



EUROPEAN
COMMISSION

Brussels, XXX
[...]
[...] (2025) XXX draft

COMMISSION DELEGATED DIRECTIVE (EU) .../...

of XXX

amending Annex II to Directive (EU) 2024/1799 promoting the repair of goods to include domestic local space heaters as provided in Commission Regulation (EU) 2024/1103 as regards ecodesign requirements for local space heaters and separate related controls

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Directive (EU) 2024/1799 on common rules promoting the repair of goods was adopted on 13 June 2024. Article 5 of the Directive imposes an obligation on manufacturers to repair the goods listed in its Annex II for which repairability requirements have been established at EU level. In addition, it prevents the manufacturers of these goods from using contractual clauses, or hardware or software techniques that impede the repair of goods unless justified by legitimate and objective factors.

For every type of good in its scope Annex II refers to the relevant EU legal acts laying down the repairability requirements for that type of good. These requirements are the manufacturer's obligations to provide spare parts during specified periods, easy disassembly and reassembly of the good for the purposes of repair, and provision of repair-related information and/or tools. Most of the relevant EU legal acts referred to in Annex II were adopted as secondary legislation in the field of ecodesign on the basis of Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products¹. In the future, they will mostly be adopted in the context of Regulation (EU) 2024/1781 establishing a framework for the setting of ecodesign requirements for sustainable products² and repealing Directive 2009/125/EC.

The relevant ecodesign secondary legislation continues to be developed, introducing new repairability requirements both for the types of goods referred to in Annex II and for new types of goods. The Commission is required under Article 5(9) of Directive (EU) 2024/1799 to adopt delegated acts to amend Annex II in the light of such regulatory developments to ensure that the obligations laid down in the Directive apply to all types of goods subject to the repairability requirements of EU law.

On 18 April 2024, the Commission adopted Regulation (EU) 2024/1103 on ecodesign requirements for local space heaters and separate related controls³ repealing Commission Regulation (EU) 2015/1188. This regulation lays down repairability requirements for domestic local space heaters. It contains provisions aimed at improving their repairability, such as the obligation for manufacturers to make available certain spare parts for at least 10 years after placing the last unit of the model concerned on the market. It also sets requirements regarding access to repair and maintenance information for repairers. Annex II to (EU) Directive 2024/1799 must therefore be amended to include domestic local space heaters and Regulation (EU) 2024/1103.

¹ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast), ELI: <http://data.europa.eu/eli/dir/2009/125/2012-12-04>

² Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC, OJ L, 2024/1781, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1781/oj>

³ Commission Regulation (EU) 2024/1103 of 18 April 2024 implementing Directive 2009/125/EC of the European Parliament and of the Council as regards ecodesign requirements for local space heaters and separate related controls and repealing Commission Regulation (EU) 2015/1188, ELI: <http://data.europa.eu/eli/reg/2024/1103/oj>

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The act was discussed with Member States experts in the Expert Group on Consumer and Marketing Law and with the Commission departments dealing with the ecodesign legislation. In addition, the European Parliament and the Council were also consulted.

As the delegated act consists of a technical amendment in the form of adding additional goods to the scope of Directive (EU) 2024/1799, an open public consultation on the act was not carried out.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 1: Update of Annex II

Given the adoption of Commission Regulation (EU) 2024/1103 as regards ecodesign requirements for local space heaters and separate related controls, Annex II to Directive (EU) 2024/1799 should be amended to add domestic local space heaters and Commission Regulation (EU) 2024/1103 to the list of goods and the legal acts laying down the repairability requirements for the purposes of this Directive.

Article 2: Transposition

Given that Directive (EU) 2024/1799 will apply from 31 July 2026, Member States should have the same deadline for transposing this act into their national laws. This will make it possible for Member States to transpose this act amending Annex II to Directive (EU) 2024/1799 at the same time as the original Directive.

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2024/1799 of the European Parliament and the Council of 13 June 2024 on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394 and Directives (EU) 2019/771 and (EU) 2020/1828⁴, and in particular Article 20 thereof,

Whereas:

- (1) Directive (EU) 2024/1799 imposes an obligation on manufacturers to repair the goods listed in Annex II for which repairability requirements have been established at EU level.
- (2) According to Article 5(9) of the Directive, the Commission should update Annex II at the latest within 12 months of the publication of EU legal acts containing additional relevant repairability requirements. The relevant requirements are the manufacturer's obligation to provide spare parts during specified periods, easy disassembly and reassembly of a good for the purposes of repair, and the provision of repair-related information and/or tools.
- (3) On 18 April 2024, the Commission adopted Regulation (EU) 2024/1103 on ecodesign requirements for local space heaters and separate related controls and repealing Commission Regulation (EU) 2015/1188. This regulation lays down repairability requirements for domestic local space heaters. It contains provisions aimed at improving the repairability of these goods, such as the obligation for manufacturers to make available certain spare parts for at least 10 years after placing the last unit of the model concerned on the market. It also sets requirements regarding access to repair and maintenance information for repairers. Regulation (EU) 2024/1103 therefore contains relevant repairability requirements for domestic local space heaters.
- (4) Annex II to Directive (EU) 2024/1799 should therefore be amended to include domestic local space heaters.

⁴ OJ L [...], [...], p. [...].

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex II to Directive (EU) 2024/1799 the following new point 11 is added:

‘11. For domestic local space heaters, Commission Regulation (EU) 2024/1103.’.

Article 2

1. Member States shall adopt and publish, by 31 July 2026 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 31 July 2026.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

*For the Commission
The President*