a) 2021 c. 30.

(b) 2008 c. 13. Section 4 was amended by section 21(2)(a) of the Enterprise Act 2016 (c. 12).

“dealer” means a retailer or other natural or legal person who offers for sale, hire, or hire purchase, or displays products to consumers or installers in the course of a commercial activity, whether or not in return for payment;

“dishwasher” means a machine performing operations required for washing tableware and cooking-wear;

“energy efficiency class” means a product’s energy efficiency class determined pursuant to the Energy Information Regulations 2011(a);

“energy product” has the meaning given in regulation 4(1);

“hex colour code” means a six digit code representing a specific shade of colour using the hexadecimal number system;

“importer” means a person who is established in the United Kingdom and places a product from a country outside of the United Kingdom on the market in the United Kingdom;

“label” means the label indicating a product’s water efficiency class;

“label generator” means the online tool used to create the label provided by or on behalf of the Secretary of State;

“manufacturer” means a person that creates and places a product on the United Kingdom market first;

“market enforcement authority” has the meaning given in regulation 19;

“non-energy product” has the meaning given in regulation 3(1);

“product database” means the online digital repository established and operated by the Secretary of State designed to store, manage and disseminate information related to water efficiency classes for products subject to these Regulations;

“promotional material” means information about a product made available to the consumer at the point of sale;

“QR code” means a matrix barcode included on the label of a product model that links to that model’s information on a publicly accessible website;

“retailer” means the business or salespersons selling the product (whether in-store, in a showroom, online or via other methods of distance selling), and providers of an online marketplace;

“shower assembly solution” means combination of a shower control valve complete with shower hose and shower outlet device;

“shower control valve” means a device designed to control water flow and temperature in a shower;

“shower outlet device” means a device through which water is intended to pass to form a spray for bathing purposes;

“shower performance test” has the meaning given in paragraph 5(2) of Schedule 2;

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(a) S.I. 2011/1524, amended by S.I. 2011/2677, 2012/2897, 3005, 2013/1232, 2014/1290, 2015/439, 2016/838, 2018/255, 2019/539, 1253, 2020/1195, 1528, 2021/745, 924, 1095, 1097, 2025/497.

“supplier” means a manufacturer established in the United Kingdom, the authorised representative of a manufacturer who is not established in the United Kingdom, or an importer, who places a product on the market;

“tap” means a device through which water is intended to pass with an inlet and connection, and a control for drawing or regulating the flow of water;

“toilet” means a fixed receptacle into which a person may urinate or defecate, typically consisting of a large bowl connected to a cistern for flushing, and for the purposes of these Regulations also includes a cistern placed on the market as a separate unit;

“urinal” means a sanitary plumbing fixture typically connected to a water flushing device for the reception and flushing away of urine into a drainage system;

“urinal controller” means a device used to control the flow of water into a urinal;

“washer-dryer” means a washing machine that is also capable of performing those operations required for drying textiles;

“washing machine” means a machine performing only those operations required for washing textiles;

“water efficiency class” means the class ascribed to a product in accordance with the relevant Schedule in these Regulations, denoting the amount of water consumed during the product’s use.

### **Non-energy products**

**3.—**(1) Subject to paragraph (3), these Regulations apply to the following products (“non-energy products”) from the dates specified in paragraph (2)—

- (a) taps;
- (b) non-electric shower assembly solutions;
- (c) shower outlet devices;
- (d) toilets;
- (e) urinals.

(2) These regulations have effect in relation to non-energy products from the dates specified below—

- (a) for non-energy products placed on the market on or after [insert commencement date], from [insert commencement date];
- (b) for non-energy products already on the market before [insert commencement date], from [insert date falling 6 months after commencement date].

(3) The following types of product are not subject to these Regulations—

- (a) taps designed—
  - (i) for outdoor use;
  - (ii) for the supply of instant hot water;
  - (iii) to form part of a bath;
  - (iv) to form part of a bidet;
- (b) showers designed—
  - (i) for emergency use;
  - (ii) for use with recirculated water;

- (c) urinal controllers;
- (d) second hand products;
- (e) equipment, fittings or appliances not intended for connection to a potable water supply network;
- (f) equipment, fittings or appliances designed for medical purposes.

(4) Provision on the determination of the water efficiency class and label requirements for the different types of non-energy product covered by these Regulations is set out in the following Schedules—

- (a) Schedule 1 (taps);
- (b) Schedule 2 (showers);
- (c) Schedule 3 (toilets);
- (d) Schedule 4 (urinals).

### **Energy products**

4.—(1) Subject to paragraph (3), these Regulations apply to the following products (“energy products”) from the dates specified in paragraph (2)—

- (a) electric shower assembly solutions;
- (b) dishwashers;
- (c) washer dryers;
- (d) washing machines.

(2) These regulations have effect in relation to energy products from the dates specified below—

- (a) for energy products placed on the market on or after [insert commencement date], from [insert date six months after commencement];
- (b) for energy products already on the market before [insert commencement date], from [insert date 12 months after commencement].

(3) The following types of product are not subject to these Regulations—

- (a) showers designed—
  - (i) for emergency use;
  - (ii) for use with recirculated water;
- (b) commercial dishwashers;
- (c) commercial washer dryers;
- (d) commercial washing machines;
- (e) second hand products;
- (f) equipment, fittings or appliances not intended for connection to a potable water supply network;
- (g) equipment, fittings or appliances designed for medical purposes.

(4) Provision on the determination of the water efficiency class and label requirements for the different types of energy product covered by these Regulations is set out in the following Schedules—

- (a) Schedule 2 (showers);
- (b) Schedule 5 (dishwashers);
- (c) Schedule 6 (washing machines);

- (d) Schedule 7 (washer dryers).

## PART 2

### Obligations of suppliers

#### **General**

5.—(1) When placing on the market or putting into service a product subject to these Regulations, suppliers must—

- (a) create a label using the label generator in accordance with the appropriate product-specific Schedule specified in—
  - (i) regulation 3(4) if the product is a non-energy product;
  - (ii) regulation 4(4) if the product is an energy product;
- (b) supply the label with the product, either on the product or as a separate label;
- (c) make available a product information sheet which complies with regulation 6;
- (d) produce technical documentation which complies with regulation 7 and is sufficient to enable the accuracy of the label and product information sheet to be assessed; and
- (e) subject to regulation 8, register the product on the product database.

(2) Notwithstanding paragraph (1)(b) and (c), suppliers must provide labels and product information sheets free of charge to dealers promptly upon request either in print or electronically.

#### **Product information sheet**

6.—(1) The product information sheet referred to in regulation 5(1)(c) must include—

- (a) the product name and any model identification numbers;
- (b) a general description of the product including technical specifications such as materials, dimensions and capacity where relevant;
- (c) the water efficiency class and the basis for the classification in terms of programme, cycle or mode;
- (d) a description on how the product should be installed, used and maintained so that the water efficiency class identified by the tests carried out continue to be valid under normal usage conditions and over the expected lifetime of the product;
- (e) for shower assembly solutions and shower outlet devices, a description of the results of any shower performance test carried out;
- (f) contact information including how to reach the supplier for enquiries or support.

(2) The product information sheet must be—

- (a) placed on a publicly accessible website;
- (b) be available free of charge; and
- (c) be on a page of the website that does not contain any other information.

#### **Technical documentation**

7. The technical documentation in regulation 5(1)(d) must include—

- (a) the basis on which testing was carried out including any specific product settings and pressure conditions;

- (b) the testing pathway used;
- (c) if available, test reports including those carried out by the supplier or third party referred to in regulation 9;
- (d) for shower assembly solutions and shower outlet devices, test reports of any shower performance tests indicated by the label to have been passed;
- (e) if values are used for similar models, the references allowing identification of those models.

**Product database**

**8.**—(1) The requirement to register the product on the product database in regulation 5(1)(e) applies to—

- (a) a product which is first placed on the market or put into service on or after 1 April 2027;
- (b) a product which is first placed on the market or put into service before 1 April 2027, except that registration on the product database must be completed by 1 April 2028.

(2) A product which continues to be available on the market following first registration must be re-registered on the product database every five years.

**Validation of water efficiency class**

**9.** Suppliers must ensure that a product’s water efficiency class is validated in one of the following ways—

- (a) self-declaration;
- (b) self-declaration with oversight by an independent third party;
- (c) testing by an independent third party.

**Promotional material from suppliers**

**10.** Where—

- (a) a supplier places promotional material for a product subject to these Regulations on any medium; and
- (b) the promotional material contains details of the product’s price, or its energy efficiency class (if it has one), or both,

the supplier must ensure that such material also contains details of the product’s water efficiency class and the range of water efficiency classes available.

**PART 3**

**Obligations of dealers**

**General**

**11.**—(1) When displaying or selling a product subject to these Regulations, a dealer must ensure that the label is clearly visible to the consumer at the point of sale.

(2) The obligation in paragraph (1) applies where the product is displayed or sold—

- (a) in store, subject to paragraph (3);
- (b) on a retail website;

- (c) on an online marketplace;
  - (d) via any other method of distance selling, subject to paragraph (4).
- (3) Where the product is—
- (a) displayed in store, the label must be visible on the packaging or placed next to the location where the price of the product is indicated;
  - (b) sold in store but not displayed, the label must be visible on any relevant catalogue, brochure or sales literature produced by the dealer.
- (4) Where the product is sold via any other method of distance selling as referred to in paragraph (2)(d), the label must be visible on any relevant catalogue, brochure or sales literature produced by the dealer.

#### **Obligations on persons responsible for online marketplaces**

12. Where a product subject to these Regulations is displayed or sold on an online marketplace, the obligation in regulation 11 also applies to—

- (a) a person who controls access to the online marketplace, or content on it;
- (b) a person who acts as an intermediary for a person who controls such access or content.

#### **Promotional material from dealers**

13. Where—

- (a) a dealer places promotional material for a product subject to these Regulations on any medium; and
- (b) the promotional material contains details of the product's price, or its energy efficiency class (if it has one), or both,

the dealer must ensure that such material also contains details of the product's water efficiency class and the range of water efficiency classes available.

## **PART 4**

### **Information**

#### **Retention of technical documentation**

14.—(1) Subject to paragraph (2), suppliers must ensure the technical documentation referred to in regulations 5(1)(d) and 7 is available for inspection by the market enforcement authority for a period of 5 years ("the relevant period") beginning with the date that the product is placed on the market.

(2) Where a product subject to these Regulations was placed on the market before [*coming into force date*], the relevant period begins with the date that these Regulations have effect for that product, as specified in—

- (a) regulation 3(2)(b), if the product is a non-energy product;
- (b) regulation 4(2)(b), if the product is an energy product.

### **Misleading information etc.**

**15.**—(1) A supplier or dealer must not produce or display any label which does not comply with the requirements of these Regulations if doing so is likely to mislead or confuse consumers with respect to the water efficiency class of a product.

(2) If a dealer identifies that a product has not been labelled in accordance with these Regulations, it must inform the market enforcement authority promptly.

(3) If a supplier identifies that—

- (a) its product has not been labelled in accordance with these Regulations; or
- (b) the label for its product is no longer accurate (for example due to a software update affecting the product's declared water efficiency class),

it must inform the market enforcement authority promptly.

### **Information notices**

**16.**—(1) A market enforcement authority may, by notice (an “information notice”), require a supplier or dealer to provide information which the market enforcement authority requires for the purposes of carrying out its functions under, or in connection with, these Regulations.

(2) An information notice under paragraph (1)—

- (a) must be in writing;
- (b) may require the information to be provided in a specified form or manner;
- (c) may require the information to be provided—
  - (i) by a specified date or at a specified time,
  - (ii) in respect of a specified period.

(3) A supplier or dealer who is given a notice under paragraph (1) must comply with it.

(4) In this regulation, “specified” means specified in a notice under paragraph (1).

### **Information sharing**

**17.** A market enforcement authority must make reports or provide information about its enforcement activity under these Regulations upon request by—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers,
- (c) in relation to Scotland, the Scottish Ministers,
- (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

### **Publication of information**

**18.** Suppliers are deemed to consent to the publication of the information provided on any label or product information sheet.

## PART 5

### Enforcement

#### **Enforcement**

**19.**—(1) The relevant local authority, and in relation to Northern Ireland the Department for the Economy, enforce—

- (a) regulations 11, 13 and 15(2);
- (b) regulations 15(1) and 16(3), insofar as these provisions relate to dealers.

(2) The Secretary of State enforces—

- (a) regulations 5 to 10, 12, 14 and 15(3);
- (b) regulations 15(1) and 16(3), insofar as these provisions relate to suppliers.

(3) Each of these is referred to as a market enforcement authority.

(4) The Secretary of State may delegate to the Director of Public Prosecutions functions in relation to the prosecution of an offence committed in England under these Regulations.

(5) For the purposes of paragraph (1), “relevant local authority” means—

- (a) in relation to England—
  - (i) a county or district council in England;
  - (ii) a London borough council;
  - (iii) the Common Council of the City of London;
  - (iv) the Council of the Isles of Scilly;
- (b) in relation to Wales, a county or county borough council in Wales;
- (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(a).

#### **Authorised persons**

**20.** A market enforcement authority may authorise in writing any person who appears suitable to act on its behalf to carry out any of its functions and to exercise any of the powers or duties conferred by these Regulations.

#### **Powers of entry and warrants**

**21.** Schedule 8 has effect in relation to powers of entry and warrants.

#### **Testing**

**22.** Schedule 9 has effect in relation to testing.

#### **Civil sanctions**

**23.** Schedule 10 makes provision for the enforcement of these Regulations via civil sanctions.

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(a) 1994 c. 39. Section 2 was amended by paragraph 232 of Schedule 22 to the Environment Act 1995 (c. 25).

### **Offences relating to civil sanctions**

- 24.—(1) It is an offence for a person to fail to comply with—
- (a) a compliance notice (see paragraph 2 of Schedule 10);
  - (b) a variable monetary penalty (see paragraph 3 of Schedule 10);
  - (c) a stop notice (see paragraph 11 of Schedule 10);
  - (d) an enforcement undertaking (see paragraph 16 of Schedule 10).
- (2) A person guilty of an offence under paragraph (1) is liable on summary conviction—
- (a) in England and Wales, to a fine;
  - (b) in Scotland or in Northern Ireland, to a fine not exceeding the statutory maximum.

### **Obstruction etc.**

- 25.—(1) It is an offence for any person—
- (a) intentionally to fail to comply with any instruction given by an authorised person acting in pursuance of their powers or duties under these Regulations;
  - (b) intentionally to obstruct an authorised person acting in pursuance of their powers or duties under these Regulations;
  - (c) knowingly or recklessly to make a statement which is false or misleading in purported compliance with any requirement imposed under these Regulations;
  - (d) without reasonable cause fail to give an authorised person any other assistance or information which that authorised person may reasonably require for the purposes of the exercise of their powers or duties under these Regulations .
- (2) A person guilty of an offence under paragraph (1) is liable on summary conviction—
- (a) in England and Wales, to a fine;
  - (b) in Scotland or in Northern Ireland, to a fine not exceeding the statutory maximum.
- (3) In this regulation, “powers or duties” includes powers or duties exercisable by virtue of a warrant under Schedule 8.

### **Time limit for prosecution of offences**

26.—(1) Subject to paragraph (3), an offence under these Regulations may be tried by summary proceedings if—

- (a) in England and Wales, the information is laid;
- (b) in Northern Ireland, the complaint is made; or
- (c) in Scotland, the proceedings are begun,

before the end of the period of 6 months beginning on the day after the date on which evidence which the market enforcement authority, or in Scotland the Procurator Fiscal, thinks is sufficient to justify the proceedings comes to the market enforcement authority’s or Procurator Fiscal’s knowledge.

- (2) For the purposes of paragraph (1)—
- (a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence came to the market enforcement authority’s or Procurator Fiscal’s knowledge is to be conclusive evidence of that fact; and
  - (b) a certificate stating that matter and purporting to be so signed is to be treated as so signed unless the contrary is proved.

(3) Where the offence is one to which regulation 24 applies and involves a failure to comply with—

- (a) a compliance notice; or
- (b) an enforcement undertaking,

criminal proceedings may be instituted at any time up to 6 months from the date when the market surveillance authority notifies the person that they have failed to comply with the notice or undertaking.

### **Bodies corporate**

27.—(1) If an offence under these Regulations committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer, or
- (b) to be attributable to any neglect on the part of the officer,

the officer, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) “Officer”, in relation to a body corporate, means—

- (a) a director, manager, secretary or other similar officer of the body, or
- (b) a person purporting to act in any such capacity.

(3) If the affairs of the body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with the member’s functions of management as it applies to an officer of a body corporate.

(4) If an offence under these Regulations committed by a partnership in Scotland is proved—

- (a) to have been committed with the consent or connivance of a partner, or
- (b) to be attributable to any neglect on the part of the partner,

the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.

(5) In paragraph (4) “partner” includes a person purporting to act as a partner.

### **Recovery of expenses of enforcement**

28.—(1) This regulation applies where a court convicts a person of an offence under these Regulations.

(2) The court may (in addition to any other order it may make as to costs or expenses) order the person convicted to reimburse the market enforcement authority for any expenditure which it or any authorised person has reasonably incurred in investigating the offence, including in purchasing, testing or examining any product, or any part of it, in respect of which the offence was committed.

## **PART 6**

### **Primary authority**

#### **Amendment of Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008**

29. In Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008, at the appropriate place insert—

“Mandatory Water Efficiency Labelling Regulations 2026, as it applies in England and in Wales.”.

*Name of Minister*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

DRAFT

# SCHEDULES

## SCHEDULE 1

Regulation 3(4)(a)

### Taps

#### PART 1

##### Determining the water efficiency class

1. The water efficiency class of a tap shall be determined on the basis of its flow rate in litres per minute as set out in the table in paragraph 2.

2.

Water efficiency classes for taps

Water efficiency class	Flow rate for taps designed for use with basins	Flow rate for taps not designed for use with basins
A	$\leq 3$ l/min	$\leq 4$ l/min
B	$> 3$ l/min and $\leq 4$ l/min	$> 4$ l/min and $\leq 5.5$ l/min
C	$> 4$ l/min and $\leq 5$ l/min	$> 5.5$ l/min and $\leq 7$ l/min
D	$> 5$ l/min and $\leq 6$ l/min	$> 7$ l/min and $\leq 8.5$ l/min
E	$> 6$ l/min and $\leq 7$ l/min	$> 8.5$ and $\leq 10$ l/min
F	$> 7$ l/min	$> 10$ l/min

3. The flow rate of a tap shall be determined using the test method prescribed in BS EN 200:2023(a).

4. In this Part “basin” means a fixture for holding water for washing the hands or face, whether with one tap to allow a single user or a number of taps spaced to allow simultaneous users.

#### PART 2

##### Labels

##### Format of labels

5. Subject to paragraph 6, suppliers must use the standard size label format shown in paragraph 9 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 11 and 13;
- or

(a) Sanitary tapware - Single taps and combination taps for water supply systems of type 1 and type 2. General technical specification (ISBN 978 0 539 30152 6). Published by the British Standards Institution on 4 January 2024.

- (b) the compact label format with or without the text “Water”, shown in paragraphs 15 and 17.

