



STATUTORY INSTRUMENTS.

S.I. No. 477 of 2018

EUROPEAN UNION (CONSUMER INFORMATION ON FUEL
ECONOMY AND CO₂ EMISSIONS OF NEW PASSENGER CARS)
(AMENDMENT) REGULATIONS 2018

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purposes of giving effect to Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999¹, as amended by Directive 2003/73/EC of the European Parliament and of the Council of 24 July 2003², and Article 7(1) and (2) of Directive 2014/94/EC of the European Parliament and of the Council of 22 October 2014³, hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the European Union (Consumer Information on Fuel Economy and CO₂ Emissions of New Passenger Cars) (Amendment) Regulations 2018.

(2) These Regulations come into operation on the 01 January 2019.

Definitions

2. In these Regulations—

“Regulations of 2001” means the European Communities (Consumer Information on Fuel Economy and CO₂ Emissions of New Passenger Cars) Regulation 2001 (S.I. No. 339 of 2001);

“Regulations of 2008” means the European Communities (Consumer Information on Fuel Economy and CO₂ Emissions of New Passenger Cars) (Amendment) Regulation 2008 (S.I. No. 230 of 2008).

Definitions — Regulations of 2001

3. Article 3(1) of Regulations of 2001 is amended—

(a) by inserting the following definitions:

“ ‘authorised body’ means the Society of the Motor Industry of Ireland;

‘Commission Regulation 692/2008’ means Commission Regulation (EC) No 692/2008 of 18 July 2008⁴;

¹O.J. No. L 12, of 18.01.2000, p. 16.

²O.J. No. L 186, of 25.07.2003, p.34

³O.J. No. L 307, of 28.10.2014, p.1

⁴OJ No. L 199, 28.7.2008, p.1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 23rd November, 2018.*

‘Commission Regulation 2017/1151’ means Commission Regulation (EU) 2017/1151 of 01 June 2017⁵;

‘I.S. EN’ means European Standard as adopted by the National Standards Authority of Ireland;

‘official fuel consumption’ means in relation to a model of light passenger and commercial vehicle, the fuel consumption figures for that model measured in accordance with Commission Regulation 2017/1151, and contained in the relevant EC type approval certificate or EC certificate of conformity, except that where a model comprises more than one variant or version it means the highest such figures for any of those variants or versions;

‘official specific emissions of CO₂’ means in relation to a model of model of light passenger and commercial vehicle, the specific emissions of CO₂ figures for that model measured in accordance with the provisions of Commission Regulation 2017/1151, and contained in the relevant EC type approval certificate or EC certificate of conformity, except that where a model comprises more than one variant or version it means the highest such figures for any of those variants or versions;

‘recharging point’ means an interface that is capable of charging one electric vehicle at a time or exchanging a battery or one electric vehicle at a time.”,

and

(b) by substituting for the definition of “the Minister” the following:

“ ‘Minister’ means Minister for Transport, Tourism and Sport;”.

Scope of Regulations of 2001

4. The Regulations of 2001 are amended by substituting for article 4 the following:

“4. These Regulations specify the information relating to the fuel type, fuel economy and CO₂ emissions of new passenger cars offered for sale or lease in the State to be made available to consumers in order to enable consumers to make an informed choice”.

Fuel economy label

5. Article 5 of the Regulations of 2001 is amended by substituting for sub-article (1) (inserted by the Regulations of 2008) the following:

“(1) A distributor shall ensure that a label, in accordance with the format and containing the information specified by the authorised body, is attached to, or displayed near, in a clearly visible manner, each new model at a point of sale. The authorised body may specify the

⁵OJ No. L 175, 7.7.2017, p.1

information referred to in this paragraph in writing, on its official headed paper, referring to this article.”.

Fuel economy guide

6. Article 6 of the Regulations of 2001 are amended—

(a) by substituting for sub-article (1) the following:

“(1) The authorised body shall, in consultation with the manufacturers of passenger cars, produce a portable or online, compact guide, hereinafter referred to as “the guide”, on fuel economy and CO₂ emissions for all makes and models of new passenger car offered for sale or lease in the State.”,

and

(b) by inserting after sub-article 5 the following:

“(5A) The guide shall contain data provided to the authorised body in relation to the fuel economy and CO₂ emissions of all makes and models of new passenger cars referred to in the guide by their manufacturers.”.

Disclaimer and fuel information

7. The following articles are inserted after article 5 of the Regulations of 2001:

“Disclaimer end-of-series vehicles

5A. In the case of end-of-series vehicles, where official fuel consumption values and official specific emissions of CO₂ values are New European Test Cycle (NEDC) values in accordance with Commission Regulation 692/2008, those values shall be accompanied by a disclaimer that the vehicle is an end-of-series vehicle and that values are not comparable to the World Harmonised Light Vehicles Test Procedure (WLTP) values in accordance with Commission Regulation 2017/1151.

Fuel information

5B. (1) A distributor shall ensure that relevant, consistent and clear information is made available for motor vehicles which can be regularly fuelled by individual fuels placed on the market, or recharged by recharging points, in accordance with Article 7(1) and (2) of Directive 2014/94/EC of the European Parliament and of the Council of 22 October 2014³. Such information shall be made available in motor vehicle manuals, on motor vehicles and in motor vehicle dealerships.

(2) The supply of information referred to in sub-article (1) shall be based on the labelling provisions regarding fuel compliance under I.S. EN 16942:2016 for liquid and gaseous fuelled vehicles and I.S. EN 17186 for electric vehicles, from their date of publication by the National Standards Authority of Ireland.”.

Offences

8. Article 13 of the Regulations of 2001 is amended—

(a) by inserting in sub-article (1) after paragraph (f) the following:

“(fa) fail to provide a disclaimer in accordance with article 5A,

(fb) fail to provide information in accordance with article 5B,”

and

(b) by substituting for sub-article (2) the following:

“(2) A person who commits an offence under this article is liable on summary conviction to a class A fine.”.



GIVEN under my Official Seal,
20 November 2018.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These amended Regulations give effect to Council Directive 1999/94/EEC relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars and to Directive 2014/94/EU relating to the provision of consumer information on fuel type of new passenger cars on motor vehicles and in motor vehicle dealerships. The regulations specify the requirements for consumer information to be displayed on new car labels and posters at points of sale. A consumer information guide is required to be produced by an authorised body (the Society of the Irish Motor Industry) and to be made available centrally and at all points of sale. Promotional literature and material must also include relevant consumer information and may not contain information which may confuse customers. CO₂ emissions should be based on WLTP results unless otherwise stated.

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