## **G-Regs**<sup>™</sup> Belgium – Royal Decree on Fuel Consumption and CO2 Emissions (5<sup>th</sup> September 2001)

Full title:	Royal Decree of 5th September 2001 relating to the availability of information on fuel economy and CO2 emissions for consumers in the marketing of new passenger cars, as amended by Royal Decree of 03/09/2004 following the amendment of Directive 1999/94/EC by Commission Directive 2003/73/EC of 24th July 2003, amending Annex III.
Title of relevant sections:	Article 1: Definitions Chapter I: Labels and Fuel Economy Guide (Arts 2-6) Chapter II: Promotional Literature (Arts 7-8) Chapter III: Common Provisions (Arts 9-14) Annex I: Description of the Fuel Economy Label; Annex II: Description of the Fuel Economy Guide; Annex III: Description of the poster or display to be shown at the point of sale; Annex IV: Directions for data relating to fuel consumption and CO2 emissions in promotional literature and other promotional material; Annex V: Definition of vehicle types
Article 1	For the purposes of this Decree:
	1) The Royal Decree of 15 March 1968: <u>Royal Decree of 15 March 1968</u> laying down general regulations on the technical conditions with which motor vehicles and their trailers, elements and safety accessories must comply
	2) The Royal Decree of 26 February 1981: <u>The Royal Decree of 26 February 1981</u> on the implementation of Directives of the European Community relating to the type-approval of motor vehicles and their trailers <sup>1</sup> , wheeled agricultural and forestry tractors, their elements and their safety accessories.
	3) "passenger car" means any motor vehicle of category M1 <sup>2</sup> , as defined in the Royal Decree of 15 March 1968, with at least four wheels and a speed exceeding 25 km/hr and which falls under the scope of the provisions relating to the fuel consumption of motor vehicles imposed by The Royal Decree of 26 February 1981; including the types, variants and versions that are declared by the manufacturer, as defined in Annex V of this Decree, and uniquely identified by alphanumeric characters of type, variant and version.
	This definition does not cover:
	- Motor vehicles with two or three wheels
	- Light quadricycles whose unladen mass is not more than 350 kg, not including the mass of the batteries in case of electric vehicles, whose maximum design speed is not more than 45 km/h and whose engine cylinder capacity does not exceed 50 cm3 for spark-ignition engines, (or whose maximum net power is no more than 4 kW for other types of engines), these shall be considered to be mopeds

<sup>1</sup> Directive 70/156/EEC

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<sup>&</sup>lt;sup>2</sup> Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat. – Article 1 (Chapter 1) – Royal Decree of 15 March 1968 (as derived from Annex II Directive 70/156/EEC.

- Quadricycles not referred to above, whose unladen mass is not more than 400 kg (550 kg for vehicles intended for carrying goods), not including the mass of batteries in the case of electric vehicles, whose maximum net engine power does not exceed 15 kW, these shall be considered to be mopeds, under the scope of the Royal Decree of 4 August 1996 implementing directives of the European Community relating to the type-approval of two or three-wheel motor vehicles<sup>3</sup>, their components, technical units, as well as their safety accessories.

- vehicles which run on rails as well as tractors and agricultural machinery

- Special purpose vehicles: motor caravans, armoured vehicles, ambulances, hearses as defined in Article 1, § 2 of the Royal Decree of 15 March 1968 cited above.

4) "new passenger car" means any passenger car which has not previously been sold to a person who bought it for a purpose other than that of selling or supplying it to a third party. For the purpose of this Decree a new passenger car is considered in any case as, a car that at the time of its first registration in the country has not been used by a user either in Belgium or abroad.

5) "certificate of conformity" means the certificate referred to in Article 10 of the Royal Decree of 15 March 1968 cited above<sup>4</sup>.

6) "point of sale" means a location, such as a car showroom or forecourt, where new passenger cars are displayed or offered for sale or lease to potential customers. Trade fairs where new passenger cars are presented to the public are included in this definition.

