

# MEMORANDUM OF UNDERSTANDING

## BETWEEN AND AMONG

**Commscope, Humax, Sky, and Technicolor**

**(hereinafter referred to as “Complex Set Top Box Manufacturers”)**

## AND

**The Department for Business, Energy and Industrial Strategy**

**(hereinafter referred to as “UK Government”)**

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CONSIDERING that the Complex Set Top Box Manufacturers are signatories of a preexisting self-regulation measure titled *Self-Regulatory Initiative to further improve the energy efficiency of Complex Set Top Boxes* which has been officially recognised by the European Commission;

RECOGNIZING that the United Kingdom intends to withdraw from the European Union on exit day<sup>1</sup>, possibly without concluding an exit agreement with the European Union

NOTING that under Part 8, regulation 22(3) of the United Kingdom’s Ecodesign for Energy-Related Products and Energy Information Regulations 2010<sup>2</sup> (“the 2010 Regulations”), the Secretary of State must not make an implementing measure in respect of a product that is the subject of self-regulation where such self-regulation meets at least the criteria in Annex 8 of Directive 2009/125/EC (read subject to the modifications in regulation 23(1)(a) and (d) of the 2010 Regulations) and is expected to meet the Secretary of State’s ecodesign policy objectives more quickly or at lesser expense than an implementing measure; and

DESIRING in case the United Kingdom withdraws from the European Union without an exit agreement, and in the spirit of cooperation, to secure the Secretary of State’s approval of the *Self-Regulatory Initiative to further improve the energy efficiency of Complex Set Top Boxes* while looking to avoid duplication of efforts and governance in respect of the self-regulation measure;

The Complex Set Top Box Manufacturers hereby declare their intention to undertake the following:


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<sup>1</sup> “exit day” is defined in section 20 of the European Union (Withdrawal) Act 2018

<sup>2</sup> Schedule 1, paragraph 12 of the Ecodesign for Energy-Related Products and Energy Information (Amendment) (EU Exit) Regulations 2019 amended the 2010 Regulations by inserting Part 8 concerning Implementation Measures. The amendment will come into force on exit day

- Draft and submit to the UK Government a self-regulation measure for the United Kingdom that is equivalent to the current *Self-Regulatory Initiative to further improve the energy efficiency of Complex Set Top Boxes* (version 6.4) for endorsement by the Secretary of State;
- Provide evidence to the UK Government that the current *Self-Regulatory Initiative to further improve the energy efficiency of Complex Set Top Boxes* (version 6.4) complies with Part 8, regulation 22(3) of the 2010 Regulations;
- Establish for the UK equivalent self-regulation measure a separate Steering Committee of which its members with voting rights comprise of the Complex Set Top Box Manufacturers and the UK Government. Interested stakeholders (e.g. NGOs and expert consultants) will be allowed to attend as observers;
- Ensure that products placed on the UK market and within scope of the current self-regulation measure continue to comply with and meet all requirements, including the energy and material efficiency commitments, specified therein;
- Seek UK Government approval of an Independent Inspector proposed by the Complex Set Top Box Manufacturers to investigate and prepare Annual Compliance Reports for the UK Government covering products within scope of the self-regulation measure that are placed on the UK market;
- Ensure that a publicly accessible website is maintained where documents relating to the self-regulation measure for the United Kingdom, including the Independent Inspector reports and Steering Committee meeting minutes, will be made available; and
- Submit any proposed revision of the self-regulation measure for the United Kingdom to the UK Government for review prior to its implementation.

Signed for and on behalf of The Complex Set Top Box Voluntary Agreement Chair.

Signature  .....

Name ...William Skeates.....

Title ...Chair of the CSTB VA.....

Date .....7<sup>th</sup> November 2019.....

Signed for and on behalf of The Department for Business, Energy and Industrial Strategy.

Signature .....

Name .....

Title .....

Date .....