Best Practice for Efficient Lighting MV&E
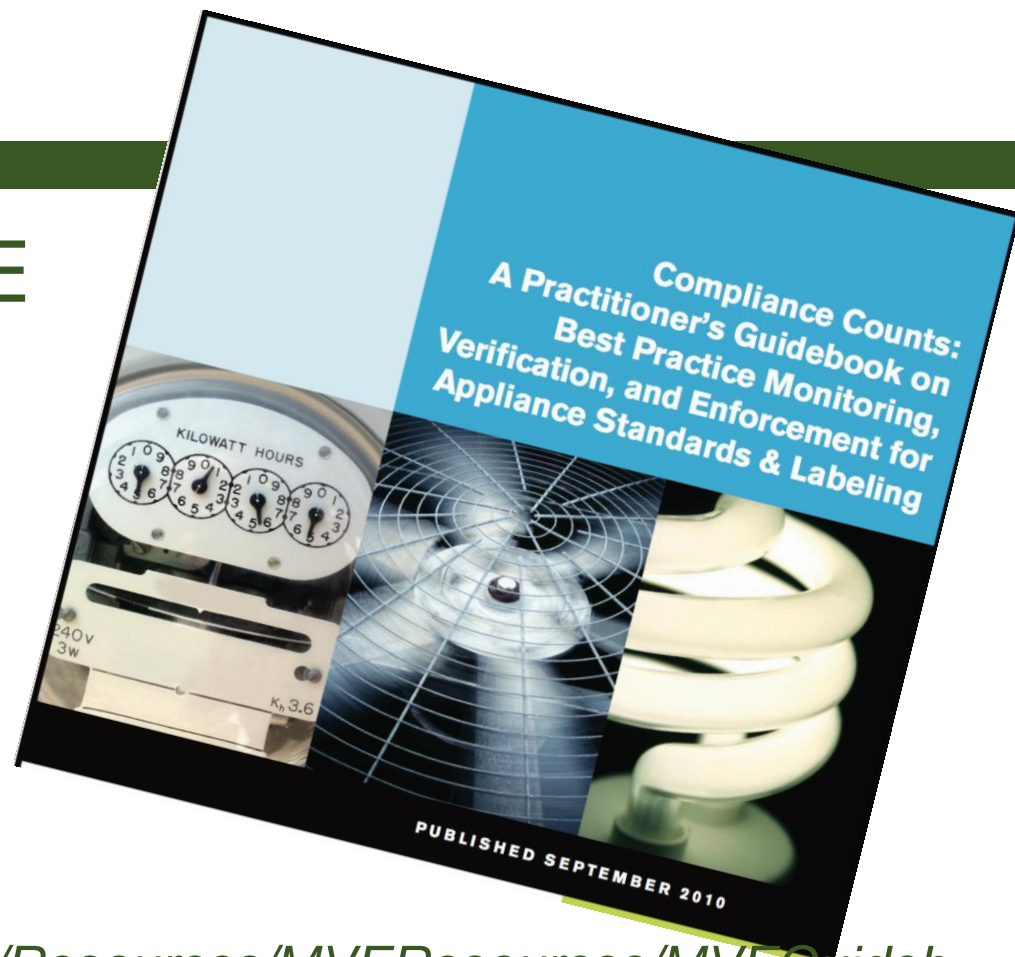
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MV&E Best Practice

THE CLASP MV&E GUIDEBOOK

Free download:

http://www.clasponline.org/en/Resources/MVEResources/MVEGuidebook

Compliance Counts:
A Practitioner's Guidebook on
Best Practice Monitoring,
Verification, and Enforcement for
Appliance Standards & Labeling

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Why we need an MV&E System

"20% of the regulated population will automatically comply with any regulation

5% will attempt to evade it

and the remaining 75% will comply as long as they think that the 5% will be caught and punished."

Key principles to build a compliance culture

- Make it easy to comply
  - Ensure all stakeholders know their obligations
- MV&E activities need to be visible to deter others
- There must be a credible likelihood of detecting violations
  - Increase the risk that instances of non-compliance will be discovered
- Swift, certain, and appropriate sanctions upon detection
  - Take corrective action quickly to minimise damage (to all)
  - Make penalties proportional to the extent of transgression but sufficient to be an effective deterrent

Carrots and sticks!

