

SCHEDULE 2

Regulation 23(1)(a)(i)

2014 Regulation provisions

<i>Provision of 2014 Regulation</i>	<i>Summary of subject matter</i>
Article 3(1).	Prohibition on the intentional release of fluorinated greenhouse gases into the atmosphere where not technically necessary for intended use.
Article 3(2).	Requirement on operators of equipment to take precautions to prevent leakage of fluorinated greenhouse gases. Requirement on operators of equipment to take measures to minimise leakage of fluorinated greenhouse gases.
Article 3(3).	Requirement on operators of equipment to ensure that equipment is repaired without undue delay where a leakage of fluorinated greenhouse gases is detected. Requirement on operators of equipment to ensure equipment is checked where the equipment is subject to leak checks under Article 4(1) (leak checks) and has been repaired.
Article 3(4).	Requirement on natural persons carrying out tasks referred to in Article 10(1)(a) to (c) (training and certification) to be certified and to take precautionary measures to prevent leakage of fluorinated greenhouse gases. Requirement on undertakings carrying out the installation, servicing, maintenance, repair or decommissioning of equipment referred to in Article 4(2)(a) to (d) to be certified and to take precautionary measures to prevent leakage of fluorinated greenhouse gases.
Article 4(1) (read in association with Article 4(2) to (4)).	Requirement on operators of equipment to ensure that specified types of equipment are checked for leaks.
Article 5(1).	Requirement on operators of equipment listed in Article 4(2)(a) to (d) containing fluorinated greenhouse gases in quantities of 500 tonnes of CO ₂ equivalent or more to ensure that the equipment is provided with a leakage detection system.
Article 5(2).	Requirement on operators of equipment listed in Article 4(2) (f) and (g) containing fluorinated greenhouse gases in quantities of 500 tonnes of CO ₂ equivalent or more and installed from 1 January 2017 to ensure that the equipment is provided with a leakage detection system.
Article 5(3).	Requirement on operators of equipment listed in Article 4(2)(a) to (d) and (g) to ensure that leakage detection systems are checked at least once every 12 months.
Article 5(4).	Requirement on operators of equipment listed in Article 4(2)(f) (electrical switchgear) to ensure that leakage detection systems are checked at least once every six years.

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- Article 6(1). Requirement on operators of equipment required to be checked for leaks under Article 4(1) to establish and maintain records for each piece of equipment specifying prescribed information.
- Article 6(2). Requirement on operators required to keep records under Article 6(1) to keep them for at least five years except where those records are stored in a database set up by the competent authorities.
- Requirement on undertakings carrying out the activities referred to in Article 6(1)(e) (record keeping) for operators to keep copies of the records for at least five years except where those records are stored in a database set up by the competent authorities.
- Requirement on operators of equipment and undertakings to make the records available on request to a competent authority or to the European Commission.
- Article 6(3) (read in association with Article 11(4)). Requirement on undertakings supplying fluorinated greenhouse gases to establish records of relevant information on the purchasers including prescribed details.
- Requirement on undertakings to maintain the records for at least five years.
- Requirement on undertakings to make the records available on request to a competent authority or to the European Commission.
- Article 7(1). Requirement on producers of fluorinated compounds to take all necessary precautions to limit emissions of fluorinated greenhouse gases during production, transport and storage.
- Article 7(2). Prohibition on the placing on the market of fluorinated greenhouse gases and gases listed in Annex II, except, where relevant, the producer or importer provides evidence at the time of placing that trifluoromethane produced as a by-product during the manufacturing process, has been destroyed or recovered for subsequent use.
- Article 8(1). Requirement on operators of specified stationary equipment or refrigeration units of refrigerated trucks and trailers that contain fluorinated greenhouse gases not contained in foams to ensure that the recovery of the gases is carried out by natural persons certified under Article 10.
- Article 8(2). Requirement on undertakings that use a fluorinated greenhouse gases container immediately prior to disposal to arrange for the recovery of any residual gases to make sure they are recycled, reclaimed or destroyed.
- Article 8(3). Requirement on operators of products and equipment not listed in Article 8(1) that contain fluorinated greenhouse gases to arrange for the recovery of the gases by appropriately qualified natural persons or to arrange for their destruction.
- F1
[Article 10(11)] Requirement on undertakings assigning tasks referred to in Article 10(1) to another undertaking to take reasonable steps to ascertain that the latter holds the necessary certificates for the required tasks.]