**6.** Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 10, 12, 14, 16 and 18.

**7.—**(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 80mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

- (a) on a retail website;
- (b) on an online market place;
- (c) via any method of distance selling,

the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

**8.—**(1) Where the standard size label is used, in the space allocated for additional information, it shall also specify—

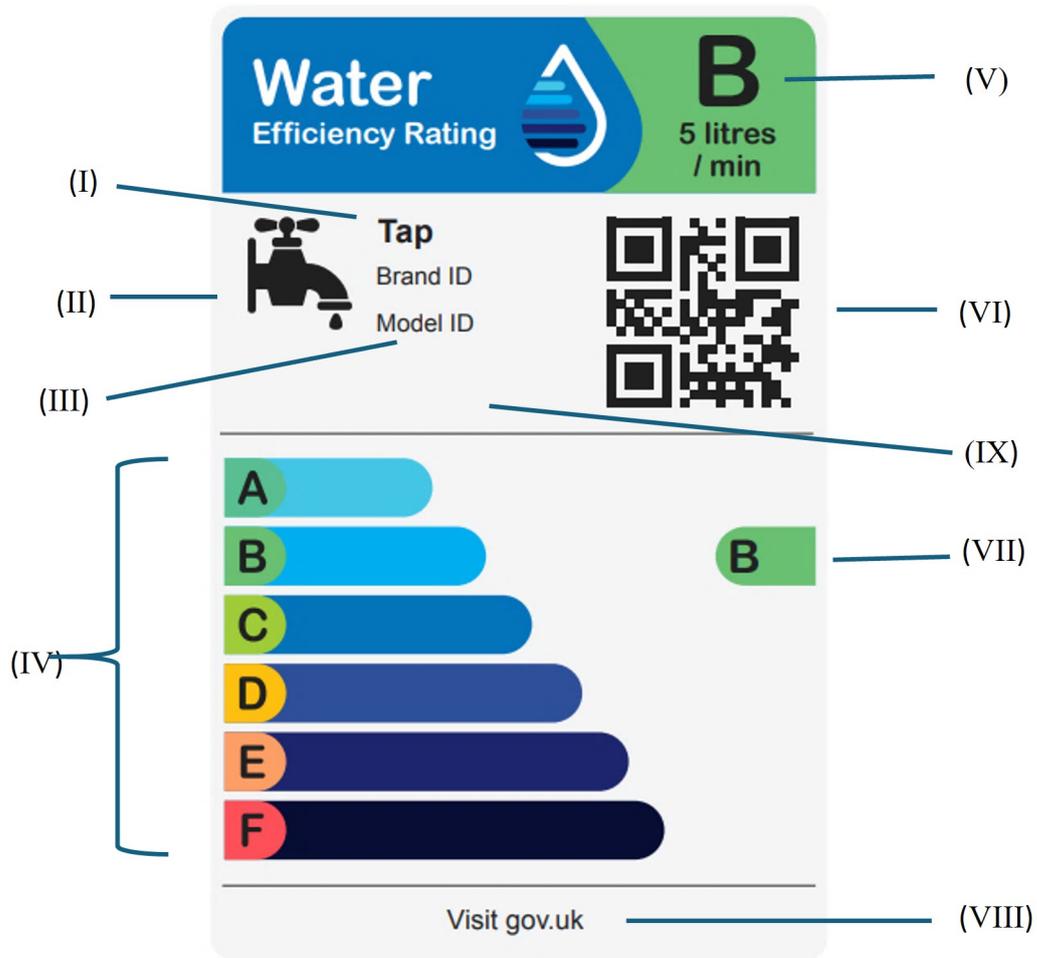
- (a) whether the tap is designed for use with basins or not;
- (b) whether the tap is suitable for low pressure or high pressure.

(2) For the purposes of sub-paragraph (1)(b)—

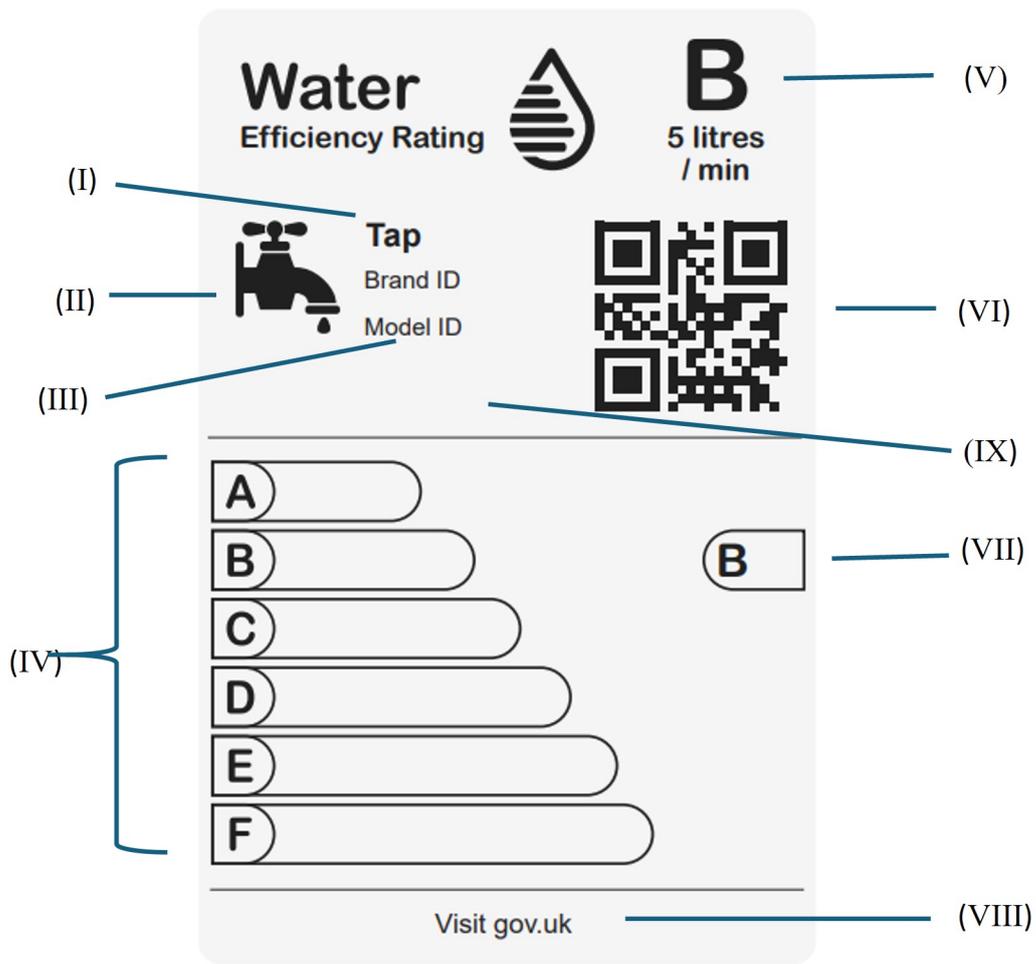
“high pressure” means pressure of 1 bar or more;

“low pressure” means pressure of less than 1 bar.

**9.** The format of the standard size label in colour is as follows—



10. The format of the standard size label in monochrome is as follows—



11. The format of the small size label with QR code in colour is as follows—



12. The format of the small size label with QR code in monochrome is as follows—



13. The format of the small size label without a QR code in colour is as follows—



14. The format of the small size label without a QR code in monochrome is as follows—



15. The format of the compact label with the text “Water” in colour is as follows—



16. The format of the compact label with the text “Water” in monochrome is as follows—



17. The format of the compact label without the text “Water” in colour is as follows—



18. The format of the compact label without the text “Water” in monochrome is as follows—



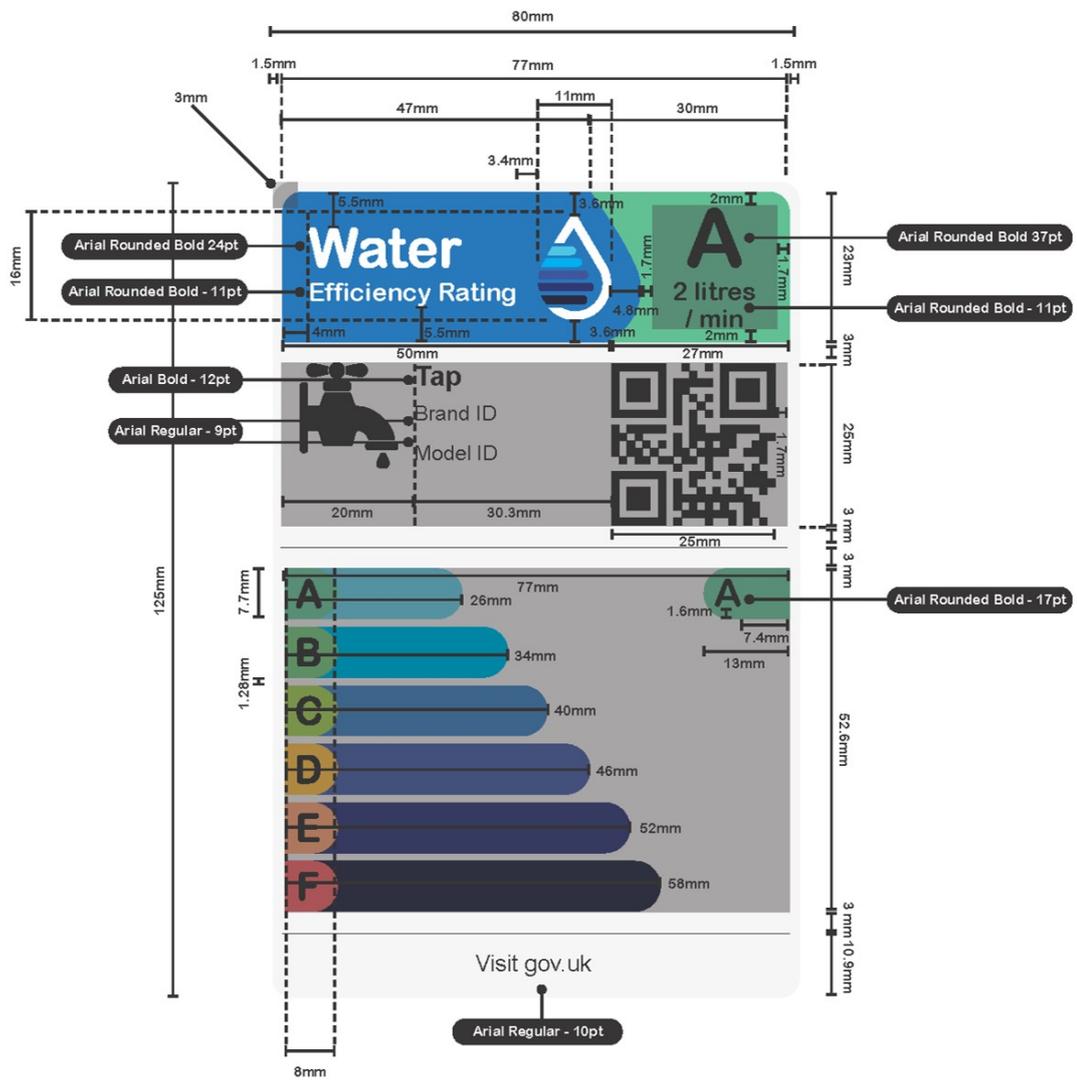
19. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Kitchen tap”);
- (b) point II: product information icon (i.e. tap image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel;
- (e) point V: water efficiency class with the flow rate in litres per minute for the standard and small size labels, and without the flow rate for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information where needed (e.g. whether a tap is suitable for low or high pressure).

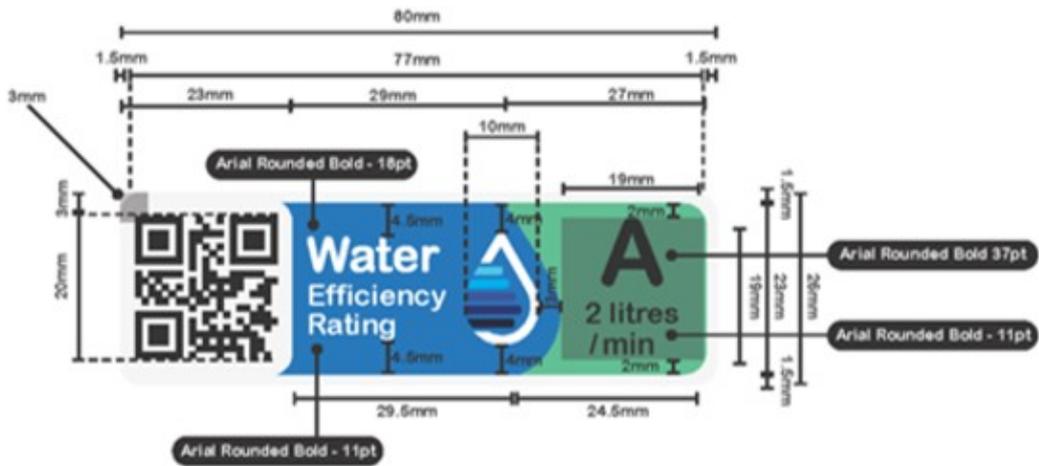
#### Label designs

20. The label designs displaying the measurements and fonts used are as follows.

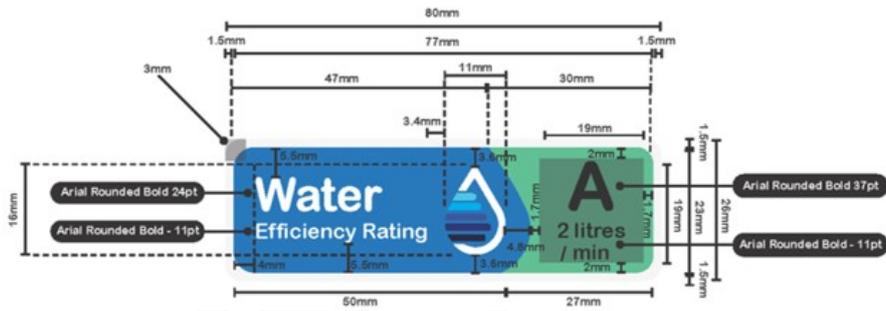
21. Standard size label—



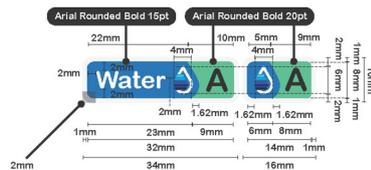
22. Small size label, with QR code—



23. Small size label, without QR code—



24. Compact label with and without the text “Water”—



25. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
  - (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;

- (vi) #0a0f34 for “F”;
- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
  - (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

## SCHEDULE 2 Regulations 3(4)(b) and 4(4)(a)

### Showers

#### PART 1

#### Determining the water efficiency class

1. The water efficiency class of—
  - (a) a shower control valve;
  - (b) a shower outlet device,

shall be determined on the basis of its flow rate in litres per minute as set out in the table in paragraph 2.

2.

Water efficiency classes for showers

Water efficiency class	Flow rate
A	≤ 6 l/min
B	> 6 l/min and ≤ 8 l/min
C	> 8 l/min and ≤ 10 l/min
D	> 10 l/min and ≤ 12 l/min
E	> 12 l/min and ≤ 14 l/min
F	> 14 l/min

3. The flow rate of a shower control valve shall be determined using the test method prescribed in BS EN 200:2023(a).

4. The flow rate of a shower outlet device shall be determined using the test method prescribed in BS EN 1112:2008(b).

- (a) Sanitary tapware - Single taps and combination taps for water supply systems of type 1 and type 2. General technical specification (ISBN 978 0 539 30152 6). Published by the British Standards Institution on 4 January 2024.
- (b) Sanitary tapware - Shower outlets for sanitary tapware for water supply systems type 1 and type 2. General technical specification (ISBN 978 0 580 57422 1). Published by the British Standards Institution on 29 August 2008.

## PART 2

### Shower performance tests

5.—(1) The supplier must use the standard size label to indicate whether a product has passed, failed, or not been subject to a shower performance test in accordance with paragraphs 26 and 27.

(2) In this paragraph, “shower performance test” means a test designed to measure—

- (a) the spray force of a product;
- (b) the spray coverage of a product; or
- (c) whether a product is drip free when in continuous operation,

in accordance with an appropriate standard of any voluntary scheme compatible with the specified minimum and maximum pressure that the product is designed to operate within.

## PART 3

### Labels

#### Format of labels

6. Subject to paragraph 7, suppliers must use the standard size label format shown in paragraph 9 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 11 and 13; or
- (b) the compact label format with or without the text “Water”, shown in paragraphs 15 and 17.

7. Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 10, 12, 14, 16 and 18.

8.—(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 80mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

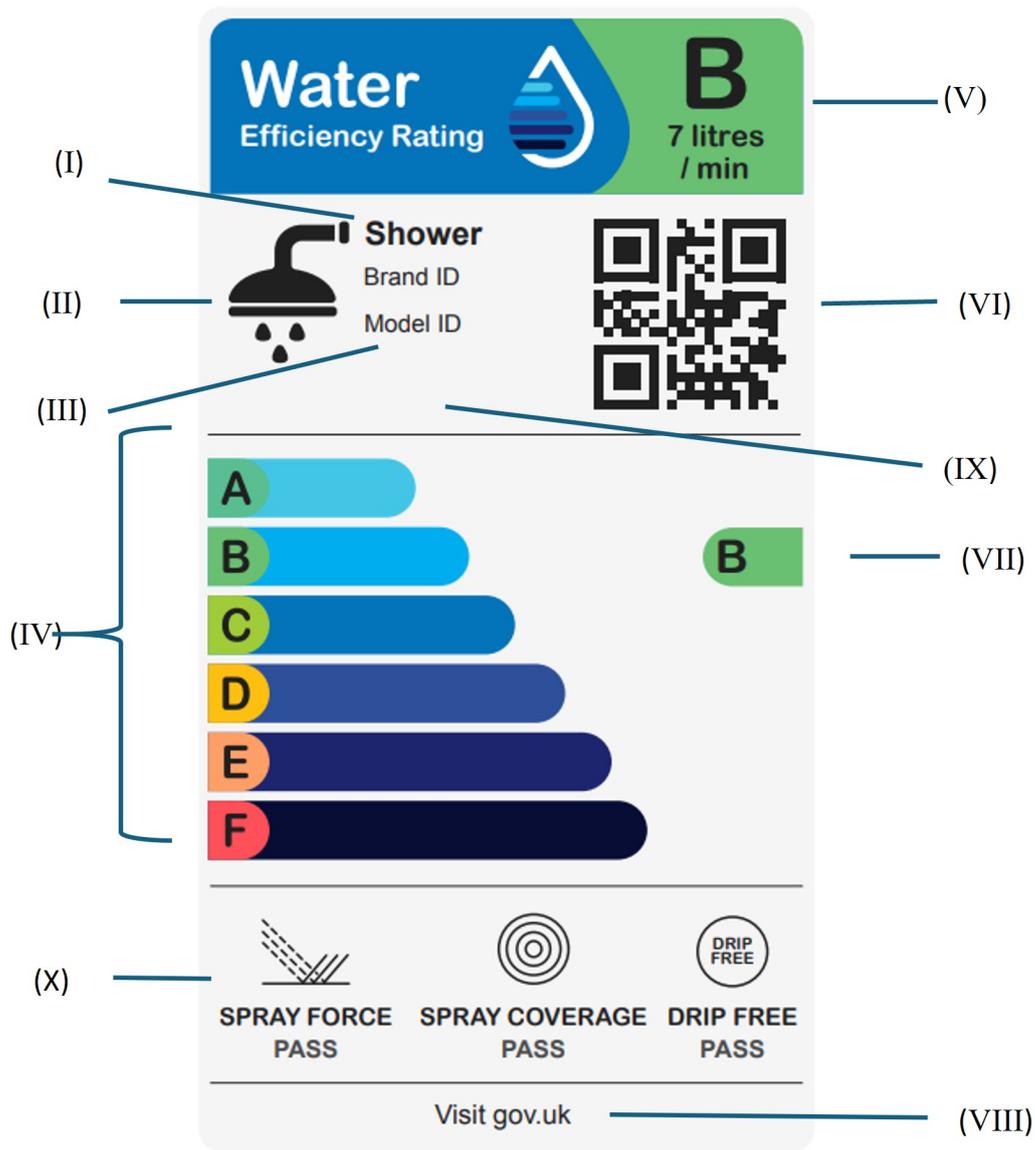
(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