7) "official fuel consumption" means the fuel consumption type-approved by the approval authority in accordance with the provisions of the Royal Decree of 26 February 1981 listed in the "test results" and which appear in the EC vehicle type-approval certificate or in the certificate of conformity. Where several variants and/or versions are grouped under one model, the value to be given for fuel consumption of that model shall be based on the variant and/or version with the highest official fuel consumption within that group;

8) "official specific CO2 emissions" for a given passenger car means those measured in accordance with the provisions of Royal Decree of 26 February 1981 listed in the "test results" and which appear in the EC vehicle type-approval certificate or in the certificate of conformity. Where several variants and/or versions are grouped under one model, the values to be given for CO2 of that model shall be based on the variant and/or version with the highest official CO2 emissions within that group.

9) "fuel economy label" means a label which contains consumer information regarding the official fuel consumption and the official specific emissions of CO2 of the car to which the label is attached.

10) "fuel economy guide" means a compilation of data on the official fuel consumption and official specific CO2 emissions for each model available on the new car market.

11) "promotional literature" means all printed matter used in the marketing, advertising and promotion of vehicles to the general public. It includes, as a minimum, technical manuals, brochures, advertisements in newspapers, magazines and trade press and posters.

12) "other promotional material" means any printable media used during the sale, advertising, and the sales promotion of cars to the public. This includes, as a minimum, floppy disks, CD-ROMs and web pages that contain a Belgian domain name which features a reference to the models on the Belgian market.

13) "make" means the trade name of the manufacturer appearing on the certificate of conformity and the type-approval documentation

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<sup>&</sup>lt;sup>3</sup> Council Directive 92/61/EEC of 30 June 1992

<sup>&</sup>lt;sup>4</sup> As transposed from <u>Directive 70/156/EEC</u> – Article 6

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	14) "model" means the commercial description of the make, type, and, if available and appropriate, variant and version of a passenger car.			
Chapter I	Labels and Fuel Economy Guide			
Article 2	Manufacturers, importers and other people who introduce new passenger cars into the Belgian market for the purposes of selling or leasing are required to supply their agents and dealers with fuel economy labels and fuel economy guides, as referred to in this Decree.			
Article 3	Any person who offers a new passenger car for sale or lease must ensure that a fuel economy label, which meets the requirements of Annex I, is attached, in a clearly visible manner, to each new passenger car model in question at the point of sale. Provided there is no confusion as to the model, the label may also be displayed next to it.			
Article 4	The Environmental Affairs Department of the Ministry of Social Affairs, Public Health and the Environment <sup>5</sup> must ensure that at least once a year, in consultation with manufacturers, the fuel economy guide in compliance with the requirements of Annex II is prepared/ put together. The guide must be portable and compact.			
	The fuel economy guide must be made available free-of-charge to consumers upon request, cleared from The Environmental Affairs Department of the Ministry of Social Affairs, Public Health and the Environment <sup>5</sup> , at the address: District Vesalius, City administrative state, Pacheco Avenue, 19, box 5, 1010 Brussels <sup>6</sup> , or it can be accessed by the customer on the website of the service: http://environment.fgov.be (now: http://www.health.belgium.be/eportal <sup>7</sup> )			
	The Fuel Economy Guide must also be made available to the consumer, free-of-charge, in a conspicuous / visible and accessible location, by the people offering new passenger cars for sale or lease at point of sale.			
Article 5	Anyone who offers new passenger cars for sale or lease must ensure that, for each make of car, a poster (or display) contains a list of the official fuel consumption data and the official specific CO2 emissions data for all new passenger car models offered for sale or lease at or through that point of sale. This data shall be displayed in a prominent position and in accordance with the format in Annex III.			
Article 6	The presence on the labels, guides and posters referred to in Articles 3, 4 and 5, of othe indications, symbols or inscriptions relating to fuel consumption or CO2 emissions which on the comply with the requirements set out in this Decree is prohibited if it ( <i>i.e. their display</i> ) likely to cause confusion for the potential customer of a new passenger car.			
Chapter II	Promotional Literature			
Article 7	All promotional literature and other promotional material must contain data on the official fuel consumption and the official specific CO2 emissions of the passenger car models to which it refers, in accordance with the requirements of Annex IV.			

<sup>&</sup>lt;sup>5</sup> Replaced in 2001 by: Federal Public Service (FPS) Public Health, Food Chain Safety and Environment (French: *SPF Santé publique, Sécurité de la Chaîne alimentaire et Environnement;* Dutch: *FOD Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu*).

