



Greenhouse and Energy Minimum Standards (Television) Determination 2013 (No.2)¹

Greenhouse and Energy Minimum Standards Act 2012

I, GARY GRAY, Minister for Resources and Energy, make this Determination, under section 23 and section 35 of the *Greenhouse and Energy Minimum Standards Act 2012*.

Dated 29 July 2013

Gary Gray

Minister for Resources and Energy

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1 Name of Determination

This Determination is the *Greenhouse and Energy Minimum Standards (Television) Determination 2013 (No.2)*.

2 Commencement, Revocation and Replacement

- (1) This Determination comes into force on the day after it is registered.
- (2) This Determination revokes and replaces the *Greenhouse and Energy Minimum Standards (Television) Determination 2013 (F2013L00630)*.

3 Definitions

In this Determination:

Act means the *Greenhouse and Energy Minimum Standards Act 2012*.

AS/NZS 4665.1:2005 means *Australian/New Zealand Standard AS/NZS 4665.1:2005 Performance of external power supplies – Test method and energy performance mark*, as it existed on the date this Determination came into force.

Note 1: AS/NZS 4665.1:2005 is available from Standards Australia Limited.

Note 2: AS/NZS 4665.1:2005 includes all amendments up to and including AS/NZS 4665.1:2005/Amdt 1:2009 made on 27 February 2009.

AS/NZS 62087.1:2010 means *Australian/New Zealand Standard AS/NZS 62087.1:2010 Power consumption of audio, video and related equipment - Methods of measurement*, as it existed on the date this Determination came into force.

Note: AS/NZS 62087.1:2010 is available from Standards Australia Limited.

AS/NZS 62087.2.2:2011 means *Australian/New Zealand Standard AS/NZS 62087.2.2:2011 Power consumption of audio, video and related equipment - Minimum energy performance standards (MEPS) and energy rating label requirements for television sets*, as it existed on the date this Determination came into force.

Note 1: AS/NZS 62087.2.2:2011 is available from Standards Australia Limited.

Note 2: AS/NZS 62087.2.2:2011 includes all amendments up to and including AS/NZS 62087.2.2/Amdt 2:2012 made on 14 December 2012.

Australian/New Zealand Standard means a standard that is jointly published by Standards Australia and Standards New Zealand, is applicable in both countries and denoted by the letters “AS/NZS” and identifying numbers and/or letters.

Australian Standard means a standard that is published by Standards Australia Limited denoted by the letters “AS” and identifying numbers and/or letters.

IEC Standard means a standard that is published by, or on behalf of, the International Electrotechnical Commission.

IEEE standard means a standard that is published by Institute of Electrical and Electronics Engineers Publications denoted by the letters “IEEE” and identifying numbers and/or letters.

sold in modular form means the display or monitor is sold with an accompanying external television tuner.

standard means an Australian Standard, an Australian/New Zealand Standard, an IEC Standard, an IEEE standard or any other equivalent document.

television means an appliance for the display and possible reception of television broadcast and similar services for terrestrial, cable, satellite and broadband network transmission of analogue or digital signals, and includes:

- (a) a display or monitor with an inbuilt television tuner;
- (b) a display or monitor without an inbuilt television tuner sold in modular form; and
- (c) a television that has additional functions which are not required for its basic operation as a television.

Note: This is the same meaning as in subclause 3.1.12 of AS/NZS 62087.1:2010.

Note: Several other words and expressions used in this Determination have the meaning given by section 5 of the Act. For example:

- category A product
- covered by
- family of models
- GEMS
- GEMS labelling requirements
- GEMS level requirements
- model
- product classes
- supply
- transitional GEMS labelling requirements

4 Interpretation

- (1) If a term or phrase is not defined under the Act, the Regulations to the Act or in this Determination, but the term is defined in a standard mentioned specifically in section 3 of this Determination, the term or phrase is to be read for the purposes of this Determination as having the meaning of the term under the relevant standard.

Note: Notwithstanding this, for convenience to users, the key terms for ascertaining if a product is covered by this Determination are defined in this Determination.

- (2) For the purposes of this Determination the applicable version of any document, including a standard, that:

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- (a) is referred to in a standard under the heading ‘Normative References’ or under an equivalent heading in a standard; and
 - (b) must be applied to give effect to this Determination or a standard referred to in this Determination,

is the version of the document, including a standard, that existed at the date this Determination came into force.

Note: For example clause 3.2 of AS 62087.2.2:2011 requires that ‘On (average)’ power measurements shall be performed using the dynamic broadcast video signals and using the measuring conditions specified for television sets in ‘On (average)’ mode as specified in AS/NZS 62087.1:2010. The applicable version of AS/NZS 62087.1:2010 is the version that existed at the date this Determination came into force.

5 Specified product class covered by this Determination

- (1) This Determination covers televisions that are designed to be connected to 230 or 240 volts mains voltage by means of:
 - (a) a direct connection;
 - (b) a power supply permanently connected to the television (including a power supply within the television, as a component and so the user only sees a 230 or 240 volts alternating current supply connection); or
 - (c) an external power supply that:
 - (i) can be disconnected from the television; and
 - (ii) can be operated without batteries; and
 - (iii) is not specifically for charging batteries.

Note 1: This subsection reflects the scope specified in clause 1.3 of AS/NZS 62087.2.2:2011.

Note 2: This subsection specifies products that are covered by the Determination. See subsection (3) for products that are not covered.