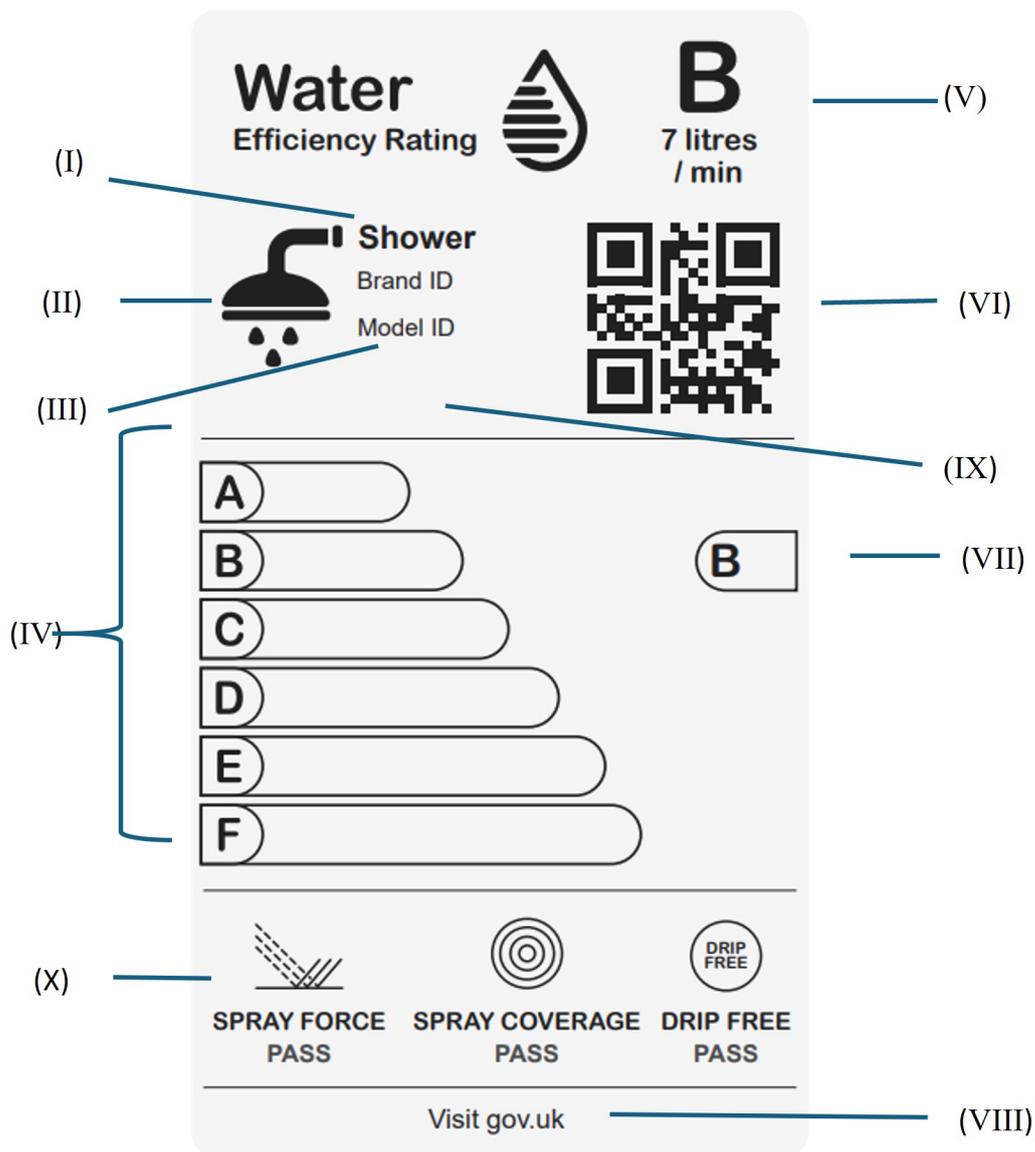
- (a) on a retail website;
- (b) on an online market place;
- (c) via any method of distance selling,

the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

9. The format of the standard size label in colour is as follows—



10. The format of the standard size label in monochrome is as follows—



11. The format of the small size label with QR code in colour is as follows—



12. The format of the small size label with QR code in monochrome is as follows—



13. The format of the small size label without QR code in colour is as follows—



14. The format of the small size label without QR code in monochrome is as follows—



15. The format of the compact label with the text “Water” in colour is as follows—



16. The format of the compact label with the text “Water” in monochrome is as follows—



17. The format of the compact label without the text “Water” in colour is as follows—



18. The format of the compact label without the text “Water” in monochrome is as follows—



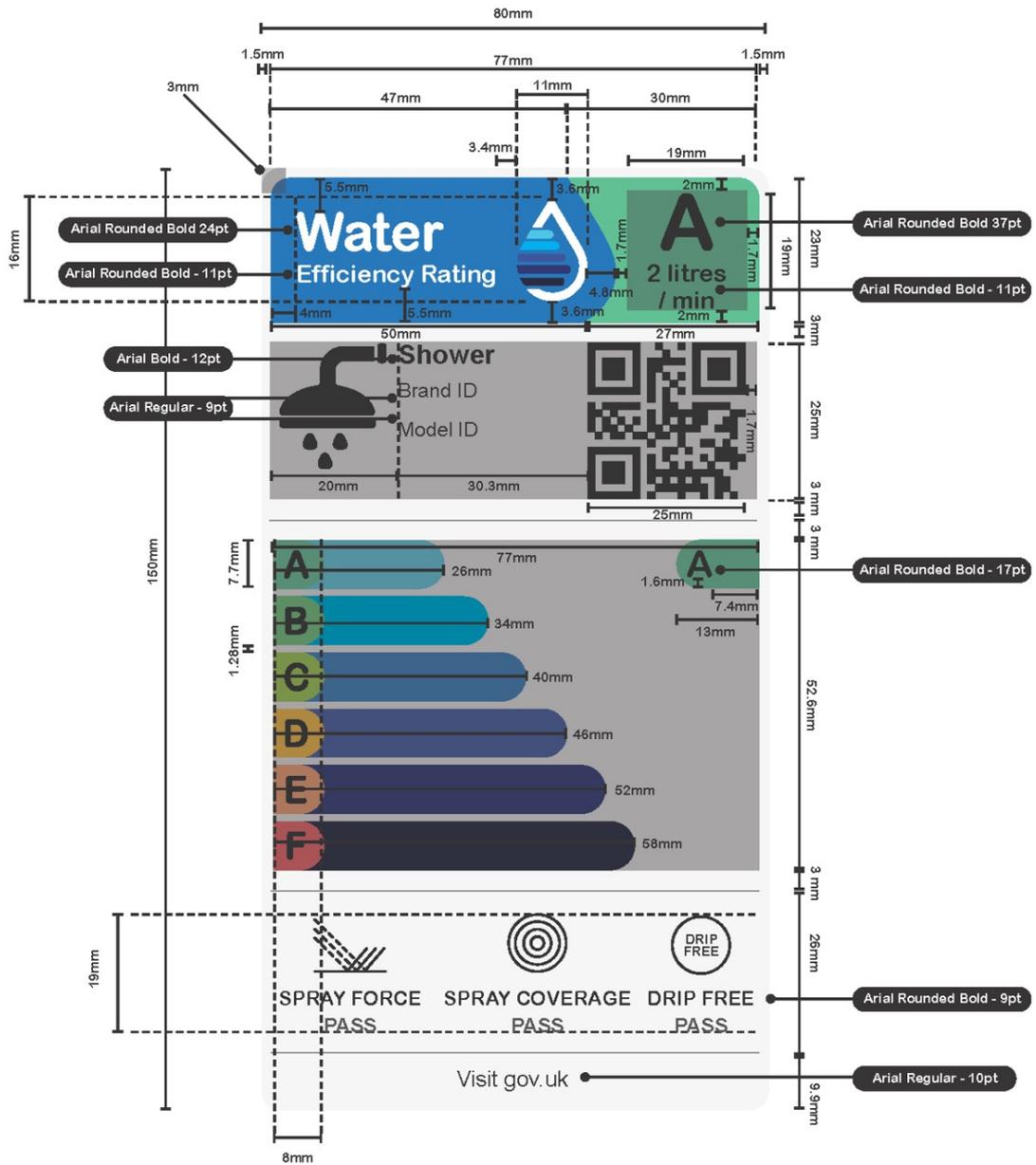
19. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Shower Assembly”);
- (b) point II: product information icon (i.e. shower image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel;
- (e) point V: water efficiency class with the flow rate in litres per minute for the standard and small size labels, and without the flow rate for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information where needed;
- (j) point X: shower performance test icons, with appropriate text underneath confirming whether the product has passed, failed or not been subject to the relevant test.

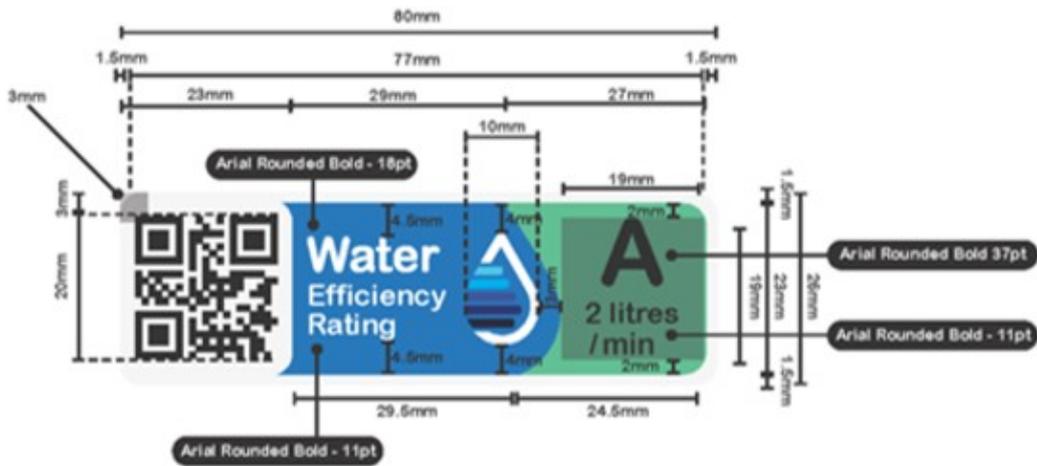
#### Label designs

20. The label designs displaying the measurements and fonts used are as follows.

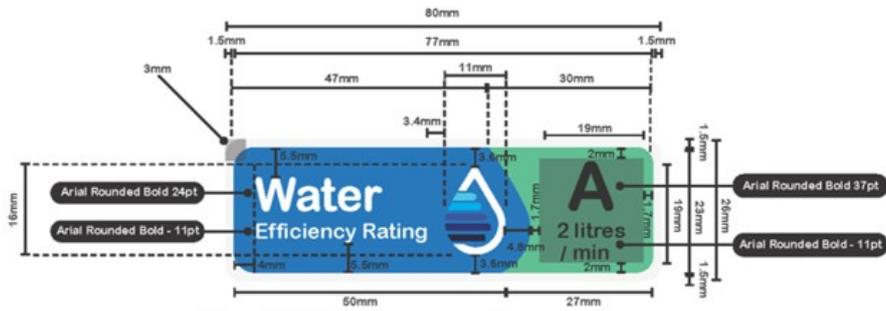
21. Standard size label with label—



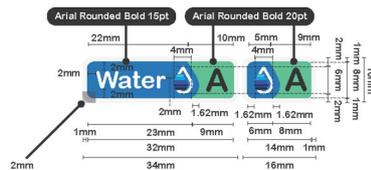
22. Small size label with QR code—



23. Small size label without QR code—



24. Compact label with and without the text “Water”—



25. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
  - (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;

- (vi) #0a0f34 for “F”;
- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
  - (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

**Shower specific label design points**

26. In relation to showers, the three additional icons at the bottom of the standard size label are to represent whether the product has passed, failed or not been subject to any shower performance test designed to measure—

- (a) the spray force of the product;
- (b) the spray coverage of the product;
- (c) whether the product is drip free when in continuous operation,

in accordance with paragraph 27.

27. Where the product has—

- (a) passed a shower performance test, the associated icon is to appear together with the text “PASS” underneath it, in black.
- (b) failed a shower performance test, the associated icon is to appear together with the text “FAIL” underneath it, in black.
- (c) not been subject to shower performance test, the associated icon is to appear together with the text “NOT TESTED” underneath it, in grey.

**SCHEDULE 3**

Regulation 3(4)(c)

**Toilets**

**PART 1**

**Determining the water efficiency class**

1. The water efficiency of a toilet shall be determined on the basis of its average flush measured in litres per flush, as set out in the table in paragraph 2.

2.

Water efficiency classes for toilets

Water efficiency class	Average flush (litres per flush)
A	≤ 2.3
B	> 2.3 and ≤ 2.88

Water efficiency class	Average flush (litres per flush)
C	> 2.88 and ≤ 3.3
D	> 3.3 and ≤ 3.8
E	> 3.8 and ≤ 4.3
F	> 4.3

3. The average flush of a toilet is—

- (a) where the toilet only has a single flush function, the amount of water used in one flush;
- (b) where the toilet has a dual flush function, the combined volume of one full flush and four reduced flushes divided by five,

determined using the test method prescribed in the relevant standard.

4. In this Part, “relevant standard” means—

- (a) for water closet suites and independent water closet pans, BS EN 997:2018(a);
- (b) for water closet cisterns, BS EN 14055:2018(b).

## PART 2

### Labels

#### Format of labels

5. Subject to paragraph 6, suppliers must use the standard size label format shown in paragraph 9 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 11 and 13; or
- (b) the compact label format with or without the text “Water”, shown in paragraphs 15 and 17.

6. Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 10, 12, 14, 16 and 18.

7.—(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 80mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

- (a) on a retail website;
- (b) on an online market place;

(a) WC pans and WC suites with integral trap (ISBN 978 0 539 08659 1). Published by the British Standards Institution on 17 October 2018.

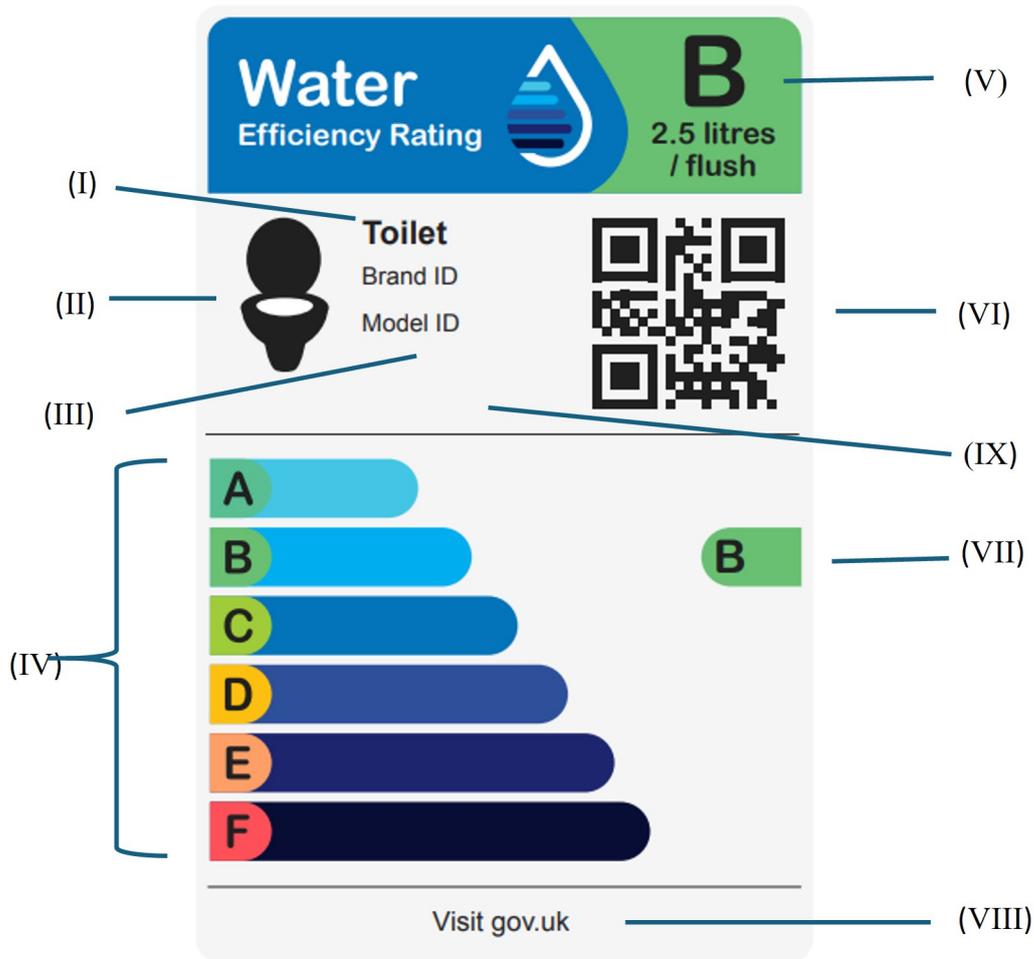
(b) WC and urinal flushing cisterns (ISBN 978 0 539 09438 1). Published by the British Standards Institution on 31 October 2018.

(c) via any method of distance selling,

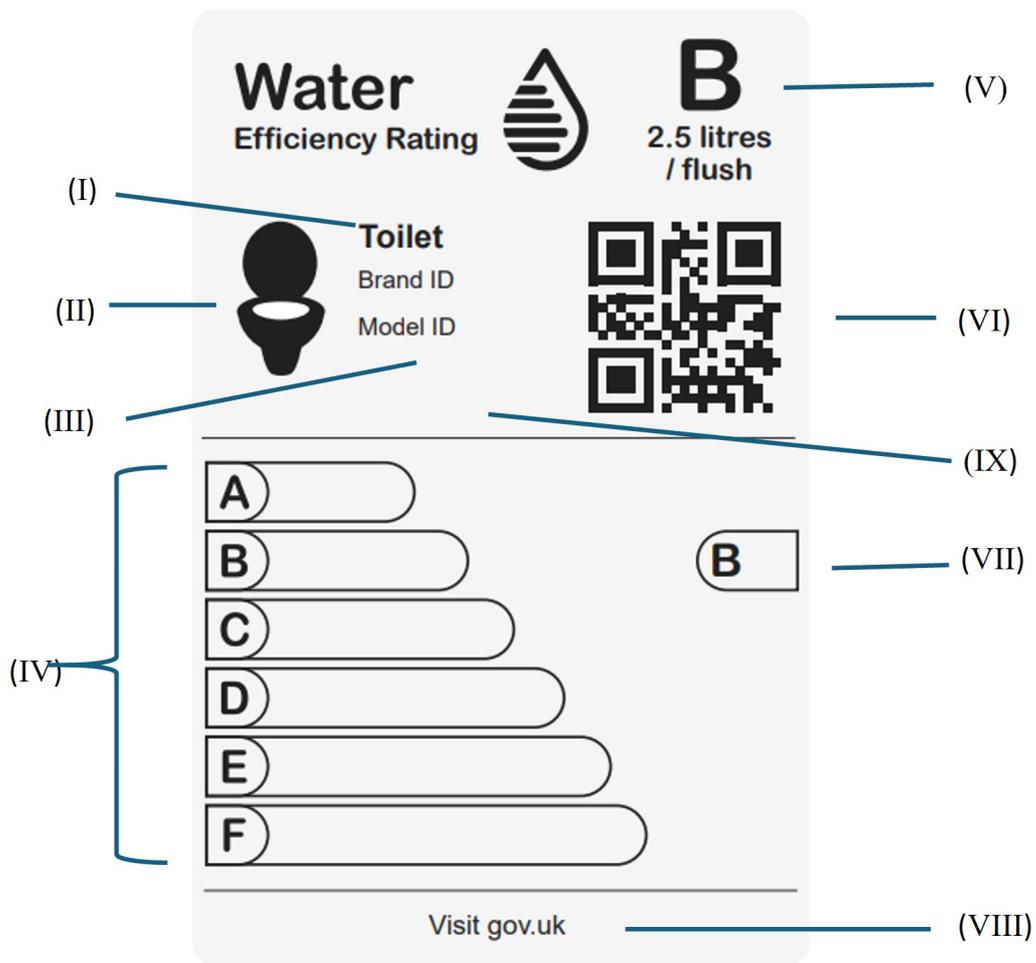
the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

8. In the case of a toilet with a dual flush function, where the standard size label is used, the label shall also specify the full and reduced flush volumes in the space allocated for additional information.