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<sup>&</sup>lt;sup>6</sup> Address now: Eurostation II, Place Victor Horta, 40 box 10, 1060 Brussels, Belgium; <u>Online form</u>

<sup>&</sup>lt;sup>7</sup> <u>http://www.energievreters.be/Intro\_Car.aspx?lang=NL</u> – This link is available from the FPS website – allowing the consumer to search by a specific variable (type/ model/fuel); select a list of the 20 most fuel efficient cars; and view of table comparing all of the vehicles available.
URL of source:

http://www.ejustice.just.fgov.be/cgi\_loi/loi\_a.pl?language=fr&caller=list&cn=2001090565&la=f&fromtab=loi&sql=dt=%27 arrete%20royal%27&tri=dd+as+rank&rech=1&numero=1

Article 8	The presence on or in promotional literature or other promotional material as referred to in Article 7, of other indications, symbols or inscriptions relating to fuel consumption or CO2 emissions which do not comply with the requirements set out in this Decree is prohibited if it ( <i>i.e. their display</i> ) is likely to cause confusion for the potential customer of a new passenger car.
Chapter III	Common Provisions
Article 9	The Environmental Affairs Department of the Ministry of Social Affairs, Public Health and Environment is the competent authority responsible for the implementation and functioning of the consumer information scheme described in Chapter I. <sup>8</sup>
Article 10	Violations of the provisions of Chapter I of this Decree shall be sought out, prosecuted and punished in accordance with the provisions of <u>Law of 21 December 1998</u> <sup>9</sup> on product standards designed to promote sustainable patterns of production and consumption, and for the protection of the environment, public health and workers (referred to as Product Standards Act).
	In accordance with Article 15(1) of the Product Standards Act, cited above, officials and staff of the Environmental Affairs Department of the Ministry of Social Affairs, Public Health and the Environment <sup>10</sup> and the official and staff of the Administration for Economic Inspection of The Ministry of Economic Affairs <sup>11</sup> are selected to ensure compliance and to find/ report infringements of Chapter I of this Decree.
Article 11	Violations of the provisions of Chapter II of this Decree are sought, prosecuted and punished in accordance with the Belgian Law of 14 July 1991 on trade practices and consumer information and protection <sup>12</sup> .
	In accordance with Article 113 of the Law of 14 July 1991 cited above, officials and staff appointed by the Ministry of Economic Affairs under whose powers are appointed to investigate and report violations of the provisions of Chapter II of this Decree.
Article 12	The Minister responsible for the Environment within its remit, may modify the standardized format of the fuel economy label in Annex I, particularly with a view to adapting the average fuel consumption in reference to the development of technical data and to adapting the model to other fuels.
Article 13	This order shall come into force three months after its publication in the Official Journal. (12/01/2002)

<sup>&</sup>lt;sup>8</sup> Now: FPS Public Health, Food Chain Safety and Environment - <u>http://www.health.belgium.be/eportal</u>

<sup>&</sup>lt;sup>9</sup> The link is to consolidated legislation – relevant Chapter: VI. Surveillance and sanctions – Articles 15-18

<sup>&</sup>lt;sup>10</sup> Now: The Federal Environmental Inspection (of the Environment Directorate General) of FPS Public Health, Food Chain Safety and Environment

<sup>&</sup>lt;sup>11</sup> Now: Directorate General for Economic Inspection of The FPS Economy, SMEs, Self-Employed, and Energy (This government body is charged with monitoring the implementation of regulations of an economic nature. It is not competent for civil litigation)

<sup>&</sup>lt;sup>12</sup> This Law was replaced by <u>Law of 6 April 2010</u> on market practices and consumer protection (LMPC) which has subsequently been replaced on 31/05/2014 by the Code of Economic Law, <u>Book VI</u>: **URL of source:** 

