

SCHEDULE

OFFENCES RELATING TO CONTRAVENTIONS OF THE PRINCIPAL REGULATION

PART III

OFFENCES RELATING TO CONTRAVENTIONS OF ARTICLE 5

28.—(1) Subject to Article 5(2) and (5) and paragraph 32 below, a person commits an offence if he uses, or causes or permits another person to use, hydrochlorofluorocarbons as refrigerants—

- (a) on or after the commencement date, in equipment produced after 31st December 1995, for any of the following uses—
 - (i) in non-confined direct-evaporation systems;
 - (ii) in domestic refrigerators and freezers;
 - (iii) otherwise than for military uses, in motor vehicle, tractor or off-road vehicle or trailer air-conditioning systems (operating on any energy source);
- (b) on or after the commencement date, in equipment produced after 31st December 1997, in rail transport air-conditioning;
- (c) on or after the commencement date, in equipment produced after 31st December 1999, for either of the following uses—
 - (i) in public and distribution cold stores or warehouses;
 - (ii) for equipment with a shaft input equal to, or greater than, 150kW;
- (d) after the commencement date, in refrigeration or air-conditioning equipment produced after that date, other than—
 - (i) equipment referred to in any of sub-paragraphs (a) to (c);
 - (ii) equipment excepted from sub-paragraph (a)(iii) (but see sub-paragraph (g) below);
 - (iii) fixed air-conditioning equipment with a cooling capacity of less than 100kW (but see sub-paragraph (e) below); and
 - (iv) reversible air-conditioning/heat pump systems (but see sub-paragraph (f) below);
- (e) on or after 1st July 2002, in fixed air-conditioning equipment with a cooling capacity of less than 100kW, produced after 30th June 2002;
- (f) on or after 1st January 2004, in reversible air-conditioning/heat pump systems whose equipment is produced after 31st December 2003;
- (g) on or after 31st December 2008, in any military use of motor vehicle, tractor or off-road vehicle or trailer air-conditioning system.