



Greenhouse and Energy Minimum Standards (Clothes Washing Machines) Determination 2024

I, Josh Wilson, Assistant Minister for Climate Change and Energy, make the following determination.

Dated 10 September 2024

Josh Wilson
Assistant Minister for Climate Change and Energy

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1 Name

This instrument is the *Greenhouse and Energy Minimum Standards (Clothes Washing Machines) Determination 2024*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after the end of the period of 12 months beginning on the day this instrument is registered.	

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.
- (3) To avoid doubt, for the purposes of paragraph 34(b) of the Act, this instrument comes into force on the day specified by column 2 of the table.

3 Authority

This instrument is made under sections 23 and 35 of the *Greenhouse and Energy Minimum Standards Act 2012*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 This instrument revokes and replaces the old determination

For the purposes of section 35 of the Act, this instrument revokes and replaces the old determination.

Note: Subsection 35(2) of the Act provides that, when a GEMS determination is revoked and replaced, the revoked determination ceases to be in force immediately before the replacement determination comes into force.

6 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- category A product;
- covered by;
- family of models;
- GEMS;

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- GEMS labelling requirements;
 - GEMS level requirements;
 - model;
 - product classes;
 - supply.

In this instrument:

Act means the *Greenhouse and Energy Minimum Standards Act 2012*.

AS/NZS 2040.1:2021 means *Australian/New Zealand Standard 2040.1:2021 Performance of household electrical appliances – Clothes washing machines – Part 1: Methods for measuring performance, energy and water consumption*, as in force or existing on the day this instrument is made.

Note: AS/NZS 2040.1:2021 is available from Standards Australia Limited.

AS/NZS 2040.2:2021 means *Australian/New Zealand Standard 2040.2:2021 Performance of household electrical appliances – Clothes washing machines – Part 2: Energy efficiency labelling requirements*, as in force or existing on the day this instrument is made.

Note: AS/NZS 2040.2:2021 is available from Standards Australia Limited.

Australian/New Zealand Standard means a standard that is jointly published by Standards Australia Limited and Standards New Zealand, is applicable in both countries and denoted by the letters “AS/NZS” and identifying numbers and/or letters.

automatic fill control means a mechanism that automatically controls the amount of water delivered into a clothes washing machine for each fill operation.

commencement day means the day this instrument commences.

clothes washing machine means an appliance designed to wash textile materials in water by mechanical and chemical action, and extract water therefrom, usually by centrifugal action.

Note: This is the same meaning as in clause 1.4.3 of AS/NZS 2040.1:2021 and AS/NZS 2040.2:2021.

energy rating label means a label that provides consumers with information concerning the energy consumption and energy efficiency of household clothes washing machines and that meets the requirements mentioned in:

- (a) section 2 of AS/NZS 2040.2:2021 (Test requirements, calculations and algorithms for the energy rating label); and
- (b) section 5 of AS/NZS 2040.2:2021 (Content, format and affixing energy rating labels).

Note 1: This is the same meaning as in clause 1.4.9 of AS/NZS 2040.1:2021 and clause 1.4.5 of AS/NZS 2040.2:2021.

Note 2: Examples of energy rating labels are shown in Figures 5.3, 5.4 and 5.5 of AS/NZS 2040.2:2021.

GEMS retail premises means any premises:

- (a) that are GEMS business premises because of paragraph (a) of the definition of **GEMS business premises** in section 5 of the Act; and

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- (b) at which products that are covered by this instrument are displayed for the purposes of retail supply or offers of retail supply.

old determination means the *Greenhouse and Energy Minimum Standards (Clothes Washing Machines) Determination 2015*.

PAEC (short for projected annual energy consumption) means the PAEC of a clothes washing machine, as calculated in accordance with AS/NZS 2040.2:2021 and measured in kilowatt-hours per year.

rated load capacity means the maximum mass of a textile material (measured in multiples of 0.5 kilograms for each kind of textile material and including an 8% allowance for moisture in a cotton load) that the manufacturer claims can be treated in all operations by a clothes washing machine.

