

Energy-efficient Appliances Act

CHAPTER 2 OF THE ACTS OF 1991

as amended by

2011, c. 6



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CHAPTER 2 OF THE ACTS OF 1991
amended 2011, c. 6

**An Act Respecting
the Sale and Leasing of
Energy-efficient Appliances**

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Short title

1 This Act may be cited as the *Energy-efficient Appliances Act.* 1991, c. 2, s. 1.

Interpretation

2 In this Act,

- (a) “designated appliance” means an appliance, a machine or equipment designated pursuant to the regulations;
- (b) “Minister” means the Minister of Energy;
- (c) “prescribed” means prescribed by the regulations. 1991, c. 2, s. 2; O.I.C. 1991-971; O.I.C. 2002-286; O.I.C. 2018-188; O.I.C. 2021-210; O.I.C. 2024-425.

Restriction on sale, lease and labelling of appliances

3 (1) No person shall offer for sale, sell or lease a designated appliance unless the designated appliance

- (a) meets the prescribed efficiency standard with respect to that appliance; and
 - (b) has affixed to it a label, in the prescribed form, that sets out the efficiency standard of that appliance.
- (2)** Subsection (1) does not apply to
- (a) a used designated appliance;
 - (b) a person who is not in the business of offering for sale, selling or leasing designated appliances; or

(c) a designated appliance that is exempt pursuant to the regulations.

(3) No person shall affix a label to a designated appliance that

(a) indicates the designated appliance meets the prescribed standard where the designated appliance does not meet that standard; or

(b) is not a prescribed label but is similar to a prescribed label.

(4) No sale or lease is invalid by reason only of the failure to comply with this Section. 1991, c. 2, s. 3.

Restriction on roadway lighting

3A Where the use of roadway lighting is restricted or prohibited by the regulations, no person shall use the lighting contrary to the restriction or prohibition, as the case may be, unless that lighting meets the prescribed efficiency standards with respect to that lighting. 2011, c. 6, s. 2.

Offence and penalty

4 (1) Every person who contravenes a provision of this Act or the regulations is guilty of an offence and on conviction is liable to a fine of not more than five thousand dollars.

(2) Where a body corporate contravenes a provision of this Act or the regulations, every director or officer of the body corporate who authorizes, permits or acquiesces in the contravention is a party to and guilty of an offence and on conviction, is liable to the penalty provided for the offence whether or not the body corporate has been prosecuted or convicted.

(3) The selling, offering for sale or leasing of each designated appliance in contravention of this Act is a separate offence. 1991, c. 2, s. 4.

Regulations

5 (1) The Governor in Council may make regulations

(a) designating appliances, machines and equipment for the purpose of this Act;

(b) prescribing efficiency standards for designated appliances;

(c) prescribing the form and content of labels for the purpose of this Act;

(d) designating persons or organizations to test designated appliances;

(e) providing for the placing of a prescribed label on designated appliances that conform to the prescribed standards;

(f) prescribing forms and providing for their use;

- (g) providing for information to be reported by persons who manufacture, offer for sale, sell or lease designated appliances that apply to this Act, including the frequency, time and manner for reporting;
- (h) governing the keeping of information, records and documents by persons who manufacture, offer for sale, sell or lease designated appliances;
- (ha) restricting or prohibiting the use of roadway lighting that is a designated appliance and that does not meet the prescribed efficiency standard for that appliance;
- (i) exempting any person or designated appliance from a provision of this Act or the regulations;
- (j) defining any word or expression used in this Act and not defined herein;
- (k) respecting any matter the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) A regulation may adopt by reference, in whole or in part, with such changes as the Governor in Council considers necessary any code or standard and may require compliance with any code or standard adopted.

(3) The exercise by the Governor in Council of the authority contained in subsection (1) shall be regulations within the meaning of the *Regulations Act*. 1991, c. 2, s. 5; 2011, c. 6, s. 3.

Proclamation

6 This Act comes into force on and not before such day as the Governor in Council orders and declares by proclamation. 1991, c. 2, s. 6.

Proclaimed - June 1, 1992
In force - June 1, 1992
