

**Royal Decree aimed at determining the goods covered by the durability index, the technical standards for establishing the scores for each of the criteria and the methodology for calculating the durability index**

<b>DRAFT</b>
<b>KINGDOM OF BELGIUM</b>
FEDERAL PUBLIC SERVICE PUBLIC HEALTH, FOOD CHAIN SAFETY AND THE ENVIRONMENT
<b>Royal Decree aimed at determining the goods covered by the durability index, the technical standards for establishing the scores for each of the criteria and the methodology for calculating the durability index</b>
PHILIPPE, King of the Belgians,
To all those present and to come, Greetings.
Having regard to Article 5(2) of the Law of XXX 2024 on the promotion of the repairability and durability of goods;
Having regard to the opinion of the Finance Inspector, issued on <b>xxx</b> ;
Having regard to the agreement of the Secretary of State for the Budget, issued on <b>xxx</b> ;
Having regard to Opinion <b>xxx</b> of the Council of State, issued on <b>xxx</b> , pursuant to Article 84(1), subparagraph 1(2), of the Laws on the Council of State, consolidated on 2 January 1973;
On the proposal of Our Minister for the Environment,
We hereby decree:

**Article 1.**

§1 The durability index provided for in Article 5 of the Law of XXX March 2024 on the promotion of the reparability and durability of goods consists of a score out of ten intended to be made known to consumers at the time of the purchase of a new good.

§2. For each product category covered by this Decree, this durability index replaces the reparability index provided for in Article 4(2) of the Law of 8 February 2024, from the entry into force of the durability index for the category of goods concerned.

This index relates to each of this good's models.

**Article 2.**

For the purposes of this Decree, the following definitions apply:

(1) "household washing machines": front-loading or top-loading household washing machines falling within the scope of Commission Regulation (EU) 2019/2023 of 1st October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010.

(2) "television sets": television sets falling within the scope of Commission Regulation (EU) 2019/2021 of 1st October 2019 laying down ecodesign requirements for electronic displays pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EC) No 642/2009.

(3) "graphics": a design intended for visual communication which combines image and text.

(4) 'Royal Decree of xxx 2024': the Royal Decree of xxx 2024 aimed at determining the goods covered by the reparability index, the technical standards for establishing the scores for each of the criteria and the methodology for calculating the reparability index.

**Article 3.**

The following goods placed on the market for the first time are covered by the durability index pursuant to Article 5(2) of the Law of 8 February 2024 on the promotion of the reparability and durability of goods:

(1) household washing machines;

(2) television sets;

Goods designed to be used exclusively in a professional setting are excluded from this

article.

**Article 4.**

The durability index shall be calculated on the basis of the following parameters:

- (a) A score out of ten relating to the repairability of the goods;
- (b) A score out of ten on the reliability of the goods;
- (c) Where appropriate, a score out of ten relating to software and hardware updates of the goods;

The durability index shall be obtained from the scores mentioned in (a), (b) and (c) and is expressed as one combined score on a scale of 0 to 10.

**Article 5.**

For each category of goods referred to in Article 3, the technical standards, criteria and methodology for calculating the durability index shall be specified in Annex 1 to this Decree.

This Annex is made available to manufacturers and importers by the Federal Public Service for Health, Food Chain Safety and the Environment at least in Dutch, French, German and English.

**Article 6.**

The method for calculating the durability index pursuant to Article 5(2) of the Law of 8 February 2024 on the promotion of the repairability and durability of goods is established in accordance with Annex 2 to this Decree.

**Article 7.**

§1 Manufacturers or importers shall establish the durability index of the goods they place on the market in accordance with Articles 3, 4, 5 and 6.

§2 Manufacturers or importers shall communicate to sellers and distributors, free of charge, at the time of listing and delivery of the goods, the durability index as well as the technical standards for establishing the scores for each criterion of the index.

§3 Where the distributors and sellers are different entities, they shall communicate to sellers, free of charge, at the time of listing and delivery of the goods, the durability index as well as the technical standards for establishing the scores for each criterion of the index.

§4 Manufacturers or importers shall communicate via a website or via a centralised database, free of charge, to any interested person the durability index, the technical standards of the object and the details of the calculation that enabled the durability index to be established.

**Article 8.**

§ 1. Sellers shall inform consumers, free of charge, about the durability index, by displaying it visibly, close to the price, in accordance with Article 9 of this Decree.

§2 Sellers shall make available to consumers the object's technical standards as well as the details of the calculation for establishing the durability score by redirecting to the website mentioned in Article 7(4) of this Decree. Sellers shall display, close to the price, a URL or QR code that allows access to the website.

**Article 9.**

§ 1. The Minister shall determine, by means of a ministerial order, the display referred to in Article 8 in respect of the graphics, the indications and the pictogram.

§2 The Minister shall determine, by means of a ministerial order, the colour code established according to the durability index obtained.

§3 The font size of the index score digits shall be at least equivalent to the font size of the price figures on the shelf or on the website page. Any adjustment to the size of this signage must retain the proportions of the elements.

§4 The durability index shall be presented in the form of a score out of 10, which may have up to one decimal place. If the number after the first decimal place is less than 5, the score is rounded down to the lower decimal. If the number after the first decimal place is greater than or equal to 5, the score is rounded up to the higher decimal.

**Article 10.**

§ 1. The Minister shall determine, by means of a ministerial order, the format of the URL and the QR code, mentioned in Article 8(2) of this Decree.

§2 The font size of the URL and the QR code, mentioned in Article 8(2) of this Decree, must be at least equivalent to the font size of the price figures.

**Article 11.**

For the goods referred to in Article 3, the obligation to calculate and communicate the reparability index, as provided for in the Royal Decree of XXX, shall be repealed, except for models placed on the market before the entry into force of this Decree and which are no longer placed on the market from that date. For these models, the reparability index must be displayed until the last unit of the model is sold.

**Article 12.**

This Decree shall enter into force on XXX.

**Article 13.**

The Minister in charge of the Environment shall be responsible for the implementation of this Decree.

Brussels, [date]

By the King:

PHILIPPE

The Minister for the Environment,

The Minister for the Economy