Note 1: This is the same meaning as in clause 1.4.19 of AS/NZS 2040.1:2021.

Note 2: The rated load capacity is ordinarily claimed in a clothes washing machine's product literature. For example, the operating manual.

star rating index means an indication of the claimed energy efficiency of a model determined in accordance with clause 2.7 of AS/NZS 2040.2:2021.

Note: This is the same meaning as in clauses 1.4.18 and 2.7 of AS/NZS 2040.2:2021.

7 Specified product class covered by this instrument

- (1) This instrument covers electric household clothes washing machines, irrespective of the context in which they are used.

Note 1: For example, this instrument covers electric household clothes washing machines that are used in a commercial context.

Note 2: This section affects the scope of AS/NZS 2040.1:2021 and AS/NZS 2040.2:2021: see clause 1.1 of those Australian/New Zealand Standards.

Note 3: Examples of appliances covered by this instrument are top loading non-drum type washers (usually impeller or agitator), front and top loading drum type washers, multi-compartment clothes washing machines and combination washer/dryer units.

Note 4: This subsection specifies products that are covered by this instrument: see subsection (3) for products that are not covered.

- (2) These products form a single product class for the purposes of the Act.

- (3) For the purposes of subsection 23(2) of the Act, this instrument does not cover clothes washing machines:

- (a) that satisfy all the following conditions:

(i) a rated load capacity of less than or equal to 2 kilograms for all textile materials;

(ii) no connections to a mains water supply;

(iii) no pump or other means for extracting water; or

- (b) that are only capable of being used for cold wash operations and satisfy all the following conditions:

(i) no provision for internal water heating;

(ii) a single water connection marked only for cold water;

(iii) automatic fill control;

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- (iv) no program that indicates (directly or indirectly) that a program other than a cold wash program is possible;
 - (v) a user manual that explicitly states it is only suitable for cold washing operations;
 - (vi) no associated product literature that states it is suitable for anything other than cold washing operations; or
- (c) that have a rated load capacity of less than 1 kilogram.

8 GEMS level requirements

Energy use and greenhouse gas production

- (1) For the purposes of paragraphs 24(1)(a) and 25(a) of the Act, the specified energy use requirements for products covered by this instrument are the requirements mentioned in subsection (2).
- (2) A clothes washing machine's PAEC must satisfy the following:

$$PAEC \leq 700 + \text{rated load capacity} \times 124$$

where:

PAEC has the meaning given by section 6 (in kilowatt-hours per year).

rated load capacity has the meaning given by section 6, in kilograms.

Note: 700 is a constant, and is measured in kilowatt-hours per year. 124 is a constant, and is measured in kilowatt-hours per year per kilogram.

Conducting tests

- (3) For the purposes of paragraphs 24(1)(a) and 25(b) of the Act, the specified requirements for conducting tests for products covered by this instrument are the requirements mentioned in section 2 of AS/NZS 2040.2:2021.

9 GEMS labelling requirements

- (1) This section specifies, for the purposes of paragraph 24(1)(b) of the Act, GEMS labelling requirements for products covered by this instrument.

Labelling and communication requirements

- (2) For the purposes of paragraphs 26(1)(a) and (b) of the Act, the requirements mentioned in section 5 of AS/NZS 2040.2:2021 are specified for the products.
- (3) For the purposes of paragraphs 26(1)(a) and (b) of the Act, at the time of retail supply, or offer of retail supply, of those products at a GEMS retail premises, an energy rating label must accompany the product or its packaging.

Conducting tests

- (4) For the purposes of paragraph 26(1)(c) of the Act, the specified requirements for conducting tests are the requirements mentioned in section 2 of AS/NZS 2040.2:2021.