9. The format of the standard size label in colour is as follows—



10. The format of the standard size label in monochrome is as follows—



11. The format of the small size label with QR code in colour is as follows—



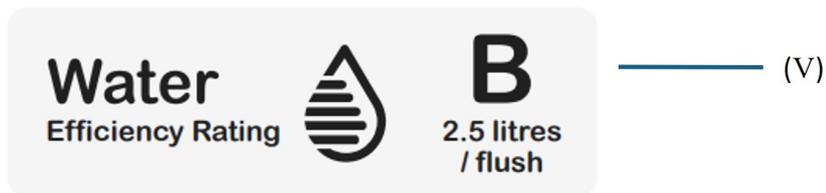
12. The format of the small size label with QR code in monochrome is as follows—



13. The format of the small size label without QR code in colour is as follows—



14. The format of the small size label without QR code in monochrome is as follows—



15. The format of the compact label with the text “Water” in colour is as follows—



16. The format of the compact label with the text “Water” in monochrome is as follows—



17. The format of the compact label without the text “Water” in colour is as follows—



18. The format of the compact label without the text “Water” in monochrome—



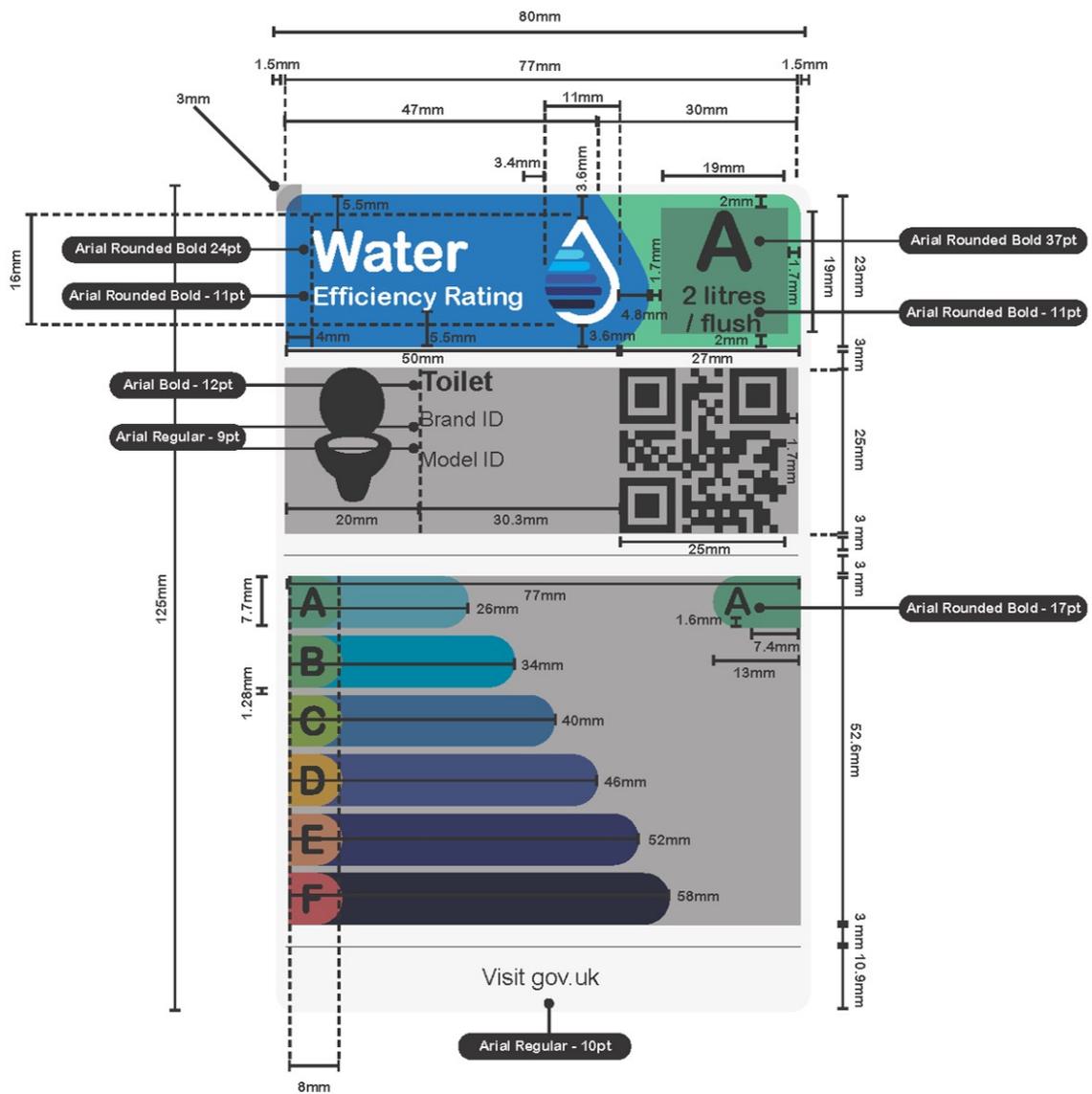
19. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Toilet”);
- (b) point II: product information icon (i.e. toilet image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel;
- (e) point V: water efficiency class with the average flush in litres per flush for the standard and small size labels, and without the average flush for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information (e.g. full and reduce flush volumes in the case of a toilet with a dual flush function).

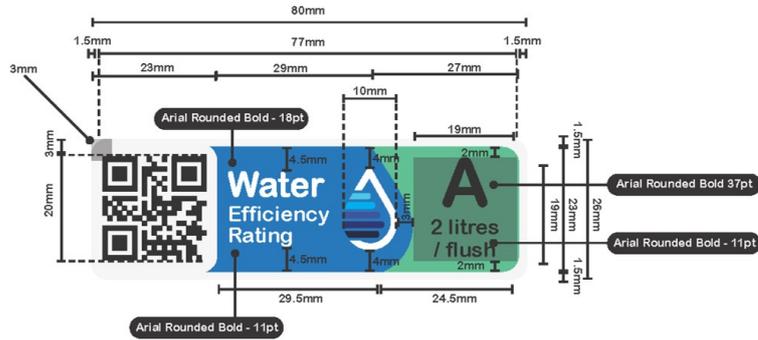
#### Label designs

20. The label designs displaying the measurements and fonts used are as follows.

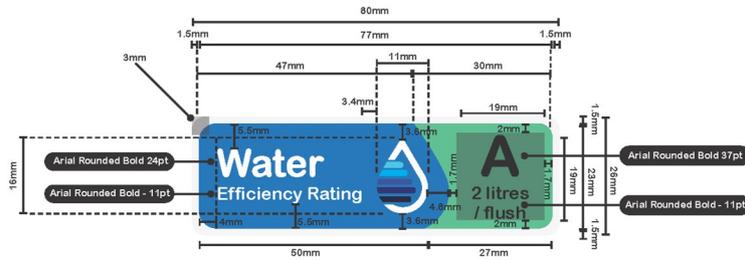
21. Standard size label—



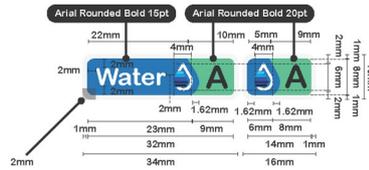
22. Small size label with QR code—



23. Small size label without QR code—



24. Compact label with and without the text “Water”—



25. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
- (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;
  - (vi) #0a0f34 for “F”;

- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
- (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

## SCHEDULE 4

Regulation 3(4)(d)

### Urinals

#### PART 1

##### Determining the water efficiency class

1. The water efficiency of a urinal shall be determined on the basis of its maximum water consumption (inclusive) per flush per position/bowl, as set out in the table in paragraph 2.

2.

Water efficiency classes for urinals

Water efficiency class	Maximum water consumption (inclusive) per flush per position/bowl (litres)
A	$\leq 0.25$
B	$> 0.25$ and $\leq 0.5$
C	$> 0.5$ and $\leq 0.75$
D	$> 0.75$ and $\leq 1$
E	$> 1$ and $\leq 1.25$
F	$> 1.25$

3. The maximum water consumption (inclusive) per flush per position/bowl shall be determined using the test method prescribed in the relevant standard, namely—

- (a) for urinal bowls, BS EN 13407:2015+A1:2018(**a**);
- (b) for independent urinal flushing cisterns, BS EN 14055:2018(**b**).

(a) Wall-hung urinals - Functional requirements and test methods (ISBN 978 0 580 97772 5). Published by the British Standards Institution on 31 October 2018.  
 (b) WC and urinal flushing cisterns (ISBN 978 0 539 09438 1). Published by the British Standards Institution on 31 October 2018.

## PART 2

### Labels

#### **Format of labels**

4. Subject to paragraph 5, suppliers must use the standard size label format shown in paragraph 7 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 9 and 11; or
- (b) the compact label format with or without the text “Water”, shown in paragraphs 13 and 15.

5. Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 8, 10, 12, 14 and 16.

6.—(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 80mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

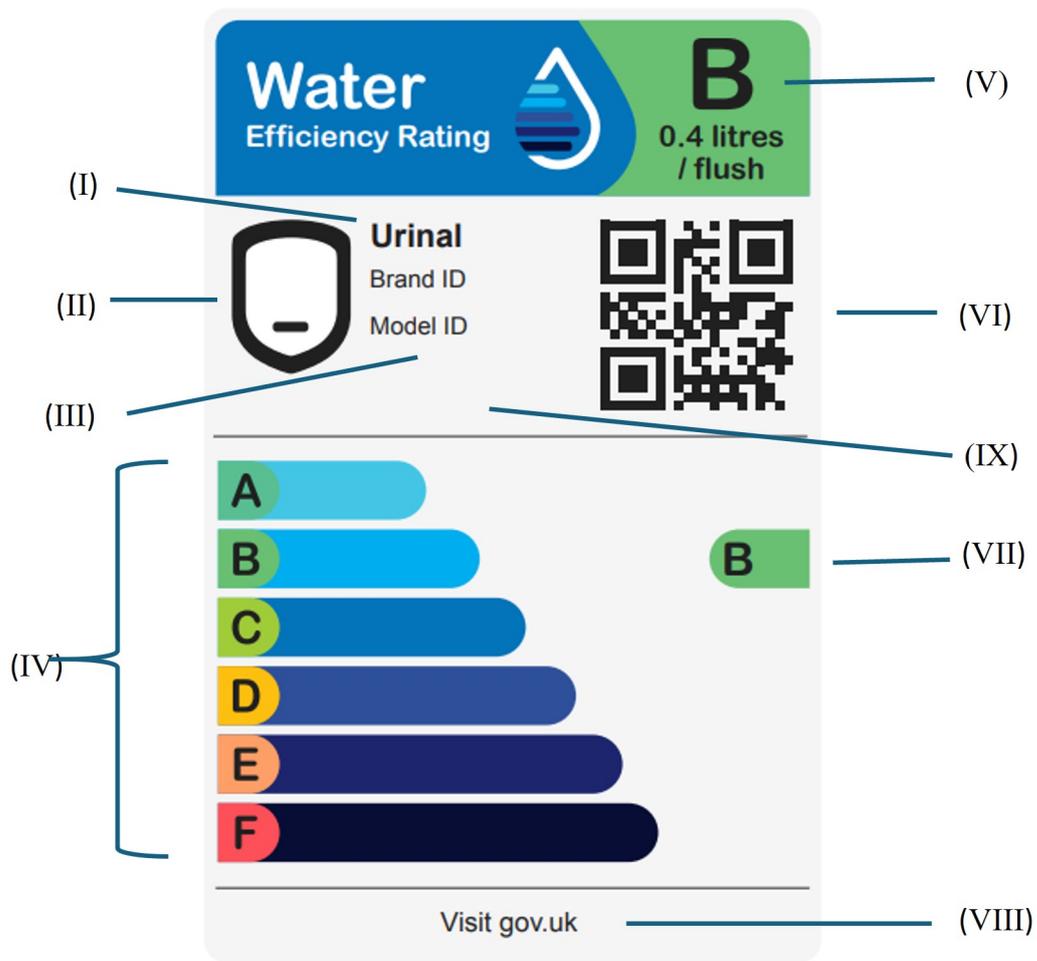
(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

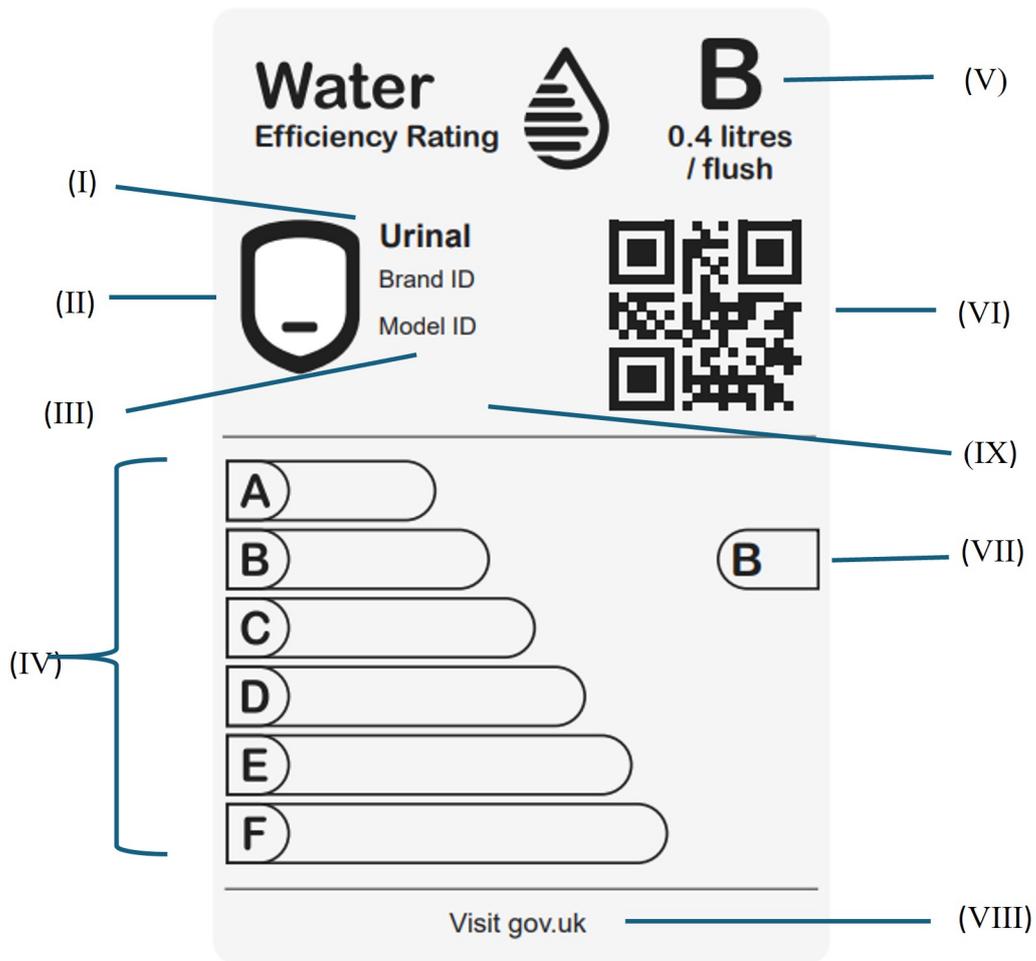
- (a) on a retail website;
- (b) on an online market place;
- (c) via any method of distance selling,

the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

7. The format of the standard size label in colour is as follows—



8. The format of the standard size label in monochrome is as follows—



9. The format of the small size label with QR code in colour is as follows—



10. The format of the small size label with QR code in monochrome is as follows—



11. The format of the small size label without QR code in colour is as follows—



12. The format of the small size label without QR code in monochrome is as follows—



13. The format of the compact label with the text “Water” in colour is as follows—



14. The format of the compact label with the text “Water” in monochrome is as follows—



15. The format of the compact label without the text “Water” in colour is as follows—



16. The format of the compact label without the text “Water” in monochrome is as follows—



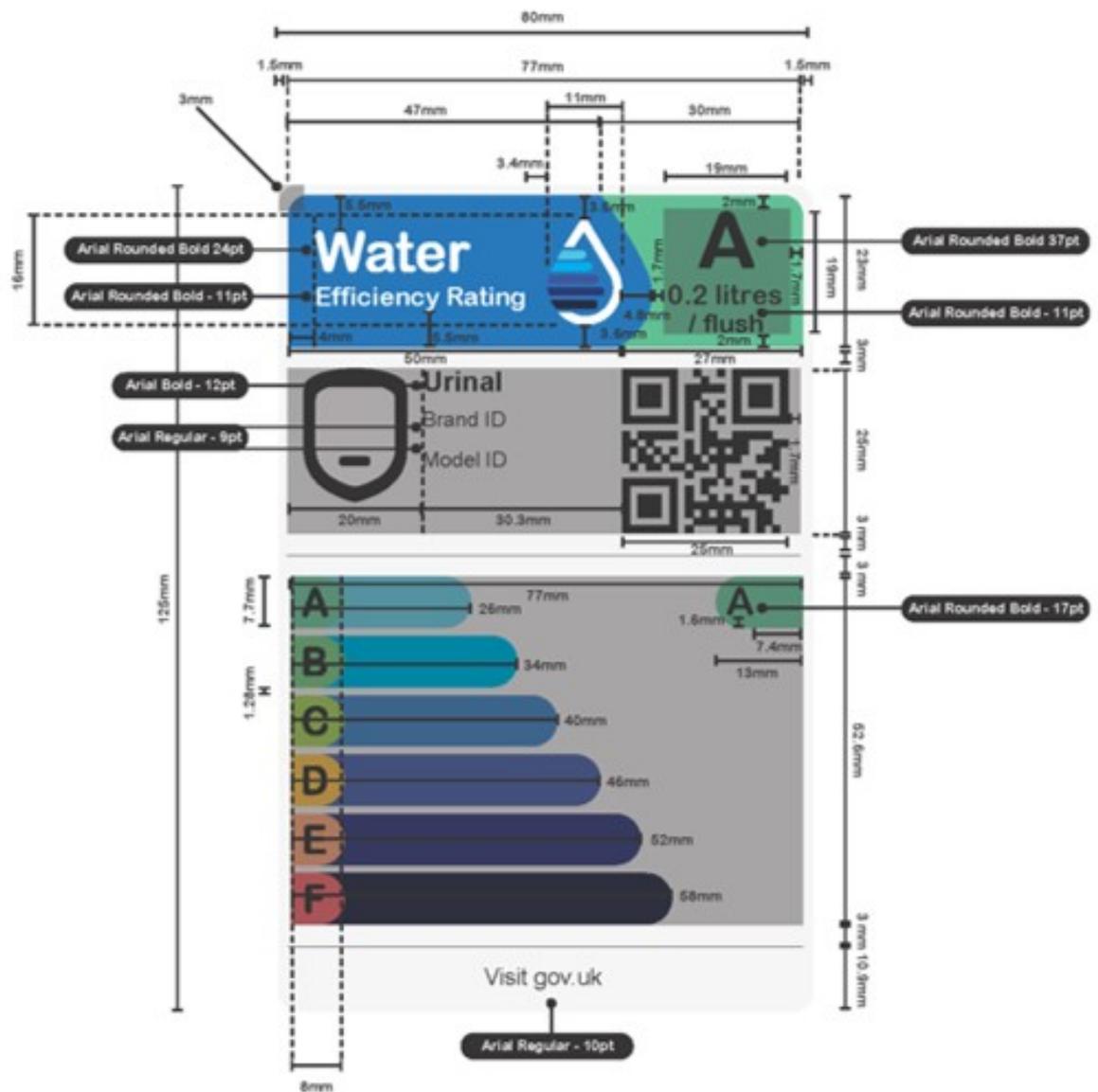
17. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Urinal”);
- (b) point II: product information icon (i.e. urinal image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel;
- (e) point V: water efficiency class with the average flush in litres for the standard and small size labels, and without the average flush for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information.

