



EUROPEAN COMMISSION
Impact Assessment Board

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Opinion

Title **Impact Assessment on a Commission Regulation implementing Directive 2009/125/EC with regard to eco-design requirements for computers, servers and displays**

(resubmitted draft version of 29 October 2010)

(A) Context

The proposed eco-design implementing regulation is based on the Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the Commission to set eco-design requirements for energy-related products.

The Directive establishes both conditions for when a product/group of products should be covered by an implementing measure, such as sales volume and potential for improvement, as well as sets out a number of conditions that an implementing measure needs to take into account, such as product functionality or impact on business competitiveness.

(B) Overall assessment

While the proposed measures are likely to bring tangible results in terms of energy and CO2 savings, the revised IA report explains better that these appear to be limited when compared to the unprompted improvement under the baseline scenario. Following the recommendations from the first IAB opinion, the revised report provides greater clarity on the scope of feasible policy options, impacts on SMEs and the results of the cost-benefit analysis. Nevertheless, further clarification is needed on: (i) how the minimum requirements for computers and displays will be updated given the market dynamics, (ii) which further products, such as servers, will be regulated and (iii) how the required least life cycle costs approach has been applied.

(C) Main recommendations for improvements

(1) Clarify the timetable for possible minimum standards for other products, such as advanced workstations, servers and thin client workstations. The information on the number of units in various equipment categories discussed in the baseline scenario should be complemented with an estimate of the total energy used across each category.

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For those categories where a significant potential for energy savings is expected, e.g. servers, and which are not covered by this implementing measure on computers, the IA report needs to provide a clear timetable for further work, including timing of the impact assessment and stakeholder consultation.

(2) Explain more fully how the minimum requirements will be updated over time, given the high innovation rate in the sector. Section 4.11 on revision dates should be complemented by an analysis on how to take into account in the revision process the high market dynamics; the risks of technology lock-in and uncertainty about possible more stringent requirements in the future, and the need for (minimum) regulatory stability. Furthermore, the IA report should clarify to what extent the timing of future revisions would be coordinated with other planned revisions, such as the implementing measure on stand-by power usage, Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment or a future Eco-design implementing measure on servers.

(3) Clarify to what extent the proposed measure is compatible with the life cycle costs approach required in the Eco-design Directive. The IA report should provide a fuller explanation how the least life cycle costs for computer equipment can be achieved given the multitude of available configurations and usage patterns. The report needs to demonstrate more explicitly, how the policy options satisfy or contribute to the requirement for the least life cycle costs and to what extent there are trade-offs between setting the minimum requirements based on least life cycle costs or based on the ENERGY star approach.

(D) Procedure and presentation

The procedure and presentation requirements have been complied with.

(E) IAB scrutiny process

Reference number	2010/ENER+/004 (catalogue)
External expertise used	No
Date of IAB meeting	Written procedure (previous IAB opinion issued on 21 May 2010)