Impact of replacement determination

- (5) A GEMS labelling requirement of this instrument (the **revoked requirement**) is taken to be complied with if:
- (a) this instrument is revoked in accordance with paragraph 35(1)(a) of the Act; and
 - (b) another GEMS determination (the **replacement determination**) is made in accordance with paragraph 35(1)(b) of the Act; and
 - (c) a transitional GEMS labelling requirement (the **replacement requirement**) of the replacement determination provides that, if the replacement requirement is complied with, the revoked requirement is taken to be complied with.

10 Transitional GEMS labelling requirements

- (1) The requirements of this section are made for the purposes of paragraph 26(2)(c) of the Act.

Note: The purpose mentioned in paragraph 26(2)(c) of the Act is providing a transition to regulation of products in the product class under a GEMS determination (including because the products were not previously covered by a GEMS determination or because the GEMS determination is a replacement determination). Under the Act, a requirement of a GEMS determination that is expressed to be made for this purpose is a “transitional GEMS labelling requirement”.

- (2) This section applies to a product covered by this instrument if:
- (a) the model of the product was registered (whether under this instrument or the old determination) before the commencement day; and
 - (b) the product is supplied or offered for supply while the registration is in force.

Note: For paragraph (b), see Division 5 of Part 5 of the Act for when a registration is in force.

- (3) This section applies irrespective of whether:
- (a) the supply or offer for supply is before, on or after the commencement day; or
 - (b) the product was imported into, or the product’s last process of manufacture is performed in, Australia before, on or after the commencement day.
- (4) The product must comply with the GEMS labelling requirements of either:
- (a) this instrument; or
 - (b) the old determination.

11 Other GEMS requirements

Product performance

- (1) For the purposes of subsection 24(2) and paragraph 27(1)(b) of the Act, the specified requirements relating to the performance of products covered by this instrument are the requirements mentioned in the following clauses of AS/NZS 2040.2:2021:
- (a) 3.2 (percentage soil removal and standard deviation);
 - (b) 3.4 (water extraction index);
 - (c) 3.5 (severity of washing action index);
 - (d) 3.6 (rinse performance).

Note: Clause 3.2 of AS/NZS 2040.2:2021 refers to the requirements for percentage soil removal and standard deviation set out in section 4 of AS/NZS 2040.1:2021. The requirements for percentage soil removal and standard deviation are found in clause 4.4 of AS/NZS 2040.1:2021.

Conducting tests

- (2) For the purposes of subsection 24(2) and paragraph 27(1)(e) of the Act, the specified requirements for conducting tests for products covered by this instrument, in relation to the requirements specified in subsection (1) of this section, are the requirements mentioned in the following clauses of AS/NZS 2040.2:2021:
- (a) 3.2 (percentage soil removal and standard deviation);
 - (b) 3.4 (water extraction index);
 - (c) 3.5 (severity of washing action index);
 - (d) 3.6 (rinse performance).

12 Families of models

- (1) For the purposes of section 28 of the Act, for the product class covered by this instrument, 2 or more models are in the same family of models if:
- (a) they are members of a family that has been declared to the GEMS Regulator; and
 - (b) the requirements of this section are satisfied in relation to the models.
- (2) For the purposes of subsection (1), the models must:
- (a) have the same energy performance characteristics relevant to complying with sections 8, 9 and 11, including, but not limited to:
 - (i) comparative energy consumption (within the meaning of AS/NZS 2040.2:2021); and
 - (ii) star rating index; and
 - (b) have the same physical characteristics relevant to complying with sections 8, 9 and 11, including, but not limited to rated load capacity; and
 - (c) rely on a single test report which was prepared prior to the application for registration for the model being made under section 41 of the Act.

13 Product categories

For the purposes of section 29 of the Act, products covered by this instrument are category A products.

14 This instrument does not affect registrations under the old determination

For the purposes of paragraph 36(1)(c) of the Act, this instrument does not affect the registration of any model registered against the old determination.

Note: If a model's registration is not affected, the model is taken to be registered against this instrument: see subsection 36(2) of the Act.

Schedule 1—Repeal

Greenhouse and Energy Minimum Standards (Clothes Washing Machines) Determination 2015

1 The whole of the instrument

Repeal the instrument.