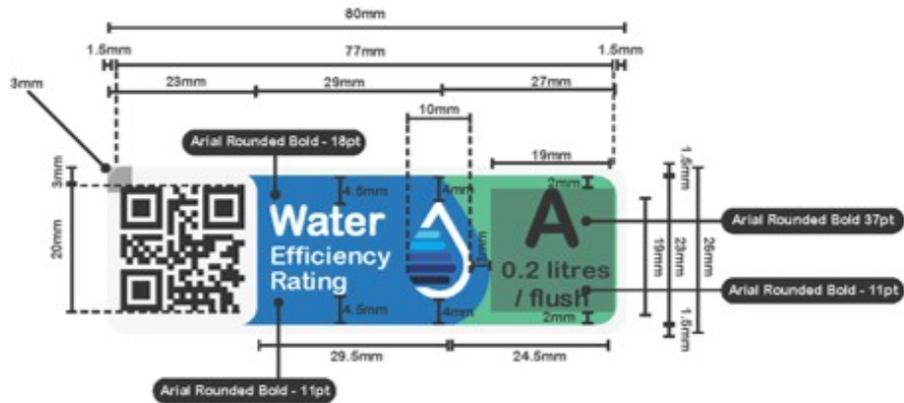
#### **Label designs**

18. The label designs displaying the measurements and fonts used are as follows.

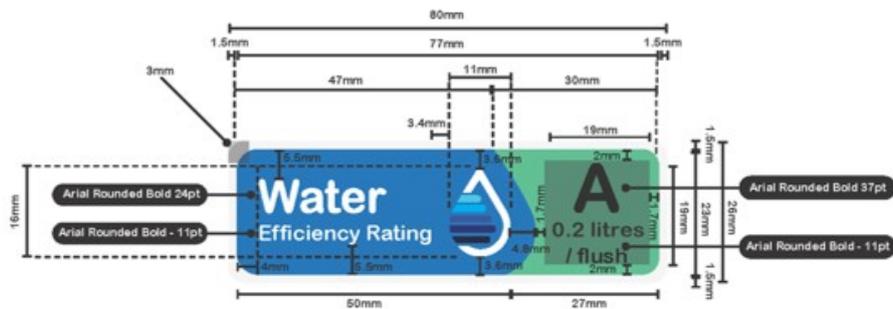
19. Standard size label—



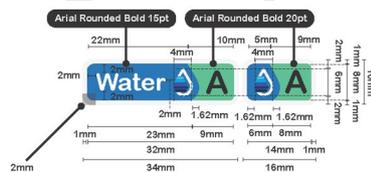
20. Small size label with QR code—



21. Small size label without QR code—



22. Compact label with and without the text “Water”—



23. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
- (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;
  - (vi) #0a0f34 for “F”;

- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
- (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

## SCHEDULE 5

Regulation 4(4)(b)

### Dishwashers

#### PART 1

#### Determining the water efficiency class

1. The water efficiency class of a dishwasher shall be determined on the basis of its  $WE_f$  rating as set out in the table in paragraph 2.

2.

Water efficiency classes for dishwashers

Water efficiency class	$WE_f$ rating
A	$\geq 7$
B	$< 7$ and $\geq 6$
C	$< 6$ and $\geq 5$
D	$< 5$ and $\geq 4$
E	$< 4$ and $\geq 3$
F	$< 3$

3. The  $WE_f$  rating shall be determined using the test method prescribed in BS EN IEC 60436:2025+A11:2025(a), using the following equation—

$$WE_f = 1 + \frac{\log_e\left(\frac{WC}{WC_b}\right)}{\log_e(1 - WR_f)}$$

where—

(a) Electric dishwashers for household use - Methods for measuring the performance (ISBN 978 0 539 30644 6). Published by the British Standards Institution on 30 September 2025.

“WE<sub>f</sub>” is the fractional water efficiency rating used to determine the efficiency indicator, rounded down to the nearest half rating increment;

“WC<sub>b</sub>” is the base water consumption = 2.5+1.6P;

“P” maximum number of place settings of the dishwasher as specified by the manufacturer;

“WC” is the water consumption of the model in litres;

“WR<sub>f</sub>” is the water reduction factor per additional increment.

## PART 2

### Labels

#### Format of labels

4. Subject to paragraph 5, Suppliers must use the standard size label format shown in paragraph 7 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 9 and 11; or
- (b) the compact label format with or without the text “Water”, shown in paragraphs 13 and 15.

5. Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 8, 10, 12, 14 and 16.

6.—(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 80mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

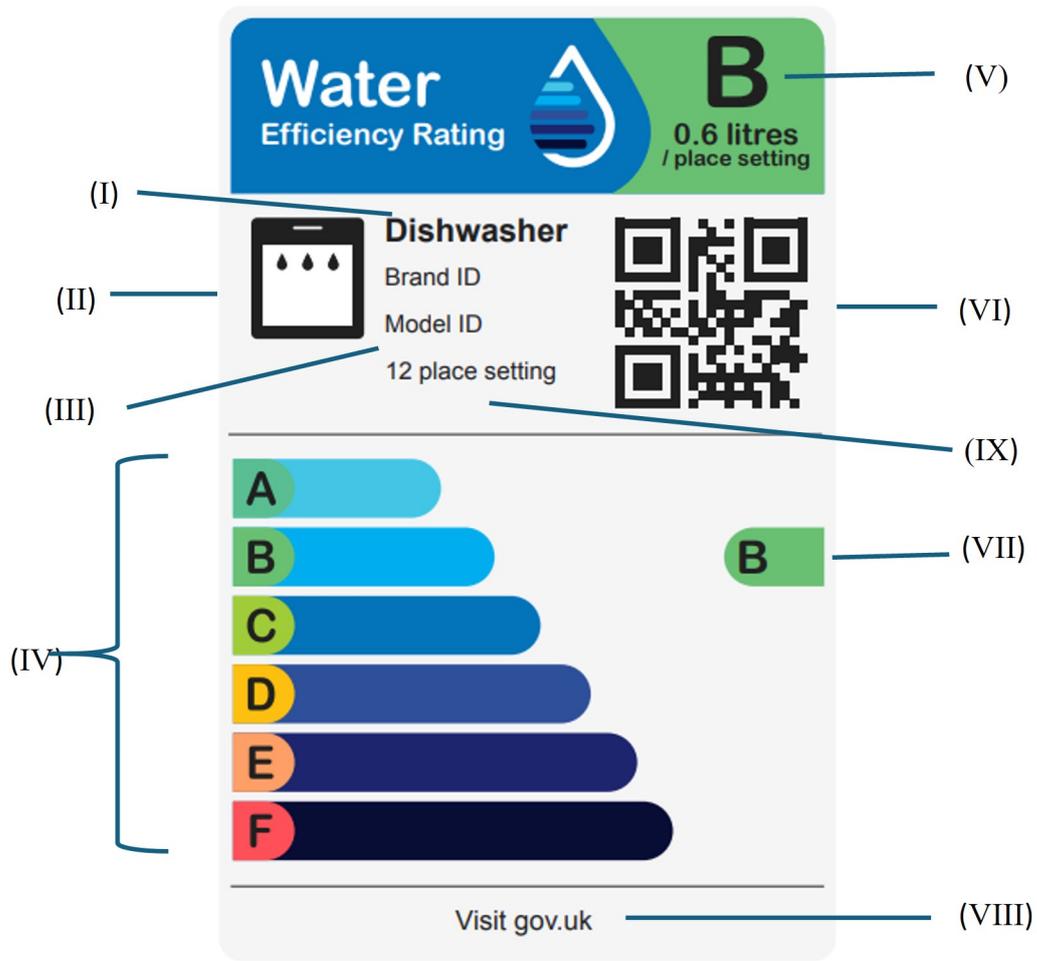
(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

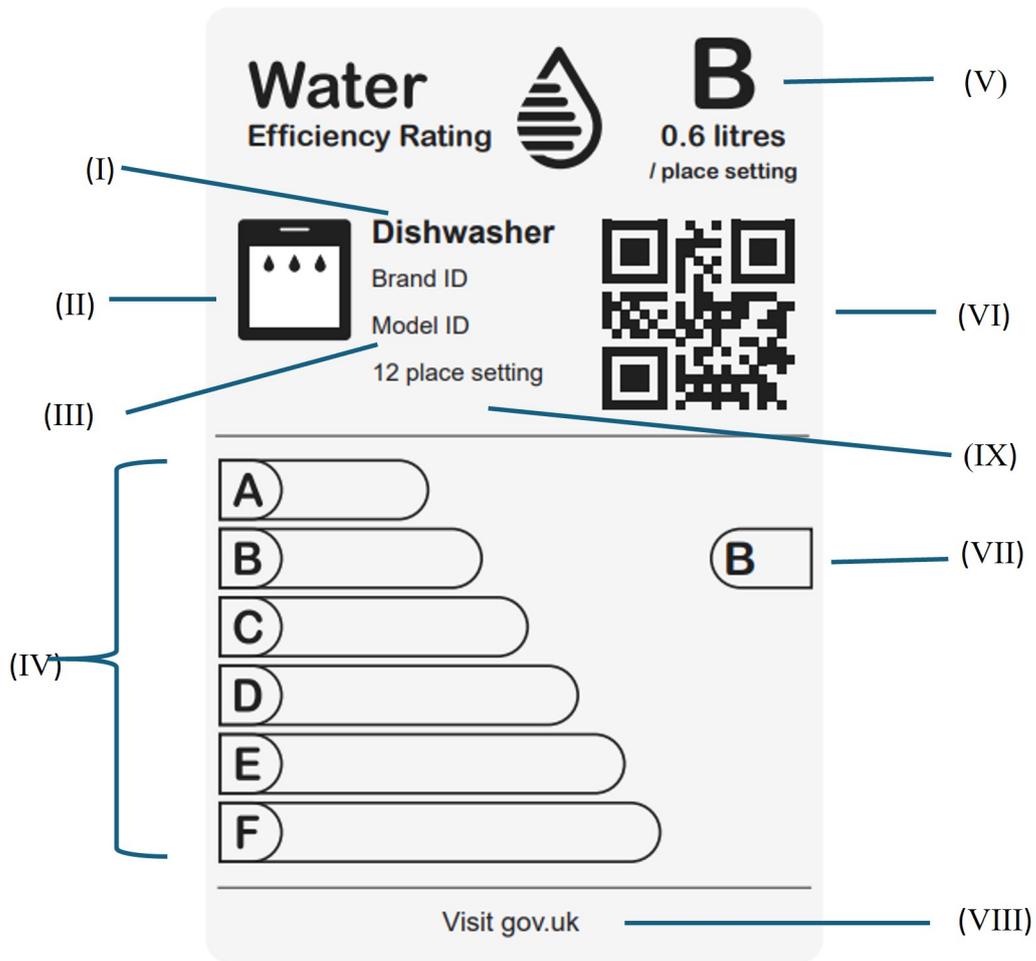
- (a) on a retail website;
- (b) on an online market place;
- (c) via any method of distance selling,

the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

7. The format of the standard size label in colour is as follows—



8. The format of the standard size label in monochrome is as follows—



9. The format of the small size label with QR code in colour is as follows—



10. The format of the small size label with QR code in monochrome is as follows—



11. The format of the small size label without QR code in colour is as follows—



12. The format of the small size label without QR code in monochrome is as follows—



13. The format of the compact label with the text “Water” in colour is as follows—



14. The format of the compact label with the text “Water” in monochrome is as follows—



15. The format of the compact label without the text “Water” in colour is as follows—



16. The format of the compact label without the text “Water” in monochrome is as follows—



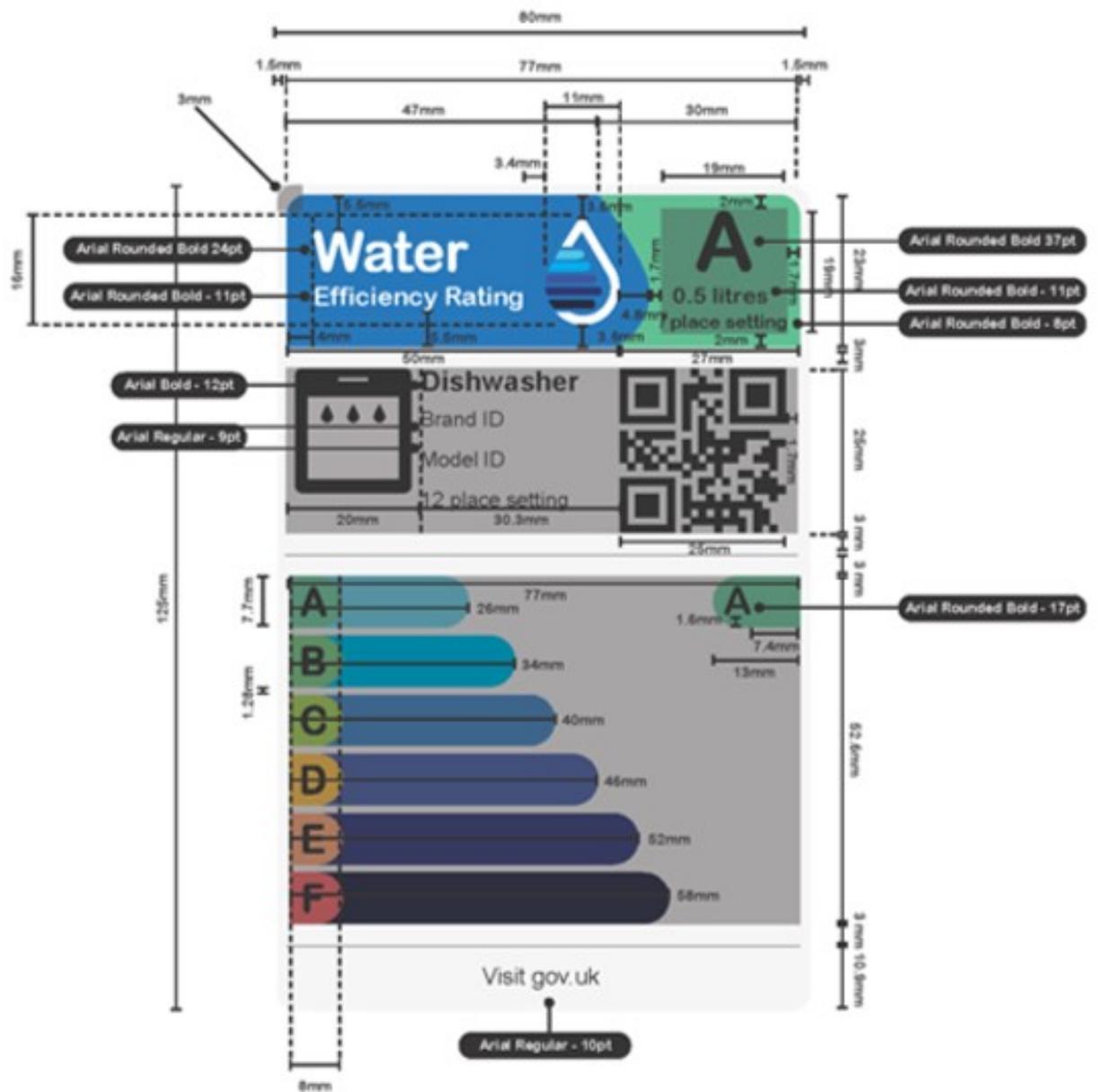
17. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Dishwasher”);
- (b) point II: product information icon (i.e. dishwasher image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel;
- (e) point V: water efficiency class with the litres used per cycle based on the eco cycle, and without the litres used per cycle based on the eco cycle for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information.

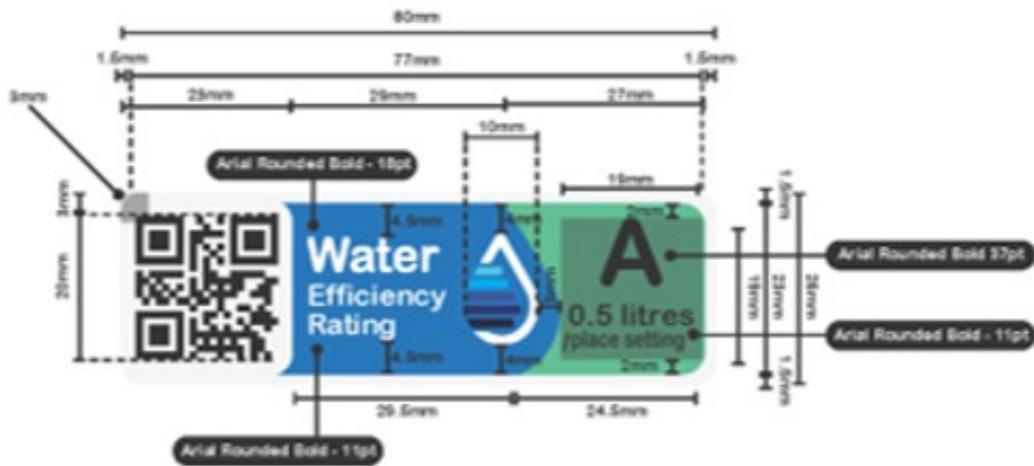
#### Label designs

18. The label designs displaying the measurements and fonts used are as follows.

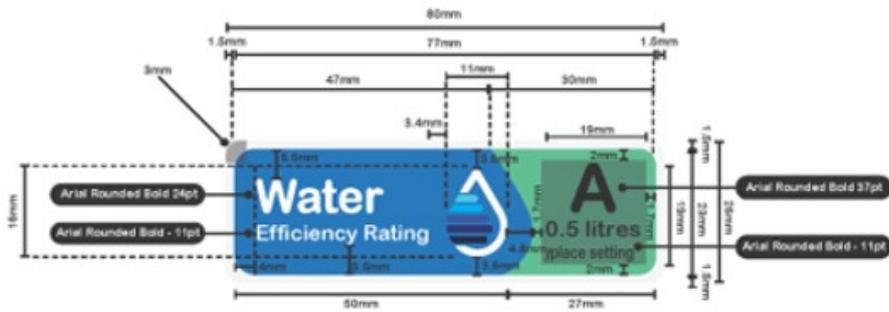
19. Standard size label—



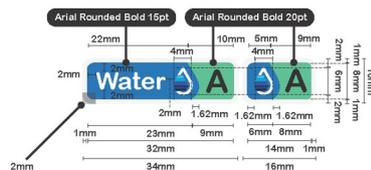
20. Small size label with QR code—



21. Small size label without QR code—



22. Compact label with and without the text “Water”—



23. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
- (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;
  - (vi) #0a0f34 for “F”;

- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
- (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

## SCHEDULE 6

Regulation 4(4)(c)

### Washing machines

#### PART 1

##### Determining the water efficiency class

1. The water efficiency class of a washing machine shall be determined on the basis of its  $WE_f$  rating as set out in the table in paragraph 2.

2.

Water efficiency classes for washing machines (and associated consumption per load capacity)

Water efficiency class	$WE_f$ rating	Consumption per load capacity (l/kg)
A	$\geq 7$	$\leq 3.5$
B	$< 7$ and $\geq 6$	$> 3.5$ and $\leq 5.0$
C	$< 6$ and $\geq 5$	$> 5.0$ and $\leq 7.2$
D	$< 5$ and $\geq 4$	$> 7.2$ and $\leq 10.3$
E	$< 4$ and $\geq 3$	$> 10.3$ and $\leq 14.7$
F	$< 3$	$> 14.7$

3. The  $WE_f$  rating shall be determined using the test method prescribed in BS EN 60456:2016+A12:2023(a), using the following equation—

$$WE_f = 1 + \frac{\log_e\left(\frac{WC}{WC_b}\right)}{\log_e(1 - WR_f)}$$

where—

(a) Clothes washing machines for household use - Methods of measuring the performance (ISBN 978 0 539 23993 5). Published by the British Standards Institution on 29 February 2024.

