



# Building newsflash number 386

## Commencement of the sales ban of inefficient air conditioners in Queensland

### Purpose

To advise that amendments to the Electricity Regulation 2006 and associated regulations banning the sale of inefficient air conditioners have been approved for commencement from 1 September 2009.

### Background

The *Improving sustainable housing in Queensland* discussion paper released by the Queensland Government on 15 June 2008 sought community feedback on a proposal to increase mandatory energy efficiency requirements for air conditioners. Preventing the sale and installation of inefficient air conditioners received the highest level of community support of all the proposed measures (95 per cent) and was strongly supported by energy providers and housing industry stakeholder organisations.

On 14 December 2008 Premier Anna Bligh announced the approved sustainable housing measures including the ban on the installation of inefficient air conditioners from 1 July 2009 ([Newsflash 344](#)).

On 25 June 2009, as a result of industry feedback, the implementation date for the installation ban was extended from 1 July to 1 September 2009. This provided distributors and manufacturers with a further two months to clear non-compliant stock.

The sale and installation bans apply to single phase (i.e. 240 volt systems most commonly used in properties to operate appliances and small motors) air conditioners and three-phase (i.e. 400 volt systems typically used to efficiently run larger electric motors and appliances) air conditioners up to 65 kW in output capacity which are required to have a tested average EER under the relevant Australian Standard. This includes split systems, ducted systems and window units. Air conditioning systems above 65kW are not captured by the new requirement and are regulated by the Building Code of Australia.

### Legislative change

The amendment to the Electricity Regulation 2006 requires that air conditioners with a EER of less than 2.9 are not made available for sale from 1 September 2009 in Queensland.

Amendments to the Mutual Recognition (Queensland) Temporary Exemptions Regulation 2009 and Trans-Tasman Mutual Recognition (Queensland) Temporary Exemptions Regulation 2009 temporarily exempt inefficient air conditioners from the mutual recognition principle from 1 September 2009 to 31 August 2010.

## Enforcement

The Electrical Safety Office (ESO), the electricity regulator in Queensland, has powers to enforce the sales ban in accordance with the Electrical Regulation 2006. The maximum penalty for non-compliance is 20 penalty units (currently \$2000). Local governments have powers to enforce *Building Act 1975* compliance, including the installation ban, under the *Integrated Planning Act 1997*. The maximum penalty for non-compliance is 165 penalty units (currently \$16 500).

## Air conditioners fact sheets and guidelines

The air-conditioning fact sheet has been updated to correspond with the Queensland Government's 'For the greener good' campaign. The fact sheet is available at [www.forthegreenergood.qld.gov.au](http://www.forthegreenergood.qld.gov.au)

The Queensland Development Code Mandatory Part 4.1—Sustainable buildings guideline has been updated to assist industry and homeowners understand the new air conditioner requirements and provides information on how to reduce reliance on air conditioners within Queensland homes. It will be available on the department's [website](#) soon.

## Further information

In collaboration with the Commonwealth Department of Environment, Water, Heritage and the Arts (DEWHA), the department has modified the spreadsheet which outlines the tested average EER of all air conditioner models currently registered in Australia. Column 'AT' (EERMEPSLev) has been updated and now reflects the tested average EER value that will be used to determine compliance with the 2.9 tested average EER standard in Queensland. This spreadsheet is available on DEWHA's website.

## Contact for further information

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