- (2) The products covered by this Determination form a single product class for the purposes of the Act.
- (3) For subsection 23 (2) of the Act, this Determination does not cover a television that:
 - (a) does not have a tuner and is not sold in a modular form; or
 - (b) displays broadcasts by means of front or rear projection.

Note: This subsection reflects the exclusions in clause 1.2 of AS/NZS 62087.2.2:2011.

6 GEMS level requirements

Energy use and greenhouse gas production

- (1) For paragraphs 24 (1) (a) and 25 (a) of the Act, the specified requirements for energy use are the requirements mentioned in clause 5.3 of AS/NZS 62087.2.2:2011.

Conducting tests

- (2) Subject to subsection 6 (3) of this Determination, for paragraphs 24 (1) (a) and 25 (b) of the Act, the specified requirements for conducting tests are the requirements mentioned in section 3 of AS/NZS 62087.2.2:2011.

Television with external power supply that can be disconnected

- (3) For subsection 6 (2) of this Determination, for televisions that are powered by an external power supply that can be disconnected from the television, all energy performance measurements are to include the energy consumption of the external power supply, as follows:
- (a) if the external power supply is supplied with the television—the television is to be tested with that external power supply; and
 - (b) if the external power supply is not supplied with the television—the television is to be tested with an external power supply of Energy Performance Mark III within the meaning of that term in AS/NZS 4665.1:2005.

7 GEMS labelling requirements

Labelling and communication requirements

- (1) For paragraphs 24 (1) (b), 26 (1) (a) and 26 (1) (b) of the Act, the specified labelling and communication requirements are the requirements mentioned in section 4 (Energy Label) of AS/NZS 62087.2.2:2011, but excluding:
- (a) the sentence in clause 4.1 of AS/NZS 62087.2.2:2011—“In Australia, until 31 March 2013, and in New Zealand, when Tier 1 MEPS and Labelling requirements are incorporated by reference into legislation in New Zealand— $BEC = \text{base energy consumption calculated as } 127.75 + 0.1825 \times \text{Screen area (cm}^2\text{)}$ ”; and
 - (b) the words in clause B3 (a) (ii) of Appendix B of AS/NZS 62087.2.2:2011—“for products manufactured or imported before 1 October 2013”.

Note 1: This section specifies the GEMS labelling requirements for Tier 2 MEPS and labelling as set out in AS/NZS 62087.2.2:2011. This requirement replaces the GEMS labelling requirements in the *Greenhouse and Energy Minimum Standards (Television) Determination 2012* (F2012L02115) which were for Tier 1 MEPS and labelling in AS/NZS 62087.2.2:2011.

Note 2: The GEMS labelling requirements include the use of the transitional label set out in Figure B6 of Appendix B of AS/NZS 62087.2.2:2011. This label can be used instead of the Tier 2 base label for all products covered by this Determination for the whole time this Determination is in force.

Conducting tests

- (2) For paragraphs 24 (1) (b) and 26 (1) (c) of the Act, the specified requirements for conducting tests are the requirements mentioned in section 3 of AS/NZS 62087.2.2:2011.

Transitional GEMS labelling requirements

- (3) For paragraphs 24 (1) (b), 26 (1) (a) and 26 (1) (b) of the Act, the specified transitional GEMS labelling requirements are either:
- (a) the labelling requirements in section 7 of the *Greenhouse and Energy Minimum Standards (Television) Determination 2012* (F2012L02115); or
 - (b) the labelling requirements in sections 7 (1) and 7 (2) of this Determination.
- (4) The specified transitional GEMS labelling requirements are applicable only to products that were registered under the *Greenhouse and Energy Minimum Standards (Television) Determination 2012* (F2012L02115) and meet the requirements in section 6 of this Determination.

Note: The *Greenhouse and Energy Minimum Standards (Television) Determination 2012* (F2012L02115) was revoked by the *Greenhouse and Energy Minimum Standards (Television) Determination 2013* (F2013L00630). However, the labelling requirements in section 7 of the *Greenhouse and Energy Minimum Standards (Television) Determination 2012* (F2012L02115) are an alternative to the labelling requirements in subsections 7(1) and 7(2) of this Determination for the purposes of the transitional labelling requirements.

8 Other GEMS requirements

Performance requirements

- (1) For subsection 24 (2) and paragraph 27 (1) (b) of the Act, the specified requirements relating to the performance of products are the requirements mentioned in the following clauses of AS/NZS 62087.2.2:2011:
- (a) 2.1 (Recommended Home Viewing Picture Mode);
 - (b) 2.2 (User Selection of the Recommended Home Viewing Picture Mode);
 - (c) 2.3 (Implementation of Picture Set-up or Installation Menus);
 - (d) 2.4 (Picture Mode Luminance); and
 - (e) 2.5 (On Screen Warning When Set In ‘Store’ Mode).

Conducting tests

- (2) For subsection 24 (2) and paragraph 27 (1) (e) of the Act, the specified requirements for conducting tests are the requirements mentioned in clause 2.4 of AS/NZS 62087.2.2:2011 (Picture Mode Luminance).

9 Families of models

For section 28 of the Act, the specified circumstances in which two or more models of products covered by this Determination are in the same family of models are the circumstances mentioned in clause 1.6 of AS/NZS 62087.2.2:2011.

10 Product categories

For section 29 of the Act, the products covered by this Determination are category A products.

11 Registrations affected by this Determination

For section 36 of the Act, this Determination does not affect the registration of any model registered against the *Greenhouse and Energy Minimum Standards (Television) Determination 2013* (F2013L00630).

Note: If a model's registration is not affected the model is taken to be registered against this Determination. See section 36 of the Act.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.