

## GAMES CONSOLES VOLUNTARY AGREEMENT (GCVA) EIGHTH STEERING COMMITTEE MEETING

Tuesday, 22 October 2019, 13h00-15h30  
Cambre Associates, Rue Defacqz 52, 1050 Brussels

### PARTICIPANTS

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#### European Commission (EC)

1. Cesar Santos

#### BEIS (UK)

2. Marvin Taylor
3. Saro Thomas

#### Independent inspector (Intertek)

4. Jane Lee

#### Microsoft

5. Ted Eckert
6. Adriana Mattei, Zetacast, consultant to Microsoft

#### Nintendo

7. Julie Cheung-Rueckert
8. Emil Schweiger

#### Sony

9. Joshua Aslan
10. Zara Churton
11. Kieren Mayers
12. Noam El Mrabet, Interel Group, consultant to Sony
13. Nicolas Gyss, Interel Group, consultant to Sony

#### VA Administrator (Cambre Associates)

14. Laura Carre-Diaz
15. Ferial Saouli

## AGENDA

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1. Welcome and introductions
2. Appointment of the new Steering Committee Chair
3. 7<sup>th</sup> Steering Committee meeting (15 November 2018)
  - Approval of minutes
  - Review of actions
4. Annual Compliance Report - Intertek
5. 2019 SRI Review Report & Comments to the Consultants' Study
6. Update from the Signatories
7. Update from the European Commission
8. AOB and date of next Steering Committee meeting
9. End of meeting

## MEETING MINUTES

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### 1. Welcome and introductions

Kieren Mayers (Sony) opened the meeting at 13h00 and reviewed the agenda. No additional items were brought forward. Participants then introduced themselves. Apologies were sent by Ernestas Oldyrevas from ECOS who was unable to attend.

### 2. Appointment of the new Steering Committee Chair

During the 15 November 2018 Steering Committee meeting Tim Calland (Microsoft) announced that he would be stepping down as Chair of the Steering Committee. The Steering Committee proceeded to appoint Kieren Mayers (Sony) as new Chair.

### 3. Seventh Steering Committee meeting (November 2018) approval of minutes and review of actions

Feriel Saouli (Cambre Associates, VA Administrator) recounted that the minutes were circulated, approved, and uploaded on the Games Consoles (GC) [website](#).

She also noted that the actions agreed at the 7<sup>th</sup> Steering Committee meeting had been completed.

### 4. Annual Compliance Report – Intertek

Jane Lee (Intertek, Independent Inspector) gave a presentation about the SRI 2018 Annual Compliance Report (ACR). Both the ACR and her presentation can be found on the GC [website](#).

Jane Lee (Intertek, Independent Inspector) highlighted that for the reporting period covered by the ACR (January to December 2018):

- The [SRI version 2.6.3](#) applied.
- The three Signatories represented 100% of the EU market (accounting for around 47 million units sold).

- Six games consoles fell within the scope of the SRI (Nintendo did not have a console falling within the scope for this reporting period, but is still a Signatory to the SRI).
- A new simplified Product Compliance Report (PCR) template was used, which contributed to simplifying the reporting and reviewing process.

Jane Lee (Intertek, Independent Inspector) determined that the Signatories continued to be compliant with all SRI requirements and concluded her presentation by recommending that the process with the streamlined reporting continues. She signalled that for consistency when reporting publicly and publishing the PCRs, it would be appropriate if all Signatories adopt the same level of completion of the PCR (for existing models), either by simply completing the top summary section and linking back to the previously published PCR from the last reporting period, or by providing the online links for each model individually.

Kieren Mayer (Sony) thanked the Independent Inspector and remarked that there had been new commitments on information (related to the PCRs) during this reporting period.

Cesar Santos (EC) asked when the Nintendo Switch would be included in the scope of the VA and submitted to compliance verification, to which Emil Schweiger (Nintendo) replied, that pending acceptance of the SRI revision, it would be in scope starting January 2021 (so the first PCR will cover the reporting period January-December 2021).

## 5. 2019 SRI Review Report & Comments to the Consultants' Report

The Signatories gave an update on the 2019 SRI Review Proposals to be presented at the Consultation Forum, as well as comments to the consultants' report that was commissioned by the European Commission towards the end of 2018.