“WE<sub>f</sub>” is the fractional water efficiency rating used to determine the efficiency indicator, rounded down to the nearest half rating increment;

“WC<sub>b</sub>” is the base water consumption = 30 x C;

“C” is the rated load capacity of clothes washer (kg);

“WC” is the water consumption of the model in litres;

“WR<sub>f</sub>” is the water reduction factor per additional increment (30 %) = 0.30.

## PART 2

### Labels

#### Format of label

4. Suppliers must use the standard size label format shown in paragraph 7 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 9 and 11; or
- (b) the compact label format with or without the text “Water”, shown in paragraphs 13 and 15.

5. Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 8, 10, 12, 14 and 16.

6.—(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 80mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

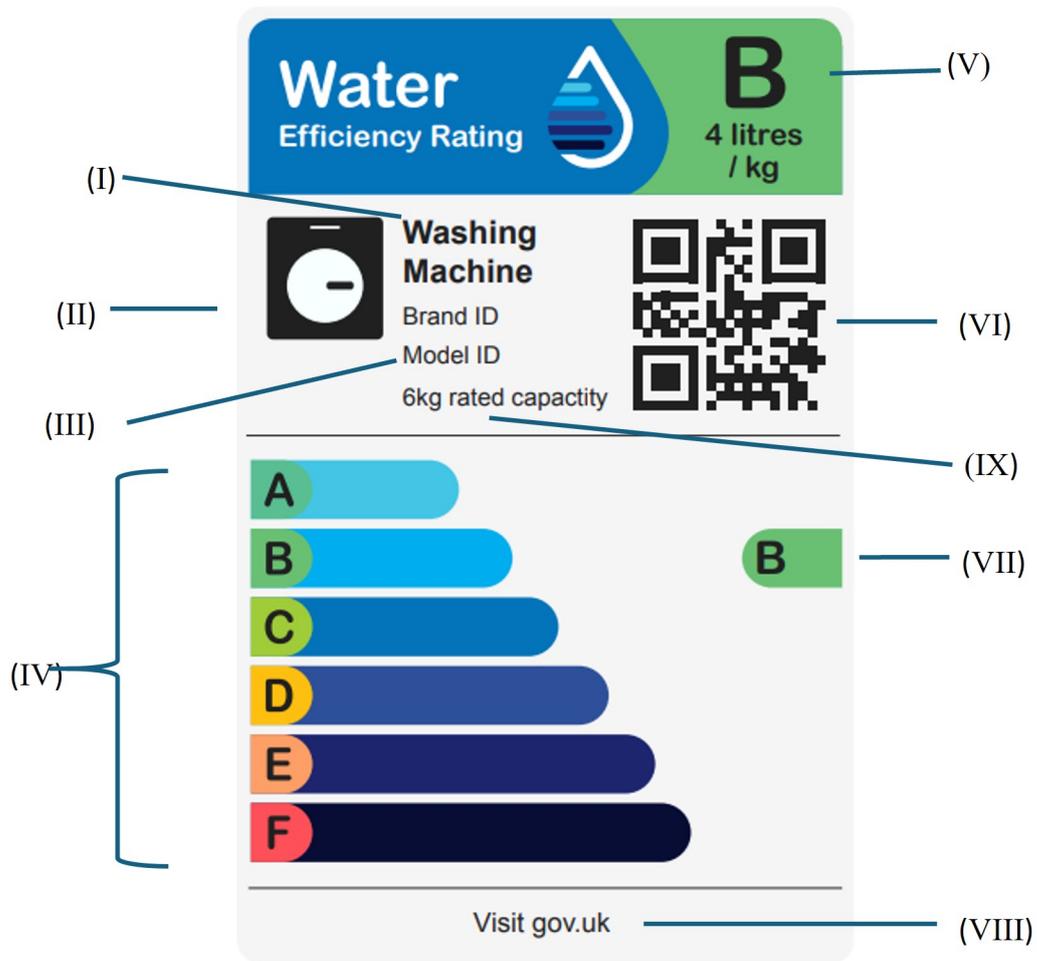
(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

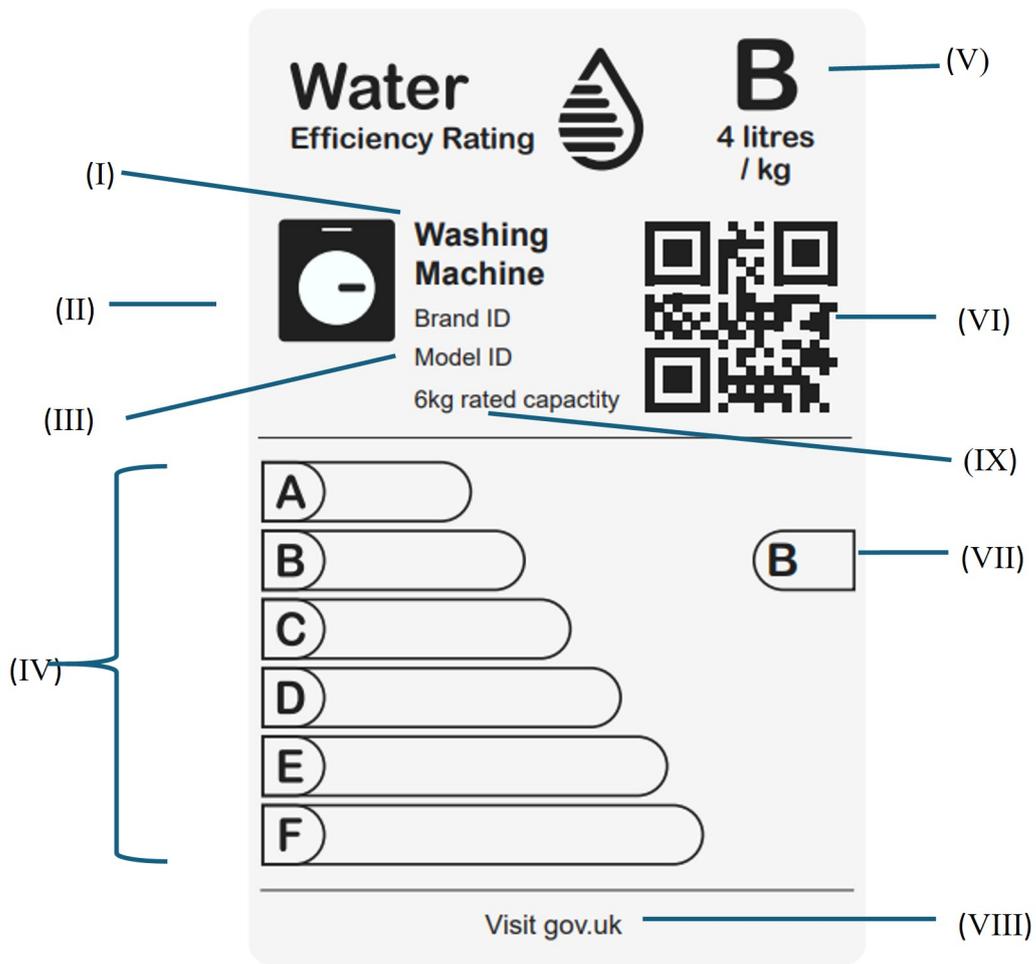
- (a) on a retail website;
- (b) on an online market place;
- (c) via any method of distance selling,

the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

7. The format of the standard size label in colour is as follows—



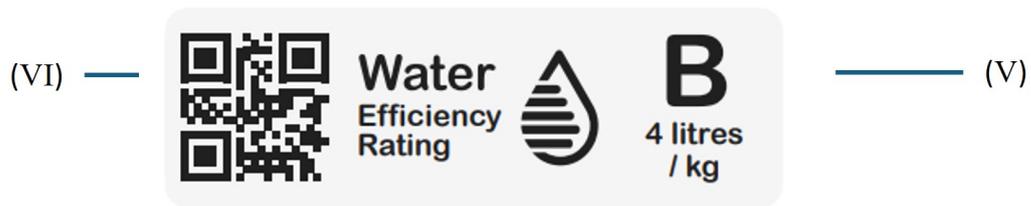
8. The format of the standard size label in monochrome is as follows—



9. The format of the small size label with QR code in colour is as follows—



10. The format of the small size label with QR code in monochrome is as follows—



11. The format of the small size label without QR code in colour is as follows—



12. The format of the small size label without QR code in monochrome is as follows—



13. The format of the compact label with the text “Water” in colour is as follows—



14. The format of the compact label with the text “Water” in monochrome is as follows—



15. The format of the compact label without the text “Water” in colour is as follows—



16. The format of the compact label without the text “Water” in monochrome is as follows—



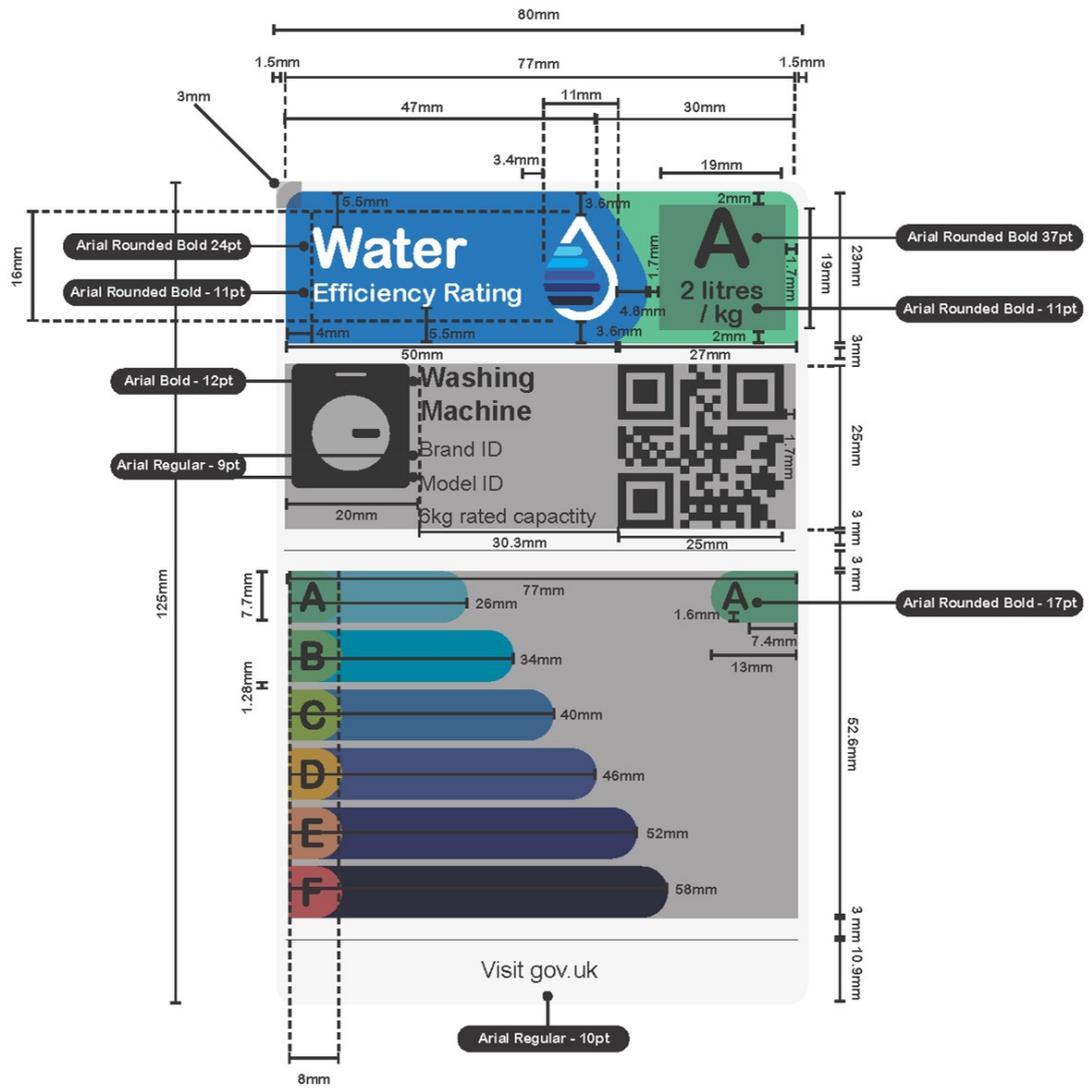
17. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Washing Machine”);
- (b) point II: product information icon (i.e. washing machine image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel;
- (e) point V: water efficiency class with litres used per cycle based on the eco cycle for the standard and small size labels, and without the litres used for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information.

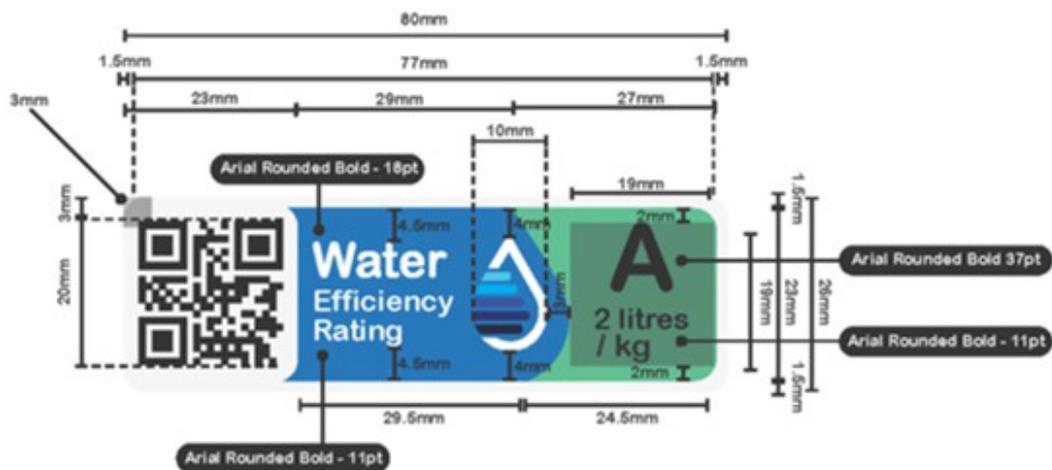
#### **Label design**

18. The label designs displaying the measurements and fonts used are as follows.

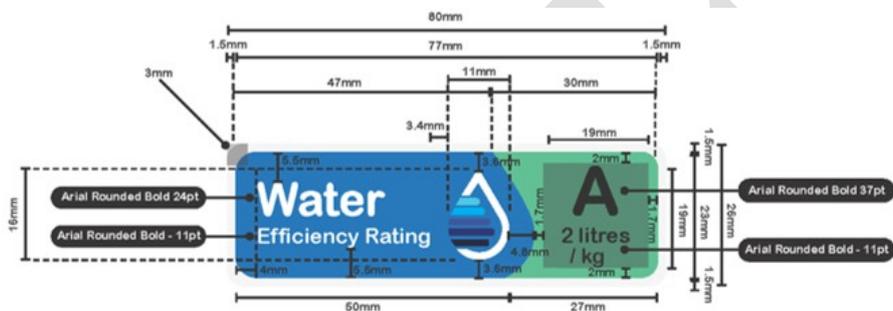
19. Standard size label—



20. Small size label with QR code—



21. Small size label without QR code—



22. Compact label with and without the text “Water”—



23. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
- (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;
  - (vi) #0a0f34 for “F”;

- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
- (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

## SCHEDULE 7

Regulation 4(4)(d)

### Washer-dryers

#### PART 1

#### Determining the water efficiency class

##### Introductory

1. The water efficiency class of a washer-dryer shall be determined in relation to its—

- (a) washing function, on the basis of its  $WE_f$  rating; and
- (b) drying function, on the basis of its l/kg figure,

as set out in the table in paragraph 3.

2. The  $WE_f$  rating and l/kg figure shall be calculated in accordance with paragraphs 4 and 5 respectively.

3.

Water efficiency classes for washer-dryers

Water efficiency class	$WE_f$ rating	l/kg figure
A	$\geq 7$	$\leq 6$ l/kg
B	$< 7$ and $\geq 6$	$> 6$ l/kg and $\leq 8$ l/kg
C	$< 6$ and $\geq 5$	$> 8$ l/kg and $\leq 10$ l/kg
D	$< 5$ and $\geq 4$	$> 10$ l/kg and $\leq 15$ l/kg
E	$< 4$ and $\geq 3$	$> 15$ l/kg and $\leq 20$ l/kg
F	$< 3$	$> 20$ l/kg

4. The  $WE_f$  rating shall be determined using the test method prescribed in BS EN 60456:2016+A12:2023(a), using the following equation—

(a) Clothes washing machines for household use - Methods of measuring the performance (ISBN 978 0 539 23993 5).  
Published by the British Standards Institution on 29 February 2024.

$$WE_f = 1 + \frac{\log_e\left(\frac{WC}{WC_b}\right)}{\log_e(1 - WR_f)}$$

where—

“ $WE_f$ ” is the fractional water efficiency rating used to determine the efficiency indicator, rounded down to the nearest half rating increment;

“ $WC_b$ ” is the base water consumption =  $30 \times C$ ;

“ $C$ ” is the rated load capacity of clothes washer (kg);

“ $WC$ ” is the water consumption of the model in litres;

“ $WR_f$ ” is the water reduction factor per additional increment (30 %) = 0.30.

5. The l/kg figure shall be determined using the test method prescribed in BS EN IEC 6512:2020+A12:2023(a).

## PART 2

### Labels

#### Format of label

6. Suppliers must use the standard size label format shown in paragraph 9 unless not practicable, in which case they must use either—

- (a) the small size label format with or without a QR code, shown in paragraphs 11 and 13; or
- (b) the compact label format with or without the text “Water”, shown in paragraphs 15 and 17.

7. Suppliers must produce a coloured label unless not practicable, in which case they must produce a corresponding monochrome alternative, as shown in paragraphs 10, 12, 14, 16 and 18.

8.—(1) Subject to sub-paragraphs (2) and (3), the label must be—

- (a) for the standard size label, at least 100mm in width;
- (b) for the small size label, both with and without the QR code, at least 26mm in height;
- (c) for the compact label, both with and without the text “Water”, at least 10mm in height.

(2) The label may be produced in a larger format, providing its dimensions remain proportionate to the specifications set out in sub-paragraph (1).