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Article 14	The Minister responsible for the Environment, the Minister responsible for Economic Affairs and the Minister responsible for Self-Employed, are responsible, each in its own sphere for th implementation of this Decree. <sup>13</sup>
	ANNEXES
ANNEX 1	Description of the fuel economy label
	The minimum requirements for all fuel economy labels used in Belgium are as follows:
	1. They must comply with the standardised format included in this annex, in order to allow greater recognition by consumers;
	2. They must measure 297 mm x 210 mm (format A4);
	3. They must contain a reference to the model and fuel type of the vehicle to which they ar attached;
	4. They must contain the numeric value of the official fuel consumption and CO2 emissions. The official fuel consumption is expressed in litres per 100 kilometres (I/100 km) and is show with an accuracy of one decimal point. Official CO2 emissions are expressed in grams per kilometre (g/km) and rounded up to the nearest whole number;
	5. They must contain the following text concerning the availability of the fuel economy guide "A fuel consumption and CO2 emissions guide containing data about new passenger car mode can be obtained free of charge from all points of sale <sup>14</sup> ", together with the phrase: "Regula and properly conducted maintenance of the car in accordance with the manufacturer instructions will help reduce fuel consumption and CO2 emissions" <sup>15</sup> ;
	6. They must contain the following text: "The fuel consumption and CO2 emissions of a vehicl depend not only on its fuel efficiency, but also on driver behaviour and other non-technic factors. CO2 is the main greenhouse gas responsible for global warming" <sup>16</sup> .
	Standardised templates for labels:
	- For petrol powered cars - For diesel powered cars
	See below: (Please note: the band thresholds differ according to whether the vehicle is petro or diesel; i.e. the scales/bands are different – the set average varies in each case)

<sup>&</sup>lt;sup>13</sup> Now: The FPS Public Health, Food Chain Safety and Environment - <u>http://www.health.belgium.be/eportal/index.htm</u> AND The FPS Economy, SMEs, Self-Employed and Energy - <u>http://economie.fgov.be/en/</u>

<sup>16</sup> French: "La consommation de carburant et les émissions de CO2 d'un véhicule sont fonction non seulement de son rendement énergétique, mais également du comportement au volant et d'autres facteurs non techniques. Le CO2 est le principal gaz à effet de serre responsable du réchauffement planétaire"; Flemish: "Naast of brandstofefficiëntie van zijn ook het een auto rijgedrag in andere, niet-Technische factoren bepalend voor het brandstofverbruik in CO2-uitstoot van een auto CO2 is het broeikasgas dat bij de wereldwijde klimaatsverandering of belangrijkste rol. Spelt". **URL of source:** 

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<sup>&</sup>lt;sup>14</sup> In French: "Un guide de la consommation de carburant et des émissions de CO2 contenant des données pour tous les modèles de voitures particulières neuves peut être obtenu gratuitement dans tous les points de vente" and Flemish: "Een betreffende gids in het brandstofverbruik CO2-uitstoot voor alle nieuwe puts gegevens modellen personenauto's is gratis verkrijgbaar in elk verkooppunt."

<sup>&</sup>lt;sup>15</sup> French: "Un entretien régulier et bien exécuté de la voiture suivant les prescriptions du constructeur favorise aussi la réduction de la consommation de carburant et des émissions de CO2" and Flemish: "Een goed regelmatig in onderhoud van wagen volgens of voorschriften manufacturer ook een van bevordert vermindering van het van brandstofverbruik in CO2-uitstoot "

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Annex I ctd. Petrol label	Fuel consumption and CO2 emissions of passenger cars	, manufa	reserved for acturer's logo ptional)
	Make Model Version Fuel Transmission Type	Petro	bl
	Fuel consumption .,.	litres/1	L00km
	measured according to the official test-cycle	g/km	
	CO2 is the main greenhouse gas responsible for global warming		
	for global warming Fuel consumption and CO2 compared with the average f petrol fuelled cars	igures s	
	for global warming Fuel consumption and CO2 compared with the average f petrol fuelled cars (with an average of 7.4 l/100km and 175	<b>igures</b> <b>S</b> g/km CO2)	for all
	for global warming Fuel consumption and CO2 compared with the average f petrol fuelled cars (with an average of 7.4 l/100km and 175 p 100 130 160 190 220	igures s	
	for global warming Fuel consumption and CO2 compared with the average f petrol fuelled cars (with an average of 7.4 l/100km and 175 p 100 130 160 190 220	igures S g/km CO2) 250	for all
	for global warming Fuel consumption and CO2 compared with the average f petrol fuelled cars (with an average of 7.4 l/100km and 175 A B C D E	igures S g/km CO2) 250 F G	for all