Key elements of compliance regimes

⭐ Mechanism to facilitate compliance

⭐ Market surveillance

▪ Verification testing

⭐ Enforcement

▪ Communication, reporting, feedback

⭐ Legal and administrative framework

▪ Budget and resource allocation

▪ Evaluation processes

Effective compliance regimes include all of these related elements

Planning and Reviewing a MV&E regime

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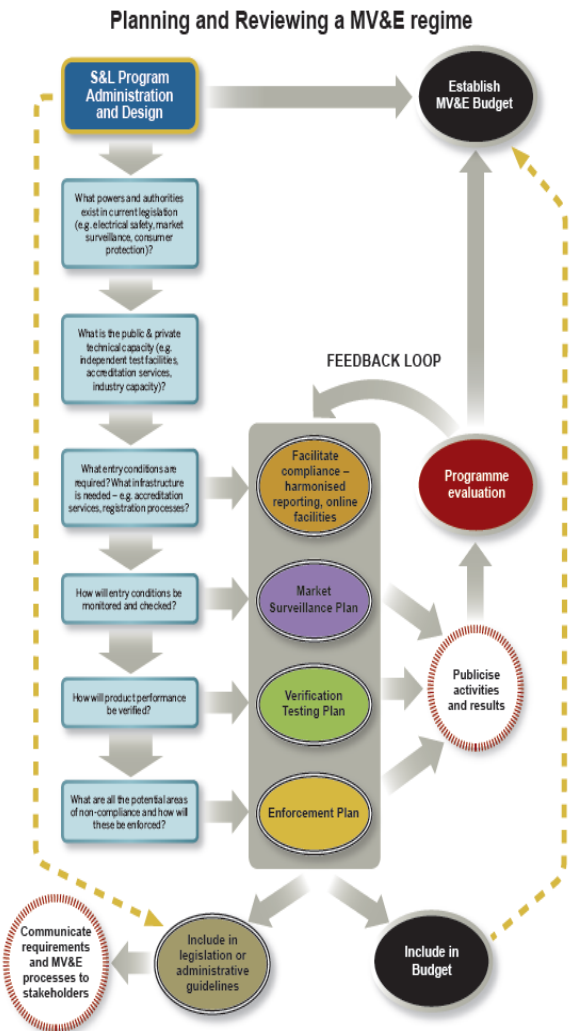
Facilitating compliance

- ## Aim:
  - All requirements should be clear and accessible to all
    - Make it easy to comply
    - Avoid time-consuming questions for staff
  - Raise the perceived risks of non-compliance by publishing information on the activities taken to monitor, verify and enforce compliance
- ## Assessment:
  - Are the requirements for suppliers and retailers clear?
  - Are all the relevant documents relating to MV&E clearly identified on the website?
  - Are all documents up-to-date and consistent?
  - Are enforcement procedures and sanctions obvious?

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Clarify procedures

- **Aim:**
  - MV&E is a system – all staff & contractors should know what are the rules and what their role is:
    - Avoids ambiguities, time wasting, unresolved issues
- **Assessment:**
  - Are all procedures clear?
  - Is there a staff 'operations manual' covering procedures, tasks and responsibilities relating to the MV&E process?

Registration database

- **Aim:**
  - A registration database is a valuable tool to help:
    - Track changes product performance
    - Publish information for consumers
    - Record compliance histories
    - Share information amongst compliance staff
- **Assessment:**
  - Is the registration database up-to-date?
  - Does it include products no longer available?
  - If so, the introduction of a fixed registration period might help.
  - Are all product records stored on a single electronic database?

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Enforcement

- **Aim:**
  - To pose a credible threat, enforcement needs to be seen
  - A few, well publicised actions have a large impact!
  - A range of sanctions available - scaled appropriate to transgression
    - Advice, warnings, public identification, administrative proceedings, financial penalties
- **Assessment:**
  - Is it clear what the range of enforcement options are?
  - Is there a public enforcement policy that explains the ramificiations of non-compliance to suppliers and retailers?
  - Should some staff be responsible for enforcement?

Which is the best deterrent?

Requirements for retailers

- ## Aim:
  - Remove any ambiguities on the role of retailers
  - Remove any loopholes to enforcement
    - E.g. responsibility for faults for incorrect labels
  - Retailers are the interface with consumers
    - They are often easier to deal with than overseas suppliers
- ## Assessment:
  - Are the roles, responsibilities and enforcement options relevant to retailers clear?
  - Should there be outreach activities that bring these issues to the attention of product retailers?

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Why are retailers important?

- Changes in retailer purchasing decisions have immediate impact on suppliers

- Retailers have fixed locations – often easier for regulators to reach than overseas suppliers

- If retailers are not obliged to display products with labels in place, suppliers can claim they were removed

  - Regulators have to trace who is at fault!

- How to ensure retailers are included……..

Legislation

- **"A person must not supply, or offer to supply, a (product category) that does not display the a label"**

- Unless:

  - the product is a second-hand product at the time of the supply or offer; or

  - the model of the product is exempt:

  - the product is imported into, or manufactured, before these regulations come into force;

  - the supply or offer occurs before the end any specified grandfathering period;

  - all transitional labelling requirements are complied with;

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Summary

- S&L Programs need MV&E processes to address all of the 8 key elements

- Some elements are quite easy to address, some more complex

- There is no one solution for the ideal MV&E system

  - Depends on legislation, organisational structure, cultural issues, political will, etc.

  - Many options for how to organise each element

- Remember – its about deterrence!

  - Does the industry consider the threat of enforcement action is real?

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