

Electricity (Inefficient Lighting Products Ban and Labelling)
(Amendment) Regulations, 2018 (No.1)

IT is hereby notified that the Minister of Energy and Power Development has, after consultation with the Authority, in terms of section 65 of the Electricity Act [*Chapter 13:19*], made the following regulations:—

1. These regulations may be cited as the Electricity (Inefficient Lighting Products Ban and Labelling) (Amendment) Regulations, 2018 (No. 1).

2. The Electricity (Inefficient Lighting Products Ban and Labelling) Regulations, 2017, published in Statutory Instrument 21 of 2017 (hereinafter referred to as the “principal regulations”), are amended by the deletion of section 2(1).

3. The principal regulations are amended in section 3—

- (a) in the definition of “lamp rating (power)” by the deletion of “IEV” and the substitution of “IEC”;
- (b) by the insertion of the following definition after the definition of “minimum energy performance standards (MEPS)”—

““power factor” means the cosine of the angle between the fundamental voltage and the fundamental current;”.

4. The principal regulations are amended in section 4—

- (a) by the deletion of the chapeaux in subsection (1) and substitution of the following—

“4. (1) No person shall trade in, import, manufacture, distribute, store, offer for sale or sell, display, donate, be in possession of any or all of the following—”;

- (b) by the deletion of subsection (1)(d) and substitution of the following—

“(d) a CFL or LED lamp with a power factor less than that prescribed in IEC standards 60969 and 62612 as follows—

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- (i) 0.4 for power rating greater than 2W and equal to or less than 5W;
- (ii) 0.7 for power rating greater than 5W and equal to or less than 25W;
- (iii) 0.9 for power rating greater than 25W;”;
- (c) by the insertion of a paragraph after paragraph (f) as follows—
 - “(g) high intensity discharge lamps.”;
- (d) by the deletion of subsection (2) and the substitution of the following—

“(2) Any person found in contravention of this section shall be liable to the payment of a penalty to the Authority as follows—

<i>Offence</i>	<i>Penalty</i>
1. Importing, possessing, manufacturing, distributing, donating, Selling, displaying, storing, incandescent lamps, T10 and T12 Halo-phosphate Fluorescent tubes, HID:s:	
(a) <1000W	US\$100
(b) >1000W and <49000W	US\$100+\$10 for every 100W thereafter
(c) >49000W	US\$ 5 000
2. Importing, possessing, manufacturing, distributing, donating, Selling, displaying storing lighting products that do not meet Minimum Performance standards	
(a) <1000W	\$50
(b) >1000W and <49000W	\$50 + \$5 for every 100W thereafter
(c) >49000W	\$2500

(3) Any person who fails to pay the penalty in subsection (2) within seven working days shall be guilty of an offence and liable to a fine not exceeding level 14 or imprisonment for a period not exceeding two years or both such fine and such imprisonment.

(4) In addition to the penalties imposed in terms of subsection (2) or to the fine or imprisonment imposed in terms of subsection (3), the prohibited inefficient lighting products shall be forfeited and

destroyed in the manner as prescribed by the Authority in consultation with all other relevant parties and in accordance with the relevant legislation.

(5) The use of incandescent lamps is banned effective from the 1st of September, 2018.

(6) Any person who uses incandescent lamps after the 1st of September, 2018, shall be guilty of an offence and liable to a fine not exceeding level 5 or imprisonment not exceeding six months or both such fine and such imprisonment.”.

5. The principal regulations are amended in section 7—

(a) in subsection (1) by the insertion, after “distributed” of “, displayed”;

(b) in subsection (2) by the deletion of the chapeaux of and the substitution of

“An inspector who enters a premise in terms of subsection (1), may seize,—”;

(c) in subsection (2)(a) by the insertion of “, displayed” after “sold”;

(d) by the insertion of the following paragraph after paragraph (b)—

“(c) any manual or electronic records required for the investigation of the commission of an offence.”.

6. The principal regulations are amended by the repeal of section 9 and substitution as follows—

“9. (1) No person may import lighting products without a consignment based conformity assessment certificate from an assessment agent as defined in Statutory Instrument 132 of 2015 (Control of Goods (Open General Import Licence) (Standards Assessment) Notice, 2015, indicating compliance to the minimum energy performance standards provided in the First Schedule.

(2) Any person who fails to provide a conformity assessment certificate shall be liable to the payment of a penalty of the sum of \$100,00.

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(3) No person may manufacture or assemble lighting products in Zimbabwe without registering their products with the Authority.

(4) Such registration shall include the name of the manufacturer or distributor and submission of documentary evidence indicating compliance with minimum energy performance standards provided in the First Schedule.

(5) Any person who fails to register their lighting products with the Authority shall be liable to the payment of a penalty in the sum of \$200,00, within a period of seven working days.

(6) Any person who fails to pay the penalty as prescribed in subsections (2) and (5) shall be found guilty of an offence and liable to a fine not exceeding level 14 or imprisonment for a period not exceeding two years or both such fine and such imprisonment.”.

7. The principal regulations are amended by the repeal of section 10 and substitution of the following—

“10. (1) No person shall import, trade in manufacture, distribute, store, offer for sale or sell, display or donate any lighting products unless the following information is affixed to the lighting product:

- (a) power rating in Watts;
- (b) lumen output;
- (c) life in hours;
- (d) voltage rating;
- (e) energy efficiency labeling (A to G rating);
- (f) power factor;
- (g) colour temperature.

(2) The information required to be affixed in terms of subsection(1)(a) shall be accurate to within +/-10% of the indicated value.

(3) Any person found in contravention of this section shall be liable to the payment of a penalty to the Authority as follows:

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<i>Offence</i>	<i>Penalty</i>
Incorrect Labelling	US\$ 25 per incorrectly labelled product line
Omission of Label Parameter	US\$25 per missing label parameter per product line

In addition, such person must immediately withdraw and re-label the products correctly.”.

8. The principal regulations are amended by the deletion of section 11 and substitution of the following:

“11. Any person contravenes these regulations shall be guilty of an offence and liable to a fine not exceeding level 14 or imprisonment not exceeding two years, or both such fine and such imprisonment.”.