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Annex T **Fuel consumption and CO2** Space reserved for **Diesel label** manufacturer's logo emissions of passenger cars (optional) Make Model Version Fuel Diesel Transmission Type .,. litres/100km Fuel consumption measured according to the official test-cycle ... g/km CO2 Emissions measured according to the official test-cycle CO2 is the main greenhouse gas responsible for global warming Fuel consumption and CO2 emissions compared with the average figures for all diesel fuelled cars (with an average of 6 l/100km and 160 g/km CO2) g/km 85 115 145 175 205 235 CO, A B C D E 3.2 4.3 5.4 6.6 7.7 8.8 l/100km Year of application 2001 A fuel consumption and CO2 emissions guide containing data about new passenger car models can be obtained free of charge from all points of sale. The fuel consumption and CO2 emissions of a vehicle depend not only on its fuel efficiency, but also on driver behaviour and other non-technical factors. Regular and properly conducted maintenance of the car in accordance with the manufacturer's instructions will help reduce fuel consumption and CO2 emissions.

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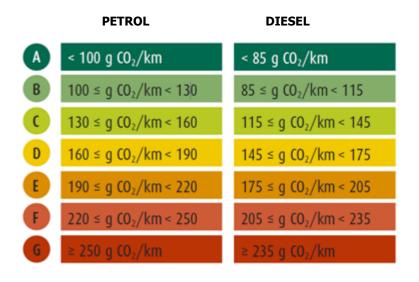
## **Colour Scale Label**

N.B. The scale indicating the fuel consumption and CO2 emissions compared with other cars is divided into seven boxes with different colours:

CO2 emissions in		
Petrol-powered	Diesel-powered	Colour
<100 g/km	<85 g/km	Dark green
100 to 130 g/km	85 to 115 g/km	Green
130 to 160 g/km	115 to 145 g/km	Light green
160 to 190 g/km	145 to 175 g/km	Yellow
190 to 220 g/km	175 to 205 g/km	Orange
220 to 250 g/km	205 to 235 g/km	Red orange
>250 g/km	>235 g/km	Red

An arrow (black triangle) on the coloured scale shows the fuel consumption and CO2 emission figures that apply to the car in question.

In colour:



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Annex II	Description of the Fuel Economy Guide				
	The fuel economy guide and CO2 emissions must contain at least the following information:				
	<ol> <li>A list, drawn up annually, of all the new passenger car models available for purchase in Belgium, grouped by makes in alphabetical order. If the guide is updated more than once a year then the guide should contain a listing of all new passenger car models available on the date of the publication of this update.</li> </ol>				
	2) for each model that appears in the guide, the fuel type, the numerical value of the official fuel consumption and the official specific emissions of CO2. The value of the official fue consumption is expressed in liters per 100 kilometers (I / 100 km) and is indicated with ar accuracy of one decimal place. Official specific CO2 emissions must be expressed in grams pe kilometer (g / km), rounded to the nearest whole number.				
	3) a listing, prominently featured, of the 10 most fuel-efficient new passenger ca models ranked in order of increasing specific CO2 emissions for each fuel type. The list shows the model, the numerical value of the official fuel consumption and the official specific CO2 emissions.				
	4) advice to motorists that correct use and regular maintenance of the vehicle and driving behaviour, such as avoiding aggressive driving, travelling at lower speeds, anticipation braking correctly inflating tyres, reducing periods of idling, not carrying excessive weight, improve the fuel consumption and reduce the CO2 emissions of their passenger car.				
	5) an explanation of the effects of greenhouse gas emissions, potential climate change and the relevance of motor cars as well as a reference to the different fuel options available to the consumer and their environmental implications based on the latest scientific evidence and legislative requirements.				
	6) a reference to the Community's target for the average emissions of CO2 from new passenge cars and the date of which the target should be achieved				
	7) a reference to the Commission's guide on fuel economy and CO2 emissions on the Internet when available				
Annex III:	Description of the poster or display to be shown at the point of sale				
	The poster or display must meet the following minimum requirements:				
	1. The poster or display must measure at least 70 cm x 50 cm;				
	2. Information contained on the poster or display must be easy to read;				
	3. When information is displayed on an electronic screen, it must be at least 25 cm x 32 cn (17 inches). The information can be displayed via a scroll on the screen;				
	4. The new passenger car models must be grouped and listed separately according to the type of fuel they use (e.g. petrol or diesel). For each type of fuel, the models must be ranked in order of increasing CO2 emissions, the model with the lowest official fuel consumption featuring at the top of the list;				
	5. The numeric value for the official fuel consumption and CO2 emissions must be displayed for each passenger car model on the list. Fuel consumption is expressed in litres per 100 kilometres (I/100 km) with an accuracy of one decimal point. CO2 emissions are expressed in grams per kilometre (g/km) and rounded up to the nearest whole number.				
	A suggested format is shown below:				

