



SCREENING CHAPTER 15 ENERGY

AGENDA ITEM : NEW AND RENEWABLE SOURCES OF ENERGY AND DEMAND MANAGEMENT – PART II

Demand Management-Eco-Design.

Country Session: The Republic of TURKEY
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OVERVIEW

Transposition of the Eco-Design Directive 2005/32/EC has not commenced yet.

The work to determine the responsible authority in Turkey for the transposition and implementation of the Eco-Design Directive 2005/32/EC is ongoing.

Transposition and enforcement of the Implementing Directives 92/42/EEC, 96/57/EC and 2000/55/EC is under the responsibility of the Ministry of Industry and Trade (MoIT)



LEGAL FRAMEWORK

All provisions of the Implementing Directives 92/42/EEC, 96/57/EC and 2000/55/EC are transposed into national legislation through the By-Laws stated below:

By-Law on New Hot-Water Boilers (92/42/EEC),

(Official Gazette: 31 March 2002, no 24712, mandatory implementation as of 1 January 2004).

By-Law on Energy Efficiency Requirements for Household Electric Refrigerators, Freezers and Combinations Thereof (96/57/EC)

(Official Gazette: 22 January 2003, no. 25001, mandatory implementation as of 31 December 2005)

By-Law on the Energy Efficiency Requirements for Ballasts for Fluorescent Lighting (2000/55/EC)

(Official Gazette: 02 May 2003, no. 25096, mandatory implementation as of 15 January 2005 (1st phase), 15 July 2006 (2nd phase)).

The texts of By-Laws were sent to the European Commission. The process of exchange of opinion with the European Commission is ongoing.



RELATED EUROPEAN STANDARDS

The Harmonised European Standards are transposed and published as national standards by Turkish Standards Institute (TSE).

- The Standard EN 153 as referred to in the Directive 96/57/EC has been transposed.
- The Standard EN 50294 as referred to in the Directive 2000/55/EC has been transposed.



CONFORMITY ASSESSMENT

- The application, assessment and designation procedures and the criteria for the Notified Bodies (NBs) to be designated by MoIT have been set out in the “Communiqué on the Criteria for Designation of Conformity Assessment Bodies for the Products Covered by New Hot Water Boilers” (Official Gazette: 24 February 2003, no. 25030,)
- Preparation of the Communiqués on the Criteria for Designation of NBs for the Products Covered by Directives 96/57/EC and 2000/55/EC is in progress.



CONFORMITY ASSESSMENT (CONT'D)

According to the Communiqué on the Criteria for Designation of Conformity Assessment Bodies for the Products Covered by New Hot Water Boilers, Conformity Assessment Bodies (CABs) wishing to be appointed by the MoIT as a NB should fulfill :

- The requirements laid down in the “By-Law on Conformity Assessment and Notified Bodies” (Official Gazette: 17 January 2002, n No. 24643)
- Minimum criteria for NBs set out in the Annex to the By-Law 92/42/EEC.
- Technical and administrative criteria in the Communiqué is the same as mentioned in By-Law 92/42/EEC, and it refers to EN 45000 Series Standards.



CONFORMITY ASSESSMENT (CONT'D)

- MoIT signed a Protocol with Turkish Accreditation Agency (TURKAK) on 18 April 2003. According to this Protocol, TURKAK makes all necessary assessments for designation.
- Upon the positive assessment report of TURKAK, MoIT makes the final decision to notify the candidate body to the European Commission via Undersecretariat for Foreign Trade.
- Applications from Turkish Standards Institute and Turkish Llyod Foundation have been received under 92/42/EEC, and notified to the European Commission upon positive assessment by TURKAK and evaluation by MoIT. The Application of Chamber of Mechanical Engineers is under the assessment of TURKAK.
- For By-Laws 96/57/EC and 2000/55/EC, no application has been received for appointment as a notified body yet.



MARKET SURVEILLANCE

According to Law No. 3143 on the Establishment and Duties of the MoIT, market controls on almost all industrial products have been performed by MoIT since 1985 with its inspectors at related General Directorates and 81 Provincial Directorates. MoIT strengthened and re-organised its existing system according to the new legislation.

Market Surveillance is carried out pursuant to the provisions of:

- Law No 4703 On The Preparation and Implementation of Technical Legislation On Products (Official Gazette: 11 July 200, no. 24459)
- By-Law No 2001/3529 On Market Surveillance of Products (Official Gazette: 17 January 2002, no. 24643)
- By-Law On Procedures and Principles for Market Surveillance to be Performed by the MoIT (Official Gazette: 09 May 2003, no. 25103).



MARKET SURVEILLANCE (CONT'D)

- In case of non-conformities found during market surveillance activities, the administrative fines as well as sanctions are imposed pursuant to the Law No. 4703.
- Sanctions include withdrawal from the market and disposal of product, prohibition of placing on the market, setting deadlines to correct non-conformities, some of which are accompanied by administrative fines.
- Measures taken by MoIT differ according to the level of non-compliance and are implemented pursuant to the 'principle of proportionality'.



MARKET SURVEILLANCE (CONT'D)

Coordination Commission on Market Surveillance consists of the Director Generals of the DG for Industry, DG for Measurement and Standards, DG for Protection of Consumers and Competition and DG for EU Coordination, the First Legal Adviser, Head of Data Processing Department and chaired by the Undersecretary of MoIT, meets every three months.

The task of the Commission is to determine the general policy of MoIT and to ensure co-ordination among different DGs and Provincial Directorates of MoIT concerning market surveillance.



NATIONAL TECHNICAL COMMITTEES

Including Implementing Directives 92/42/EEC, 96/57/EC and 2000/55/EC under MoIT's responsibility, MoIT is already in contact with all stakeholders and sector representatives of the Sector Associations through the periodical meetings of Sectoral Committees stated below:

Technical Committee on Industry of Electric Electronic (ELTEK), The Communiqué regarding the establishment of this Committee published in the Turkish OJ dated 09.01.2005. Committee is chaired by the DG for Industry of MoIT.

Technical Committee on Gas Appliances (GAZTEK) - The Communiqué regarding the establishment of this Committee published in the Turkish OJ dated 06.05.2004. Committee is chaired by the DG for Measurements and Standards of MoIT.



Thank You For Your Attention