

(2) In Article 16(3)—

- (a) for “2021” substitute “2015”;
- (b) after “Article 19”, insert “or otherwise”.

Date _____ *Name*
Department for Environment, Food and Rural Affairs
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Article 16(3) of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases (EUR 2014/517, “the F-gas regulation”) which relates to environmental protection and is secondary retained EU law within the meaning of section 11(2) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28).

Article 16 of the F-gas regulation provides for the allocation of quotas for placing hydrofluorocarbons (HFCs) on the market.

Regulation 2(2)(a) amends a date in Article 16(3) to correct a technical error made in a previous amending instrument. Article 16(3) provides for recalculation of reference values by 31st October 2023 (and every three years after that) on the basis of the annual average of HFCs placed on the market from a specified start date, using certain prescribed data. The start date should have been January 2015 but was erroneously changed to 2021 by S.I 2020/1616. This instrument corrects this mistake.

Regulation 2(2)(b) provides that all relevant reported data gathered after 2015 may be used to calculate reference values from which to allocate quota.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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