Ted Eckert (Microsoft) highlighted the review schedule had been significantly delayed due to the consultants' report being only available mid-September 2019 (instead of early August). The SRI Review Report will be circulated later this month, after taking into account the input received in this Steering Committee meeting. A revised draft SRI will be ready in November, and the timing of its finalisation will depend on discussions at the next Consultation Forum.

Ted Eckert (Microsoft) also discussed the next generation of consoles and future trends in terms of display resolution, streaming data compression technology, virtual reality, computational ability and cloud computing. Both Sony and Microsoft have announced their next consoles: PlayStation 5 and Xbox Project Scarlett.

Kieren Mayers (Sony) gave an official notification to the Commission on a new console category proposed for next generation, and mentioned the specifications announced so far by Sony and Microsoft for their PlayStation 5 and Project Scarlett respectively. He said an additional SRI review will be needed in 2020 and a new category would be created in this review for new requirements considered in the next review. While the new category is created, the current requirements would not apply to the new consoles. He concluded that as soon as the information on console development is available, Signatories will start feeding it into the SRI review process.

Cesar Santos (EC) said this was a reasonable proposal.

Ted Eckert (Microsoft) added that new console developments are announced around June, around the time of the E3, with consoles usually put on the market 6 months later. Signatories expect to have made progress in the SRI draft by then. The same process would apply for the UK.

Joshua Aslan (Sony) mentioned research studies have showed that opportunities for further power savings for current consoles are limited, but the cumulative lifetime savings are estimated at 48 TWh, which is the equivalent to the annual energy consumption of Portugal. He added that the consultants' estimate was slightly higher, because it was based on a 7 year lifetime of consoles, and Signatories based their estimations on an approx. 5 year lifetime.

Zara Churton (Sony) presented the various material efficiency standards that were reviewed.

In terms of the proposed changes to the SRI, both on energy efficiency and material efficiency, the Signatories discussed the recommended changes proposed by the consultants, their considerations for addressing each of them as well as their own proposed revisions drafted in June 2019 (some of which were already in line with the consultant's recommendations).

For proposed changes to **energy efficiency**, please refer to slides 12-13<sup>1</sup>, for recommendations already addressed to slide 14 and for recommendations not taken on board and the rationale thereof to slide 15. The following points were raised during the ensuing discussions:

- In replying to Jane Lee (Intertek, Independent Inspector) about measurements and testing tolerance of power caps, Kieren Mayers (Sony) clarified the SRI already makes reference to EU Omnibus tolerance regulation, which accounts for +/-10% variations on measurement results, due to the use of different measurement equipment.
- Marvin Taylor (BEIS) asked how Signatories plan to handle the power consumption increase in next generation consoles, to which Kieren Mayers (Sony) replied that there will be various energy saving technologies used resulting in energy savings.
- In response to the issue raised that current generation consoles cannot be used as a basis of power caps for the next generation due to different functions and performance, Cesar suggested that a 'functional' unit should be defined for each category of consoles, as indeed products with different functions and performance are not comparable"

For proposed changes to **material efficiency**, please refer to slide 16, for recommendations already addressed to slide 17 and for recommendations not taken on board and the rationale thereof to slide 18. The following points were raised during the ensuing discussions:

- Signatories noted that they plan to adopt the consultants' recommendation to include home consoles consuming <20 W in scope for material efficiency requirements by 2021. Nintendo Switch console will therefore be within the scope of the VA starting January 2021.
- As far as the scope and the inclusion of handheld consoles is concerned, Marvin Taylor (BEIS) asked for further data on why handhelds should be included. Kieren Mayers (Sony) explained that the initial scope of the SRI was defined by the EC and perhaps the

<sup>1</sup> GCVA\_SRI\_2019\_Reviews\_FINAL

US EPA, not by the Signatories. In conclusion, Cesar Santos confirmed that the EC would normally consider any such categories of products not in scope of current ErP measure as part of their eventual review of ErP implementation