(3) Where the product is sold or displayed—

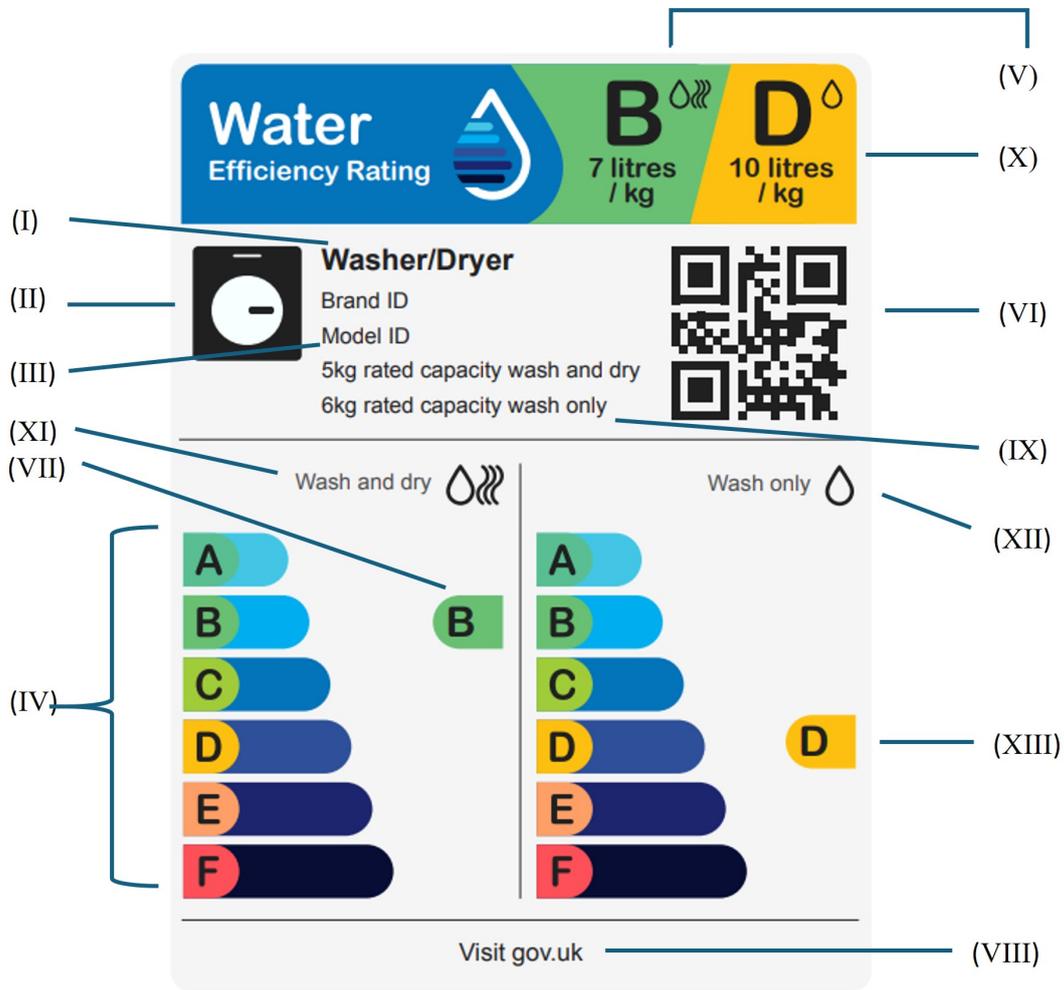
- (a) on a retail website;
- (b) on an online market place;
- (c) via any method of distance selling,

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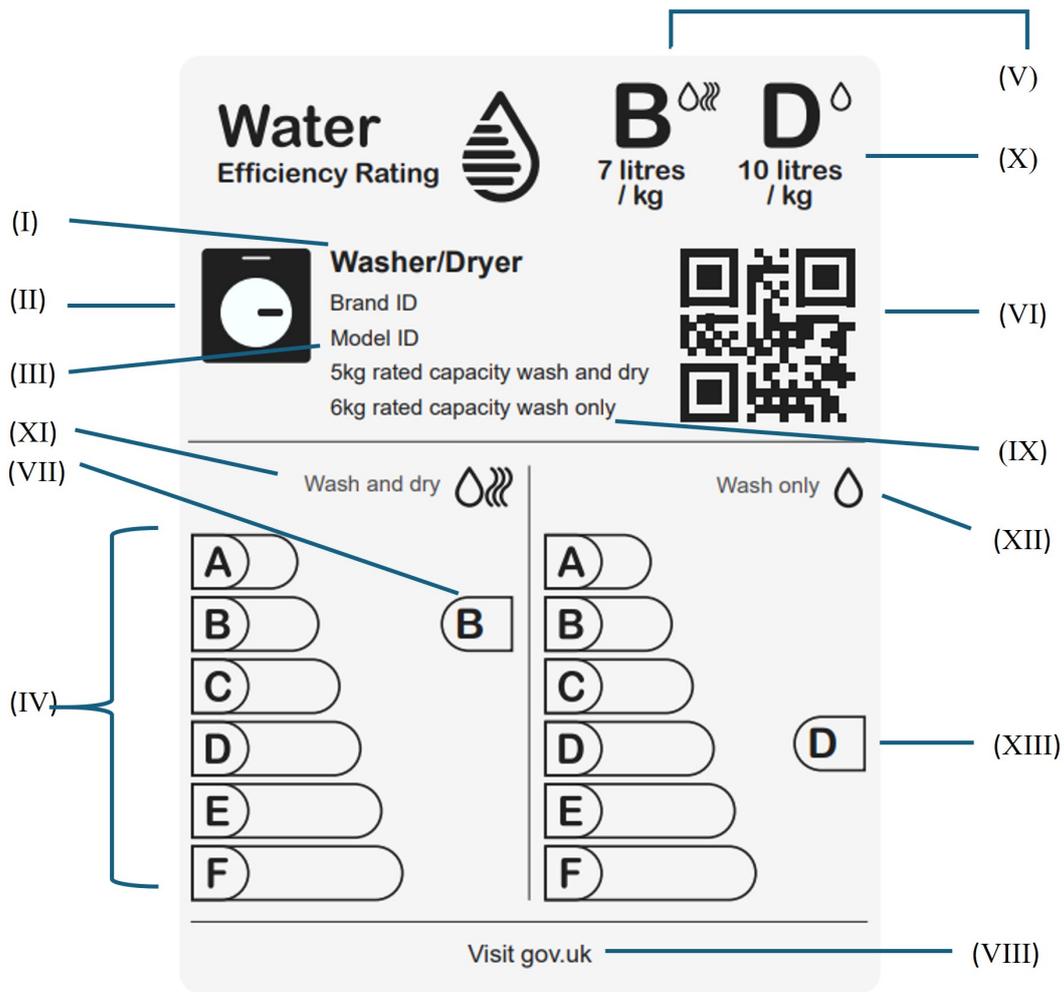
(a) Electric clothes washer-dryers for household use - Methods of measuring the performance (ISBN 978 0 539 23994 2).  
Published by the British Standards Institution on 1 December 2023.

the size of the label as displayed may be smaller provided that it is clearly visible and legible, and proportionate to the size of the selected label as specified in sub-paragraph (1).

9. The format of the standard size label in colour is as follows—



10. The format of the standard size label in monochrome is as follows—



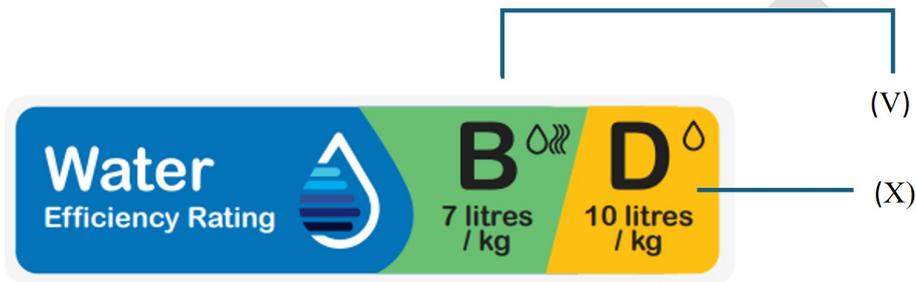
11. The format of the small size label with QR code in colour is as follows—



12. The format of the small size label with QR code in monochrome is as follows—



13. The format of the small size label without QR code in colour is as follows—



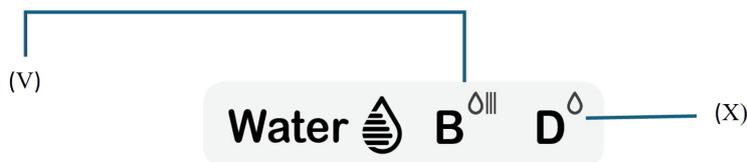
14. The format of the small size label without QR code in monochrome is as follows—



15. The format of the compact label with the text “Water” in colour is as follows—



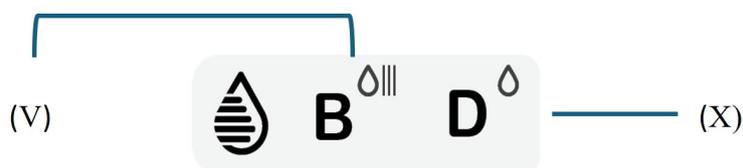
16. The format of the compact label with the text “Water” in monochrome is as follows—



17. The format of the compact label without the text “Water” in colour is as follows—



18. The format of the compact label without the text “Water” in monochrome is as follows—



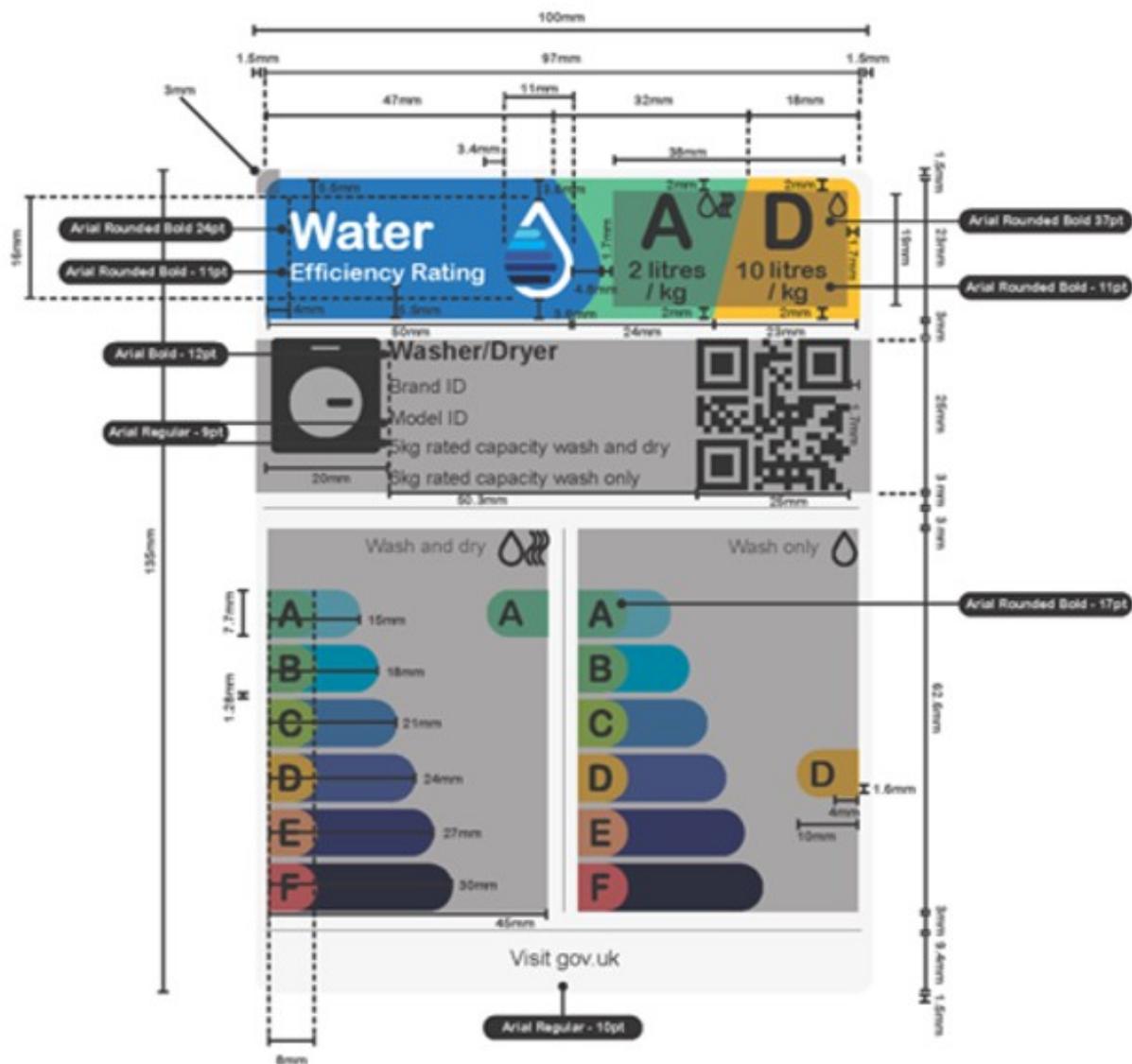
19. The following information must be included in the label where indicated on the relevant diagram—

- (a) point I: product type description (e.g. “Washer dryer”);
- (b) point II: product information icon (i.e. washer dryer image);
- (c) point III: brand ID and model ID;
- (d) point IV: performance panel with regard to wash and dry cycle (replicated for wash only cycle);
- (e) point V: water efficiency class with the litres used with regard to combined wash and dry cycle based on the eco cycle for the standard and small size labels, and without the litres used for the compact labels;
- (f) point VI: QR code;
- (g) point VII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class with regard to the combined wash and dry cycle;
- (h) point VIII: government website URL;
- (i) point IX: space for additional information including the drum capacity for the wash and dry cycle and the wash only cycle;
- (j) point X: water efficiency class with litres used with regard to wash only cycle based on the eco cycle for the full and small size labels, and without the litres used for the compact labels;
- (k) point XI: wash and dry icon;
- (l) point XII: wash only icon.
- (m) point XIII: marker positioned at the same level as the appropriate bar within the performance panel, indicating the product’s water efficiency class with regard to the wash only cycle.

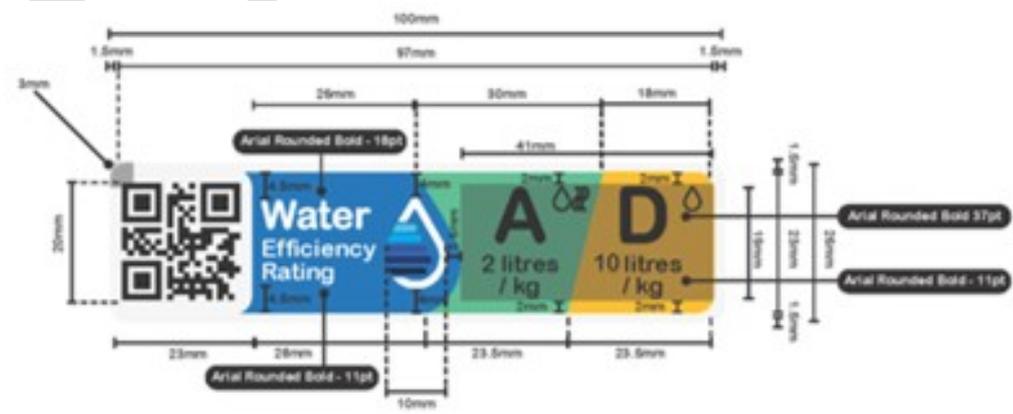
### Label design

20. The label designs displaying the measurements and fonts used are as follows.

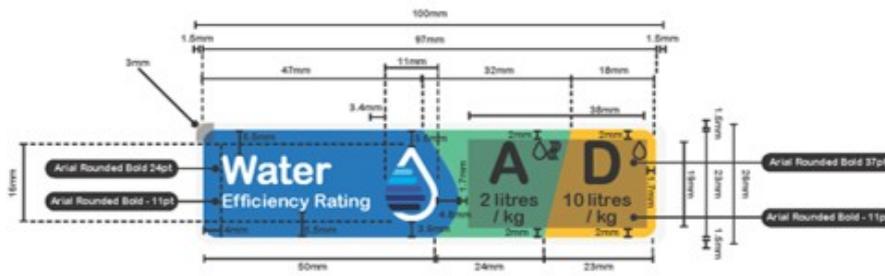
21. Standard size label—



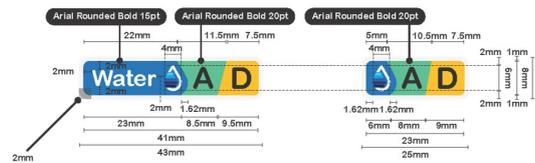
22. Small size label with QR code—



23. Small size label without QR code—



24. Compact label with and without the text “Water”—



25. In relation to the standard size label in colour—

- (a) the hex colour codes for the bars within the performance panel (to the extent they are shaded blue) are as follows—
  - (i) #46c5e5 for “A”;
  - (ii) #00adef for “B”;
  - (iii) #0073ba for “C”;
  - (iv) #2e4f99 for “D”;
  - (v) #1e266c for “E”;
  - (vi) #0a0f34 for “F”;
- (b) the hex colour codes for the head of each bar within the performance panel and the corresponding marker indicating the water efficiency class are as follows—
  - (i) #59bf92 (teal green) for “A”;
  - (ii) #69c072 (light green) for “B”;
  - (iii) #a0cc3a (sage green) for “C”;
  - (iv) #fdbf0f (yellow) for “D”;
  - (v) #fd9f66 (orange) for “E”;
  - (vi) #fd5059 (red) for “F”.

## Powers of entry and warrants

### Power to enter premises

1.—(1) An authorised person may enter premises, except any premises used wholly or mainly as a private dwelling house, at any reasonable hour for the purpose of enforcing these Regulations.

(2) An authorised person must, if requested to do so, produce a duly authenticated authorisation document.

(3) An authorised person may—

- (a) be accompanied by such other persons as the authorised person considers necessary; and
- (b) bring on to the premises such equipment as the authorised person considers necessary.

### Power to inspect, seize and detain products etc.

2.—(1) An authorised person may—

- (a) in order to ascertain if there has been a breach of these Regulations, inspect any products, goods, records, documents or information;
- (b) in order to ascertain if there has been a breach of these Regulations, require any person carrying on or employed in connection with a business to produce any products, goods, records, documents or information and take copies of—
  - (i) any document or record; or
  - (ii) any entry in any document or record;
- (c) in order to ascertain by testing or otherwise if there has been a breach of these Regulations, and reasonably suspecting such breach, seize and detain any products, goods, records, documents or information, providing that a warrant under paragraph 3 has been obtained;
- (d) seize and detain any products, goods, records, documents or information which may be required as evidence in any proceedings under these Regulations, providing that a warrant under paragraph 3 has been obtained;
- (e) for the purposes of exercising any powers or duties under these Regulations, but only if and to the extent reasonably necessary in order to secure that the provisions of these Regulations are observed—
  - (i) require any person having authority to do so to break open any container; and
  - (ii) if that person does not comply or if there is no person present having authority to open it, break it open using reasonable force, providing that a warrant under paragraph 3 has been obtained.

(2) An authorised person may require information stored electronically to be made available in printed form.

(3) An authorised person entering any premises whether under a power of entry under paragraph 1 or under a warrant under paragraph 3 must, if the occupier is present, give to the occupier or, if the occupier is absent, leave in a prominent place a notice—

- (a) summarising the authorised person's powers of seizure and detention of products, goods, records, documents and information;

- (b) disclosing at which office of the market enforcement authority and within which hours a copy of these Regulations is available to be consulted.
- (4) An authorised person entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.
- (5) An authorised person exercising any power of seizure and detention must—
  - (a) give to the person against whom the power has been exercised a written notice stating what has been seized and detained;
  - (b) detain those things only for as long as is necessary for the market enforcement authority to ascertain whether a breach of these Regulations, has occurred and if required present the evidence at court.

### **Warrants**

3.—(1) A justice of the peace may by signed warrant permit an authorised person or any other person to enter any premises in the exercise of the powers and duties under these Regulations, if necessary by reasonable force, if the justice in England and Wales on sworn information in writing, in Northern Ireland on a complaint on oath, or in Scotland by evidence on oath is satisfied—

- (a) that there are reasonable grounds to enter those premises for the purposes of enforcing these Regulations; and
  - (b) that any of the conditions in paragraph 4 is met.
- (2) Reference to a justice of the peace—
- (a) in Scotland includes a sheriff;
  - (b) in Northern Ireland is a reference to a lay magistrate.

### **Conditions for warrants**

4. The conditions are—
- (a) entry to the premises has been, or is likely to be, refused and notice of the intention to apply for a warrant has been given to the occupier;
  - (b) asking for admission to the premises, or giving such a notice, would defeat the object of the entry;
  - (c) entry is required urgently;
  - (d) the premises are unoccupied or the occupier is temporarily absent.