- Article 11(1) (read in association with Article 11(2) and (3)). Prohibition on the placing on the market of products and equipment listed in Annex III, with the exception of military equipment, from the date specified in the Annex.
- Article 11(4). Prohibition on the sale and purchase of fluorinated greenhouse gases for the purposes of carrying out the installation, servicing, maintenance or repair of equipment that contains fluorinated greenhouse gases or whose functioning relies upon those gases, except by undertakings who hold relevant certifications or attestations in accordance with Article 10.
- Article 11(5). Prohibition on the sale of non-hermetically sealed equipment charged with fluorinated greenhouse gases to the end user without the provision of evidence that the installation is to be carried out by an undertaking certified in accordance with Article 10.
- Article 12(1) (read in association with Article 12(3), (4) and (6) to (13)). Prohibition on the placing on the market of specified products and equipment that contain or whose functioning relies upon fluorinated greenhouse gases unless they are labelled.
- Article 12(5). Prohibition on the placing on the market of foams and pre-blended polyols that contain fluorinated greenhouse gases unless the fluorinated greenhouse gases are identified with an accepted industry designation or, if not available, its chemical name.
- Article 13(1). Prohibition on the use of sulphur hexafluoride in magnesium die-casting and in the recycling of magnesium die-casting alloys (from 1st January 2018 in relation to installations using a quantity of sulphur hexafluoride below 850kg per year).
- Article 13(2). Prohibition on the use of sulphur hexafluoride to fill vehicle tyres.
- Article 13(3). Prohibition, from 1st January 2020 (1st January 2030 in relation to specified categories of fluorinated greenhouse gases), on the use of fluorinated greenhouse gases with a global warming potential of 2,500 or more, to service or maintain refrigeration equipment with a charge size of 40 tonnes of CO₂ equivalent or more, except for military equipment or equipment intended for applications designed to cool products to temperatures below -50°C.
- Article 14(1). Prohibition, from 1st January 2017, on the placing on the market of refrigeration, air conditioning and heat pump equipment charged with hydrofluorocarbons unless the hydrofluorocarbons charged into the equipment are accounted for within the quota system referred to in Chapter IV.
- Article 14(2) (read in association with Article 14(3)). Requirement on manufacturers and importers of equipment placing pre-charged equipment on the market to ensure that compliance with Article 14(1) (pre-charging of equipment with hydrofluorocarbons) is fully documented and to draw up a declaration of conformity.
- Requirement, from 1st January 2018, on importers of equipment containing hydrofluorocarbons not placed on the market prior to the charging of the equipment to ensure that by 31 March every year the accuracy of the documentation and declaration

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of conformity is verified, for the preceding calendar year, by an independent auditor.

Requirement on manufacturers and importers of equipment referred to in Article 14(1) to keep the documentation and declaration of conformity for a period of at least five years after the placing on the market of that equipment.

- Article 15(1) (read in association with Article 15(2) and (3)). Requirement on producers and importers to ensure that the quantity of hydrofluorocarbons calculated in accordance with Annex V that each of them places on the market does not exceed their quota allocated pursuant to Article 16 (allocation of quotas for placing hydrofluorocarbons on the market) or transferred pursuant to Article 18 (transfer of quotas and authorisation to use quotas for the placing on the market of hydrofluorocarbons in imported equipment).
- Article 17(1). Requirement on prescribed persons to be registered in the electronic registry for quotas for placing hydrofluorocarbons on the market.
- Article 19(1). Requirement on each producer, importer and exporter that produced, imported or exported one tonne or 100 tonnes of CO₂ equivalent or more of fluorinated greenhouse gases and gases listed in Annex II during the preceding calendar year, as well as undertakings receiving quotas pursuant to Article 18(1), to report to the European Commission the data specified in Annex VII on each of those substances for that calendar year by 31 March 2015 and every year thereafter.
- Article 19(2). Requirement on each undertaking that destroyed one metric tonne or 1,000 tonnes of CO₂ equivalent or more of fluorinated greenhouse gases and gases listed in Annex II during the preceding calendar year to report to the European Commission the data specified in Annex VII on each of those substances for that calendar year by 31 March 2015 and every year thereafter.
- Article 19(3). Requirement on each undertaking that used 1,000 tonnes of CO₂ equivalent or more of fluorinated greenhouse gases as feedstock during the preceding calendar year to report to the European Commission the data specified in Annex VII on each of those substances for that calendar year by 31 March 2015 and every year thereafter.
- Article 19(4). Requirement on each undertaking that placed 500 tonnes of CO₂ equivalent or more of fluorinated greenhouse gases and gases listed in Annex II contained in products or equipment on the market during the preceding calendar year to report to the European Commission the data specified in Annex VII on each of those substances for that calendar year by 31 March 2015 and every year thereafter.
- Article 19(5). Requirement on each importer that places on the market pre-charged equipment where hydrofluorocarbons contained in that equipment have not been placed on the market prior to the

charging of the equipment to submit to the European Commission a verification document issued pursuant to Article 14(2).

Article 19(6). Requirement on each undertaking which, under Article 19(1), reports on the placing on the market 10,000 tonnes of CO₂ equivalent or more of hydrofluorocarbons during the preceding calendar year to ensure that the accuracy of the data is verified by an independent auditor by 30 June 2015 and every year thereafter.

Requirement on undertakings to keep the verification report for at least five years.

Requirement on undertakings to make the verification report available, on request, to a competent authority and to the European Commission.

F1 Words in Sch. 2 inserted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), **regs. 1(1), 22**

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Changes and effects yet to be applied to :

- Sch. 2 words added by [S.R. 2020/304 reg. 3\(3\)\(a\)\(i\)](#)
- Sch. 2 words added by [S.R. 2020/304 reg. 3\(3\)\(a\)\(ii\)](#)
- Sch. 2 words added by [S.R. 2020/304 reg. 3\(3\)\(c\)](#)
- Sch. 2 words inserted by [S.R. 2020/304 reg. 3\(3\)\(b\)](#)
- Sch. 2 words omitted by [S.I. 2019/281 reg. 4\(4\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words omitted by [S.I. 2019/281 reg. 4\(4\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words omitted by [S.I. 2019/281 reg. 4\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words substituted by [S.I. 2019/281 reg. 4\(4\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words substituted by [S.I. 2019/281 reg. 4\(4\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words substituted by [S.I. 2019/281 reg. 4\(4\)\(b\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words substituted by [S.I. 2019/281 reg. 4\(4\)\(b\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))
- Sch. 2 words substituted by [S.I. 2019/281 reg. 4\(4\)\(b\)\(v\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(4) revoked immediately before IP completion day by S.R. 2020/304, regs. 1(2)(a), 4(2)(b))

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- reg. 3(4) inserted by [S.I. 2019/281 reg. 4\(2\)](#)