

General Guidance

Guidance: F Gas and Ozone Regulations

Information Sheet GEN 4: Relevant Legislation

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This Information Sheet provides a list of all the relevant legislation on F gases and ozone-depleting substances. The legislation listed is at a European level and a national level.

Definitions

Regulation	Regulations are the most direct form of European Union (EU) law - as soon as they are passed, they have binding legal force throughout every Member State. National governments do not have to take action themselves to implement EU regulations. However, Member States are required to lay down rules on penalties applicable to infringements of the provisions of Regulations.
Directive	EU directives lay down certain end results that must be achieved in every Member State. National authorities have to adapt their laws to meet these goals, but are free to decide how to do so. Each directive specifies the date by which the national laws must be adapted - giving national authorities the room for manoeuvre within the deadlines necessary to take account of differing national situations. Directives are only binding on the member states to whom they are addressed, which can be just one member state or a group of them.

Relevant Legislation on F Gases

Number	Name	Date Published in OJ
EC 842/2006	Regulation of the European Parliament and of the Council on certain Fluorinated Greenhouse Gases http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:161:0001:0011:EN:PDF <i>This is the main F gas Regulation at a European level and all other regulations are pursuant to it and provide more detail on the substance and interpretation of this regulation.</i>	17 th May 2006

Pursuant European Regulations on F Gases

Number	Name	Date Published in OJ
Producer Reporting EC 1493/2007	Commission Regulation establishing the format for the report to be submitted by producers, importers and exporters of certain fluorinated greenhouse gases http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:332:0007:0024:EN:PDF	17 th December 2007

Labelling

EC 1494/2007 Commission Regulation establishing the form of labels and additional labeling requirements as regards products and equipment containing certain fluorinated greenhouse gases 17th December 2007

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:332:0025:0026:EN:PDF>

Leak Checking – stationary refrigeration & air-conditioning

EC 1516/2007 Commission Regulation establishing standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases 19th December 2007

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:333:0010:0012:EN:PDF>

Leak Checking – fire protection

EC 1497/2007 Commission Regulation establishing standard leakage checking requirements for stationary fire protection systems containing certain fluorinated greenhouse gases 18th December 2007

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:333:0004:0005:EN:PDF>

Qualifications – stationary refrigeration & air-conditioning

EC 303/2008 Commission Regulation establishing minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases 2nd April 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:092:0003:0011:EN:PDF>

Qualifications – fire protection

EC 304/2008 Commission Regulation establishing minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary fire protection systems and fire extinguishers containing certain fluorinated greenhouse gases 2nd April 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:092:0012:0016:EN:PDF>

Qualifications – high voltage switchgear

EC 305/2008 Commission Regulation establishing minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gases from high-voltage switchgear 2nd April 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:092:0017:0020:EN:PDF>

Qualifications – solvent

EC 306/2008 Commission Regulation establishing minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gas-based solvents from equipment 2nd April 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:092:0021:0024:EN:PDF>

Qualifications – mobile air-conditioning

EC 307/2008 Commission Regulation establishing minimum requirements for training programmes and the conditions for mutual recognition of training attestations for personnel as regards air-conditioning systems in certain motor vehicles containing certain fluorinated greenhouse gases 2nd April 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:092:0025:0027:EN:PDF>

Format for notification of Training Programmes

EC 308/2008 Commission Regulation establishing the format for notification of training and certification programmes. 2nd April 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:092:0028:0034:EN:PDF>

Great Britain – Penalties & Qualifications in relation to F Gas Regulation

Number	Name	Came into Force
SI 261	The Fluorinated Greenhouse Gases Regulations 2009 This statutory instrument put in place offences and penalties applicable in Great Britain to infringements of provisions of the EU F gas Regulation and ten associated EU Regulations. These Regulations do not apply in Northern Ireland. http://www.legislation.gov.uk/ukxi/2009/261/pdfs/ukxi_20090261_en.pdf	9 th March 2009

Northern Ireland – Penalties & Qualifications in relation to F Gas Regulation

Number	Name	Came into Force
SI 184	The Fluorinated Greenhouse Gases (Northern Ireland) Regulations 2009 This statutory instrument put in place offences and penalties applicable in Northern Ireland to infringements of provisions of the EU F gas Regulation. http://www.legislation.gov.uk/nisr/2009/184/pdfs/nisr_20090184_en.pdf	12 th May 2009

Relevant Legislation on Ozone-Depleting Substances

Number	Name	Date Published in OJ
Main European Regulation		
EC 1005/2009	Regulation of the European Parliament and of the Council on substances that deplete the ozone layer. This revised regulation revokes and replaces EC 2037/2000 as amended http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:286:0001:0030:EN:PDF	16 th September 2009

Great Britain – Penalties & Qualifications in relation to Ozone Regulation

Number	Name	Came into Force
SI 216/2009	The Ozone Depleting Substances (Qualifications) Regulations 2009 http://www.legislation.gov.uk/uksi/2009/216/pdfs/uksi_20090216_en.pdf	9 th March 2009
SI 1543/2011	The Environmental Protection (Control on Ozone-Depleting Substances) Regulations 2011 http://www.legislation.gov.uk/uksi/2011/1543/pdfs/uksi_20111543_en.pdf	20 th July 2011

Northern Ireland – Penalties & Qualifications in relation to Ozone Regulation

Number	Name	Came into Force
SI 239/2011	The Controls on Ozone Depleting Substances Regulations (Northern Ireland) 2011 This statutory instrument put in place offences and penalties applicable in Northern Ireland to infringements of provisions of the EU Ozone Regulation. http://www.legislation.gov.uk/nisr/2011/239/pdfs/nisr_20110239_en.pdf	31 st July 2011
SI 240/2011	The Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2011 http://www.legislation.gov.uk/nisr/2011/240/pdfs/nisr_20110240_en.pdf	31 st July 2011

Relevant Legislation for Mobile Air-Conditioning containing F Gases

Number	Name	Came into Force
EU EC 40/2006	Directive Of The European Parliament And Of The Council relating to emissions from air-conditioning systems in motor vehicles http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:161:0012:0018:EN:PDF	17th May 2006

Great Britain

SI 2084	The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 2009 http://www.legislation.gov.uk/uksi/2009/2084/pdfs/uksi_20092084_en.pdf	26th August 2009
SI 3135	The Motor Vehicles (EC Type Approval) (Amendment No. 2) Regulations 2007 http://www.legislation.gov.uk/uksi/2007/3135/pdfs/uksi_20073135_en.pdf	1st December 2007
SI 2196	The Road Vehicles (Construction and Use) (Amendment) (No. 3) Regulations 2009 http://www.legislation.gov.uk/uksi/2009/2196/pdfs/uksi_20092196_en.pdf	7th September 2009
SI 2194	The Motor Vehicles (Refilling of Air Conditioning Systems by Service Providers) Regulations 2009 http://www.legislation.gov.uk/uksi/2009/2194/pdfs/uksi_20092194_en.pdf	7th September 2009

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The information in this document is intended as guidance and must not be taken as formal legal advice or as a definitive statement of the law. Ultimately only the courts can decide on legal questions and matters of legal interpretation. If you have continuing concerns you should seek legal advice from your own lawyers.

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