### **Duration of warrant**

5. A warrant under paragraph 3 is valid for one month.

## Testing

**Test purchases**

1. A market enforcement authority may, for the purpose of testing any product to ascertain whether any provision of these Regulations has been breached, purchase, or authorise an officer of the market enforcement authority to purchase, any product.

2.—(1) If a product so tested fails to comply with these Regulations, the market enforcement authority may recover its testing costs from the person who placed it on the market for the first time.

(2) Costs include in particular—

- (a) all the costs of purchasing and disposing of the product;
- (b) all the administration and labour costs including third party testing costs throughout the testing period.

(3) The market enforcement authority is not entitled to recover any costs proven to have been incurred unnecessarily.

**Notice of intent**

3.—(1) If the market enforcement authority proposes to recover its testing costs it must serve a notice of what is proposed (a “notice of intent”) within 20 days of obtaining proof that the product has failed to comply with these Regulations .

(2) The notice of intent must include—

- (a) a statement that the product has been tested and has failed to comply with these Regulations;
- (b) details of the tests carried out;
- (c) the amount to be paid;
- (d) a detailed breakdown of the testing costs incurred; and
- (e) information as to—
  - (i) the right to make representations and objections within 28 days beginning on the day on which the notice of intent was received;
  - (ii) the circumstances in which the market enforcement authority may not recover its costs.

**Making representations and objections**

4. A person upon whom a notice of intent has been served may, within 28 days beginning on the day on which the notice was received, make written representations and objections to the market enforcement authority in relation to the proposed recovery of costs.

## **Final notice**

5.—(1) Within 20 days following the end of the period for making representations and objections the market enforcement authority must decide whether to impose the requirements of the notice of intent with or without modifications.

(2) Where the market enforcement authority decides to impose a requirement, the notice imposing it (the “final notice”) must comply with paragraph 6.

## **Contents of the final notice**

6. A final notice must include—

- (a) a statement that the product has been tested and has failed to comply with these Regulations;
- (b) details of the tests carried out;
- (c) the amount to be paid and the period within which the payment must be made which must not be less than 28 days;
- (d) a detailed breakdown of the testing costs incurred;
- (e) information as to—
  - (i) how payment must be made;
  - (ii) the consequences of failing to comply with the notice within the specified period;
  - (iii) rights of appeal.

## **Appeal**

7.—(1) Any appeal under this Schedule must be made to the First-tier Tribunal.

(2) The Tribunal must determine the standard of proof.

(3) A notice under this Schedule is suspended pending appeal.

(4) The Tribunal may, in relation to the imposition of a requirement or service of a notice—

- (a) withdraw the notice;
- (b) confirm the notice;
- (c) vary the notice; or
- (d) remit the decision whether to confirm the notice, or any matter relating to that decision, to the market enforcement authority.

## **Mode of recovery**

8. The market enforcement authority may recover the amount due under a final notice as if payable under a court order or, in Scotland, as if it were payable under an extract registered decree arbitral bearing a warrant for execution issued by a sheriff of any sheriffdom.

## **Guidance**

9.—(1) The Secretary of State must publish guidance about the recovery of costs.

(2) The guidance must contain relevant information and the Secretary of State must update and revise the guidance where appropriate.

(3) The market enforcement authority must have regard to the guidance in exercising its functions.

(4) In this paragraph, “relevant information” is information about—

- (a) the circumstances in which a final notice under this Schedule is likely to be imposed and when it is not likely to be imposed;
- (b) how the costs of the test will be calculated;
- (c) the matters likely to be taken into account by the market enforcement authority in determining the amount to be recovered; and
- (d) the rights to make representations and objections and the rights of appeal.

## SCHEDULE 10

Regulation 23

### Civil sanctions

#### PART 1

##### Power to impose civil sanctions

###### **Market enforcement authority**

1. The market enforcement authority may impose a requirement upon a person to comply with a compliance notice, a stop notice, an enforcement undertaking or to pay a variable monetary penalty (a “civil sanction”) as set out in this Schedule in relation to an obligation it is responsible for enforcing pursuant to regulation 19(1) and (2) (a “relevant regulation”).

#### PART 2

##### Compliance notices and variable monetary penalties

###### **Compliance notice**

2.—(1) This paragraph applies where the market enforcement authority is satisfied beyond reasonable doubt that a person has failed to comply with a relevant regulation.

(2) The market enforcement authority may by notice (“a compliance notice”) impose on that person a requirement to take such steps as the market enforcement authority may specify, within such period as it may specify, to secure that the failure to comply does not continue or recur.

(3) A compliance notice may not be imposed on more than one occasion in relation to the same failure to comply.

###### **Imposition of a variable monetary penalty**

3.—(1) The market enforcement authority may by notice impose on any person in relation to a failure to comply with a relevant regulation a requirement to pay a monetary penalty to the market enforcement authority in such amount as it may determine (“a variable monetary penalty”).

(2) Before doing so the market enforcement authority must be satisfied beyond reasonable doubt that the person has failed to comply.

(3) A variable monetary penalty may not be imposed on more than one occasion in relation to the same act or omission.

(4) There is no limit to the amount of a variable monetary penalty.

(5) Before serving a notice relating to a variable monetary penalty the market enforcement authority may require the person on whom it is to be served to provide such information as is

reasonable to establish the amount of any financial benefit arising as a result of the failure to comply.

(6) The market enforcement authority may recover any variable monetary penalty imposed under this Schedule as if payable under order of the court.

### **Notice of intent**

4.—(1) If the market enforcement authority proposes to serve a compliance notice or a variable monetary penalty under this Part, it must serve on that person a notice of what is proposed (a “notice of intent”).

(2) The notice of intent must include—

- (a) the grounds for the proposed compliance notice or variable monetary penalty;
- (b) the requirements of the compliance notice or in the case of a variable monetary penalty the amount to be paid;
- (c) information as to—
  - (i) the right to make representations and objections within 28 days beginning with the day on which the notice of intent was received;
  - (ii) the circumstances in which the market enforcement authority may not impose the compliance notice or variable monetary penalty.

### **Making representations and objections**

5. A person on whom a notice of intent is served may within 28 days beginning with the day on which the notice was received make written representations and objections to the market enforcement authority in relation to the proposed imposition of a compliance notice or variable monetary penalty.

### **Third party undertakings**

6.—(1) A person on whom a notice of intent is served may offer an undertaking as to action to be taken by that person (including the payment of a sum of money) to benefit any third party affected by the failure to comply with these Regulations (“a third party undertaking”).

(2) The market enforcement authority may accept or reject such a third party undertaking.

(3) The market enforcement authority must take into account any third party undertaking that it accepts in its decision whether or not to serve a final notice and, if it serves a notice imposing a variable monetary penalty, the amount of the penalty.

### **Final notice**

7.—(1) After the end of the period for making representations and objections, the market enforcement authority must decide whether to impose the requirements in the notice of intent, with or without modifications.

(2) Where the market enforcement authority decides to impose a requirement, the notice imposing it (the “final notice”) must comply with paragraph 8 or 9 (whichever is relevant).

(3) The market enforcement authority may not impose a final notice on a person where the market enforcement authority is satisfied that the person has a reasonable excuse for the failure to comply.

### **Contents of final notice – compliance notice**

8. A final notice relating to a compliance notice must include information as to—
- (a) the grounds for imposing the notice;
  - (b) what compliance is required and the period within which it must be completed;
  - (c) rights of appeal; and
  - (d) the consequences of failing to comply with the notice.

### **Contents of final notice - variable monetary penalty**

9. A final notice relating to a variable monetary penalty must include information as to—
- (a) the grounds for imposing the penalty;
  - (b) the amount to be paid;
  - (c) how payment may be made;
  - (d) the period within which payment must be made which must be not less than 28 days;
  - (e) rights of appeal; and
  - (f) the consequences of failing to comply with the notice.

### **Appeals against a final notice**

- 10.—(1) The person receiving the final notice may appeal against it.
- (2) The grounds for appeal are—
- (a) that the decision was based on an error of fact;
  - (b) that the decision was wrong in law;
  - (c) in the case of a variable monetary penalty, that the amount of the penalty is unreasonable;
  - (d) in the case of a non-monetary requirement, that the nature of the requirement is unreasonable;
  - (e) that the decision was unreasonable for any other reason;
  - (f) that the decision was wrong for any other reason.

## **PART 3**

### **Stop notices**

#### **Stop notices**

- 11.—(1) The market enforcement authority may serve a notice (a “stop notice”) on any person—
- (a) in relation to a failure to comply with a relevant regulation, prohibiting a person from carrying on an activity specified in the notice until the person has taken the steps specified in the notice;
  - (b) where the market enforcement authority is of the opinion that a person is likely to make available on the market a product in a manner which does not comply with a relevant regulation, a requirement to take such steps as the market enforcement authority may specify within such period as it may specify, to secure that its being made available on the market is prohibited or restricted.
- (2) A stop notice may only be served where the person is—

- (a) carrying on the activity, and
- (b) the market enforcement authority reasonably believes that—
  - (i) the activity as carried on by that person involves or is likely to involve a breach of a relevant regulation; or
  - (ii) that person is likely to make available on the market a product in a manner which does not comply with a relevant regulation.

(3) The steps referred to in sub-paragraph (1)(a) and (b) must be steps to eliminate the risk of the breach being committed, or making available on the market a product in a manner which does not comply with the relevant regulation.

### **Contents of a stop notice**

12. A stop notice must include information as to—

- (a) the grounds for serving the stop notice and the activity which is prohibited;
- (b) the steps the person must take to comply with the stop notice;
- (c) rights of appeal;
- (d) the consequences of non-compliance;
- (e) the period within which the activity must stop.

### **Appeals**

13.—(1) The person on whom a stop notice is served may appeal against the decision to serve it.

(2) The grounds for appeal are—

- (a) that the decision was based on an error of fact;
- (b) that the decision was wrong in law;
- (c) that the decision was unreasonable;
- (d) that any step specified in the notice is unreasonable;
- (e) that the person has not committed the breach and would not have committed it had the stop notice not been served;
- (f) that the person was not likely to make a product available on the market in a manner which does not comply with a relevant regulation and would not have made it available on the market in such a manner if the stop notice had not been served;
- (g) that the person would not, by reason of any reasonable excuse, have been liable for breach had the stop notice not been served;
- (h) that the decision was wrong for any other reason.

### **Completion certificates**

14.—(1) The market enforcement authority must issue a certificate (a “completion certificate”) if, after service of a stop notice, the market enforcement authority is satisfied that the person has taken the steps specified in the notice.

(2) A stop notice ceases to have effect on the issue of a completion certificate.

(3) A person on whom a stop notice is served may at any time apply for a completion certificate.

(4) The market enforcement authority must decide whether to issue a completion certificate within 14 days of the application.

(5) A person on whom the stop notice was served may appeal against a decision not to issue a completion certificate on the grounds that—

- (a) the decision was based on an error of fact;
- (b) the decision was wrong in law;
- (c) the decision was unfair or unreasonable;
- (d) the decision was wrong for any other reason.

### **Compensation**

**15.**—(1) The market enforcement authority must compensate a person for loss suffered as the result of the service of the stop notice or the refusal of a completion certificate if a person has suffered loss as a result of the notice or refusal and—

- (a) a stop notice is subsequently withdrawn or amended by the market enforcement authority because the decision to serve it was unreasonable or any step specified in the notice was unreasonable;
- (b) a person successfully appeals against the stop notice and the First-tier Tribunal finds that the service of the notice was unreasonable; or
- (c) a person successfully appeals against the refusal of a completion certificate and the Tribunal finds that the refusal was unreasonable.

(2) A person may appeal against a decision not to award compensation or the amount of compensation on the grounds that—

- (a) the market enforcement authority's decision was unreasonable;
- (b) the amount offered was based on incorrect facts;
- (c) the decision was wrong for any other reason.

## **PART 4**

### **Enforcement undertakings**

#### **Enforcement undertakings**

**16.** The market enforcement authority may accept a written undertaking (an “enforcement undertaking”) given by a person to the market enforcement authority to take such action as may be specified in the undertaking within such period as may be specified where the market enforcement authority has reasonable grounds to suspect that the person has failed to comply with a relevant regulation.

#### **Contents of an enforcement undertaking**

**17.**—(1) An enforcement undertaking must specify—

- (a) action to be taken by the person to secure that the failure to comply does not continue or recur;
- (b) action to secure that the position is, so far as possible, restored to what it would have been if there had been no failure to comply; or
- (c) action (including the payment of a sum of money) to be taken by the person to benefit any person affected by the failure to comply.

(2) It must specify the period within which the action must be completed.

- (3) It must include—
- (a) a statement that the undertaking is made in accordance with this Schedule;
  - (b) the terms of the undertaking;
  - (c) information as to how and when a person is considered to have discharged the undertaking.
- (4) The enforcement undertaking may be varied, or the period within which the action must be completed may be extended, if both parties agree in writing.

#### **Acceptance of an enforcement undertaking**

18. If the market enforcement authority has accepted an enforcement undertaking then, unless the person from whom the undertaking is accepted has failed to comply with the undertaking or any part of it, the market enforcement authority may not impose on that person a compliance notice, stop notice or variable monetary penalty in respect of the act or omission to which the undertaking relates.

#### **Discharge of an enforcement undertaking**

19.—(1) If the market enforcement authority is satisfied that an enforcement undertaking has been complied with it must issue a certificate to that effect.

(2) The market enforcement authority may require the person who has given the undertaking to provide sufficient information to determine that the undertaking has been complied with.

(3) The person who gave the undertaking may at any time apply for such a certificate.

(4) The market enforcement authority must decide whether to issue such a certificate, and give written notice of the decision to the applicant, within 14 days of such an application.

(5) The person to whom the notice is given may appeal against a decision not to issue a certificate on the grounds that the decision—

- (a) was based on an error of fact;
- (b) was wrong in law;
- (c) was unfair or unreasonable;
- (d) was wrong for any other reason.

#### **Inaccurate, incomplete or misleading information**

20.—(1) A person who has given inaccurate, misleading or incomplete information in relation to an enforcement undertaking is regarded as not having complied with it.

(2) The market enforcement authority may by notice in writing revoke a certificate issued under paragraph 19 if it was issued on the basis of inaccurate, incomplete or misleading information.

#### **Non-compliance with an enforcement undertaking**

21.—(1) If a person does not comply with an enforcement undertaking the market enforcement authority may—

- (a) serve a compliance notice, stop notice or variable monetary penalty; or
- (b) bring criminal proceedings.

(2) If a person has complied partly but not fully with an undertaking, that partial compliance must be taken into account in the imposition of any criminal or other sanction on the person.

## PART 5

### Withdrawal and amendment

#### Withdrawing or amending a notice

22. The market enforcement authority may at any time in writing—
- (a) withdraw a notice imposing a variable monetary penalty or reduce the amount specified in the notice;
  - (b) withdraw a compliance notice or stop notice or amend the steps in order to reduce the amount of work necessary to comply with the notice.

## PART 6

### Appeals

#### Appeals

- 23.—(1) Any appeal under this Schedule must be made to the First-tier Tribunal.
- (2) An appeal must be brought within 28 days of the date on which the notice or decision is received.
- (3) In any appeal (except in relation to a stop notice) where breach of these Regulations is an issue requiring determination, the market enforcement authority must prove the breach by the person beyond reasonable doubt.
- (4) In any other case the Tribunal must determine the standard of proof.
- (5) All notices (other than stop notices) are suspended pending appeal.
- (6) The Tribunal may, in relation to the imposition of a requirement or service of a notice—
- (a) withdraw the requirement or notice;
  - (b) confirm the requirement or notice;
  - (c) vary the requirement or notice;
  - (d) take such steps as the market enforcement authority could take in relation to the act or omission giving rise to the requirement or notice;
  - (e) remit the decision whether to confirm the requirement or notice, or any matter relating to that decision, to the market enforcement authority.

## PART 7

### Guidance and publicity

#### Guidance as to use of civil sanctions

- 24.—(1) The market enforcement authority must publish guidance about its use of civil sanctions.
- (2) The market enforcement authority must revise and update the guidance where appropriate.
- (3) The market enforcement authority must have regard to the guidance or revised and updated guidance in exercising its functions.

(4) In the case of guidance about compliance notices, stop notices and variable monetary penalties the guidance must contain information as to—

- (a) the circumstances in which the civil sanction is likely to be imposed; and
- (b) the circumstances in which it is not likely to be imposed.

(5) In the case of guidance about variable monetary penalties, the guidance must contain information about—

- (a) the matters likely to be taken into account by the market enforcement authority in determining the amount of the penalty (including voluntary reporting by a person of their own non-compliance); and
- (b) rights to make representations and objections and rights of appeal.

(6) In the case of guidance about enforcement undertakings the guidance must contain information as to—

- (a) the circumstances in which the market enforcement authority is likely to accept an enforcement undertaking; and
- (b) the circumstances in which the market enforcement authority is not likely to accept an enforcement undertaking.

#### **Consultation on guidance**

**25.** The market enforcement authority must consult such persons as it considers appropriate before publishing any guidance or revised guidance.

#### **Publication of enforcement action**

**26.—**(1) The market enforcement authority must from time to time publish—

- (a) the cases in which civil sanctions have been imposed;
- (b) where the civil sanction is a compliance notice, stop notice or variable monetary penalty, the cases in which a third party undertaking has been accepted;
- (c) cases in which an enforcement undertaking has been entered into.

(2) In sub-paragraph (1)(a) the reference to cases in which civil sanctions have been imposed does not include cases where the sanction has been imposed but overturned on appeal.

(3) This paragraph does not apply in cases where the market enforcement authority considers that publication would be inappropriate.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations lay down a framework that applies to the placing on the market or putting into service certain products which consume water. It provides for the labelling of those products and the provision of standard product information regarding consumption of water during use and supplementary information concerning these products.

Regulation 1 covers the extent of these Regulations. To note that the provisions in these Regulations relating to electric showers, dishwashers, washer dryers and washing machines do not extend to Northern Ireland.

Regulations 3 and 4 set out the products to which these Regulations apply (in addition to the products already mentioned above, these Regulations also apply to taps, non-electric showers, toilets and urinals). Schedules 1 to 7 set out how the water efficiency class is to be determined and the label requirements according to product type.

Regulations 5 to 10 set out the obligations of suppliers relating to labels, product information sheets, technical documentation, database registration, validation of water efficiency class, and promotional material.

Regulations 11 to 13 set out the obligations of dealers relating to labels and promotional material, and also the obligations on persons responsible for online marketplaces.

Regulations 14 to 17 contains provision on the retention of technical documentation, misleading information, information notices, information sharing and the publication of information.

Regulation 19 provides for enforcement so that the Secretary of State enforces those obligations which relates to suppliers and persons responsible for online marketplaces, and local trading standards (or the Department for the Economy in Northern Ireland) enforce those obligations which relate to dealers.

Regulation 20 provides that the market enforcement authority may authorise any suitable person to act for it. Regulations 21 and 22 introduce Schedules 8 (powers of entry and warrants) and 9 (testing), which contain related provision relevant to enforcement.

Regulation 23 introduces Schedule 10 which contains provision on the civil sanctions available for the purposes of enforcement.

Regulations 24 and 25 create offences for failure to comply with a civil sanction and obstruction. Regulations 26 to 28 contain related provision.

Regulation 29 extends the scope of the primary authority scheme contained within the Regulatory Enforcement and Sanctions Act 2008 (c. 13) by amending Schedule 3 to that Act so as to include appropriate reference to these Regulations as it applies in England and in Wales. The primary authority scheme provides a statutory framework for a business to form a partnership with a local authority in order to receive support in relation to specific areas of regulation.

A full impact assessment of the effect that these Regulations will have on the costs of business, the voluntary sector and the public sector is available from the Department for Environment, Food and Rural Affairs, Seacole Building, 2 Marsham Street, London, SW1P 4DF and is published with the Explanatory Memorandum alongside these Regulations on [www.legislation.gov.uk](http://www.legislation.gov.uk).