- On the issue of battery capacity, Marvin Taylor (BEIS) mentioned there had been product recalls in the UK due to battery failures to which Kieren Mayers (Sony) replied that Signatories were referring to capacity, so the test “battery failure” would be revised to reflect this.
- Provide spare parts to all repairers for 7 years: Signatories recognise the recent push for ‘a right to repair’ and thereby address this by providing an out of warranty repair service, but there is no agreement to provide spare parts to all repairers because parts are proprietary/encrypted against piracy. There is an agreement to keep repairing consoles throughout their life cycle (for consumers whose consoles can be repaired).
- Commit to free repairs as first option under guarantee: Signatories clarified they are already committed to refurbishment and repair in the SRI.
- Kieren Mayers (Sony) remarked that Signatories would draft in the next few weeks the statements describing the reparability of consoles (a new proposal in line with the consultant’s recommendation).
- Provide information on durability of consoles: Cesar Santos (EC) asked whether the Signatories could develop their own testing methods to predict how long the consoles will last. Kieren Mayers (Sony) said Signatories see a peak of consoles being returned after 3-4 years and can only communicate on what they receive from consumers. There are no current reliable methods to measure how long a console actually lasts and Signatories can only gather statistics on returns of consoles to estimate failures, but the reason for product failure cannot be predicted in advance. Marvin Taylor (BEIS) asked if it would be possible to commission the development of test standards, to which Kieren Mayers (Sony) replied that Sony had been involved in the Committee drafting the CENELEC material efficiency standard, established under the EC’s mandate and there are no methods available at the moment to test lifetime. Given the durability of games consoles, Signatories see no added value for consumers to in add this requirement to the SRI. Kieren Mayers (Sony) added that reliability might be easier to measure, but this was not something CENELEC has looked at.

Commenting on the presentation given by the Signatories on the 2019 SRI Review, Cesar Santos (EC) said the proposals from signatories were acceptable for the EC and that the Game Consoles VA is a good case study. He added that there are two possible dates for the Consultation Forum (related to availability of meeting rooms at the Borschette Centre):

- Thursday 12 December – together with the Complex Set Top Boxes VA (one in the morning, the other in the afternoon). Signatories confirmed their availability on 12 December and indicated a preference for the morning session.
- Wednesday 18 December – GC VA alone or maybe together with Imaging Equipment VA (date not fixed yet with the other VA).

The Signatories added that the outline process for the 2020 review can be better drafted after the discussions at the Consultation Forum in December.

### Actions

- Signatories to update the 2019 SRI Review Report with input received at today's meeting.
- Signatories to finalise SRI Agreement update with input from Consultation Forum.
- Signatories to provide clarification on the non-inclusion of handheld consoles in the scope
- Cesar Santos (EC) to confirm date/time slot for GCVA Consultation Forum session on 12 December (preferably in the morning).

## 6. Update from Signatories

### UK Voluntary Agreement

Kieren Mayers (Sony) mentioned that after a first meeting in London on 22 September 2019, a Memorandum of Understanding (MoU) has been signed between the three SRI Signatories and BEIS, to continue complying with the requirements of the SRI in the UK in the event that the UK leaves the EU in a no-deal scenario.

Saro Thomas (BEIS) requested to amend the MoU to address the possibility that the UK may leave the EU on a date later than 31 October

### Questions for the EC from the Signatories

Kieren Mayers (Sony) asked the EC about the next steps on the Consultant's study and if they will attend the Consultation Forum, to which Cesar Santos (EC) replied he was not sure and would check with his colleagues.

### Actions

- BEIS to separately follow up with the Signatories about amending the MoU.
- Cesar Santos (EC) to check with colleagues on the Consultants' attendance to CF and next steps on the report.

## 7. Update from the European Commission

Cesar Santos (EC) gave the following updates:

- There is no foreseeable change in the Ecodesign regulatory framework and the role of self-regulation.
- An EU Green Deal is to be expected within the first 100 days of the new Commission
- April 2020: adoption of next Circular Economy package & Industrial policy strategy.
- Next Ecodesign and energy labelling working plan: call for tender has been launched. There are discussions to tackle smartphones
- There are discussions on a product sustainability framework for products other than energy efficiency sector, e.g. furniture, textiles, etc. There may be a framework regulation on this.

Marvin Taylor (BEIS) asked about the publication of the October package, to which Cesar Santos (EC) replied it had been adopted on 1 October, but there had not been any active communication about it.

## 8. AOB and date of next Steering Committee meeting

There was no AOB put forward. Kieren Mayers (Sony) said that the date of the next Steering Committee meeting is still being discussed and will be confirmed in due course.

### Actions

- VA Administrator to prepare and share the minutes of the current meeting.

## 9. End of meeting

Kieren Mayers (Sony) thanked all participants and closed the meeting at 15h30.