

Initial draft of some responses to GLA and similar comments on Task 6 Tiers from David Boughey.

I think that it is worth clarifying the Annex view of some of the concerns raised where we may think the statements are incorrect. I suspect that the GLA or member national organisations may write to SSL Annex member countries so it would be good to develop a response on some of these issues even if we don't write back directly. For example (rough first attempt):

- The SSL Annex Performance Requirements are advice to governments prepared by nominated experts (and also with input through stakeholder consultation). It is up to member countries and other countries how and to what extent these are taken into account in developing country level policy and regulation.
- The revised Performance Requirements are projections for policy considerations circa 2023 so are advice that could be considered as part of future policy and regulatory development. The work therefore does not contradict current regulation or policy.
- The SSL Annex acknowledges they are not the sole source of advice on SSL efficacy and performance – and is aware of other processes such as the UNEP U4E model regulations that are available.
- The revised performance requirements are based on modelling and analysis from xx sources of data, altogether covering xx models. While we cannot claim this modelling is fully representative of a diverse and evolving market, we have made best endeavours to use available data and are not aware of a more comprehensive publicly available analysis.
- Lack of technical expertise. Nominated experts who contribute to the work of the SSL Annex are highly qualified and experienced and respected in their fields. The Performance Requirements are also circulated for stakeholder input and substantive comments are taken into account in the finalisation of the guidance.
- Reference to 'multiple tier approach' – The SSL Annex Performance Requirements offer guidance on one possible set of minimum performance levels, one set of high performance levels (in recognition that many countries consider the use of a performance label or mark as a valid policy tool) and a third level that identifies the leading edge of the market (not intended for regulation). This information is offered within the context of existing valid policy approaches by governments and other organisations and does not offer, for example, multiple minimum performance levels.

As for the offer for us to participate the GLA process, the MC would need to discuss this and I think all MC members would also seek advice from their respective nominating agencies. I suspect that at least some countries may not think it appropriate for the SSL Annex to negotiate on their behalf. I think it might be appropriate for the SSL Annex to suggest that GLA take into account the revised SSL Annex Performance Requirements and associated data analysis as part of their own deliberations. My initial thought is that it would be better if the GLA were to take part in the UNEP U4E model regulation process rather than start their own.

Regards
David Boughey