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	Type of fuel	Ranking	Model	CO2 Emissions	Fuel consumption
	Petrol	1			
		2			
	Diesel	1			
		2			
	other non-technic In the case of an 8. The poster or o display, every thr 9. The traditiona electronic screen	chicle depend not on cal factors. CO2 is the electronic display the display must be upda ee months; al display modes ca . In that event, the attention as would a	an be substituted electronic screen	e gas responsible for permanently displa six months. In the of completely and shall be such as to	or global warming <sup>1</sup> lyed; case of an electron permanently by
Annex IV	Directions for data relating to fuel consumption and CO2 emissions in promotiona literature and other promotional material				
	All promotional literature, as well as reproductions or images obtained from other promotion material must contain data on official fuel consumption and official specific CO2 emissions f the vehicles they refer to. This information must meet the following minimum requirements				
	1. The information must be easy to read and no less prominent than the main informatio featuring in the promotional literature or in the reproductions or images obtained from othe promotional material;				
	promotional mate				
		on must be easy t	o understand, ev	en when read qui	ickly (on superfic
	<ol> <li>The informatic contact);</li> <li>Data relating the promotional material. If the present the offician efficient and most fuel consumption</li> </ol>	on must be easy to to official fuel consu- erial or in the repro- promotional materia I fuel consumption t efficient model ( <i>thi</i> or and the model with s per 100 kilometres	mption must be p oductions or imag l covers more that for all models cov is means stating th th the highest fu	provided for all more ges obtained from n one model, it is vered or the range the figures for the m fiel consumption). F	dels covered by t o other promotion possible to disp between the lea odel with the low Fuel consumption

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	necessary to provide fuel consumption figures. This applies, in particular, if the text of the advertisement for a certain dealer or garage owner makes no reference to a particular mode
	To be annexed to our decree of 5 September 2001.
Annex V	Definition of vehicle types
	As regards the category M1:
	"Type" shall consist of vehicles which do not differ in at least the following essential respect
	- Manufacturer;
	- The manufacturer's type designation;
	- Essential aspects of construction and design:
	- Chassis / floor (obvious and fundamental differences);
	- Engine (internal combustion / electric / hybrid)
	"Variant" of a type means vehicles within a type which do not differ in at least the followi essential respects:
	- Body style (e.g. saloon, coupe, convertible, station wagon, etc.);
	- Engine:
	- Operating principle (positive ignition / compression ignition, four stroke / two stroke);
	- Number and arrangement of cylinders;
	- Power differences of more than 30% (the highest power being no more than 1.3 times t lowest power);
	- Cylinder capacity differences of more than 20% (the highest value being no more than 2 times the lowest value);
	- Powered axles (number, position, interconnection);
	- Steered axles (number and position).
	"Version" of a variant means vehicles, which consist of a combination of items shown in t information package in accordance with "the information document for the purpose of vehic type-approval" and "test results"
	The complete identification of vehicles just from the designations of type, version and varia must be consistent with a single accurate definition of all the technical characteristics requir necessary for the vehicle to be put into service and in particular, the parameters necessary f determining the taxes applicable to the vehicle. These parameters will be established in t relevant Annexes which cover the information to be provided for the purposes of approval.

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