
STATUTORY INSTRUMENTS

2015 No. 310

The Fluorinated Greenhouse Gases Regulations 2015

PART 3

Certification, evaluation and attestation

[^{F1}Appointment of certification, evaluation and attestation bodies

8.—(1) The Secretary of State may appoint, after consulting the Scottish Ministers, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs, such person and on such terms as the Secretary of State thinks fit to be—

- (a) for the purposes of Commission Regulation 304/2008—
 - (i) a certification body for the purposes of Article 5 (personnel certificates);
 - (ii) an evaluation body for the purposes of Article 5;
 - (iii) a certification body for the purposes of Article 8 (company certificates);
- (b) for the purposes of Commission Regulation 306/2008—
 - (i) a certification body;
 - (ii) an evaluation body;
- (c) for the purposes of Commission Regulation 307/2008, an attestation body;
- (d) for the purposes of Commission Regulation 2015/2066—
 - (i) a certification body;
 - (ii) an evaluation body;
- (e) in relation to Commission Regulation 2015/2067—
 - (i) a certification body for the purposes of Article 4 (certificates for natural persons);
 - (ii) an evaluation body for the purposes of Article 4;
 - (iii) a certification body for the purposes of Article 6 (company certificates).

(2) The Secretary of State may charge such fees as the Secretary of State considers will enable the recovery of any reasonable expenses incurred in reviewing an application to be appointed under paragraph (1).

(3) The Secretary of State may, after consulting the Scottish Ministers, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs, decide to terminate the appointment of a person appointed under paragraph (1) by giving that person notice of the decision, with reasons, in writing.]

F1 Reg. 8 substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **9**

Certificates relating to stationary refrigeration, air conditioning and heat pump equipment issued in EEA States and Northern Ireland

9.—(1) A person who holds a valid certificate issued under [^{F2}Article 4 or 6 of Commission Regulation 2015/2067] by a certification body in an EEA State [^{F3}other than the United Kingdom] in respect of an activity mentioned in Article 2 of that Regulation may not carry out that activity unless—

- (a) the certificate is written in English; or
- (b) the person holds a translation of the certificate in English.

(2) A person who holds a valid certificate issued under [^{F4}Article 4 or 6 of Commission Regulation 2015/2067] by a certification body appointed in Northern Ireland in respect of an activity mentioned in Article 2 of that Regulation may carry out that activity.

- F2** Words in reg. 9(1) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **10**
- F3** Words in reg. 9(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/583\)](#), regs. 1(1), **35(1)(4)** (as amended by S.I. 2020/1616, regs. 1(2), **2(2)(18)(a)**); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 9(2) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **10**

Certification and evaluation bodies: fire protection systems and fire extinguishers

^{F5}**10.**

- F5** Reg. 10 omitted (22.2.2018) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **11**

Certificates relating to fire protection systems and fire extinguishers issued in EEA States and Northern Ireland

11.—(1) A person who holds a valid certificate issued under Article 5 or 8 of Commission Regulation 304/2008 by a certification body in an EEA State [^{F6}other than the United Kingdom] in respect of an activity mentioned in Article 2 of that Regulation may not carry out that activity unless—

- (a) the certificate is written in English; or
- (b) the person holds a translation of the certificate in English.

(2) A person who holds a valid certificate issued under Article 5 or 8 of Commission Regulation 304/2008 by a certification body appointed in Northern Ireland in respect of an activity mentioned in Article 2 of that Regulation may carry out that activity.

- F6** Words in reg. 11(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/583\)](#), regs. 1(1), **35(1)(4)** (as amended by S.I. 2020/1616, regs. 1(2), **2(2)(18)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

Certification and evaluation bodies: high-voltage switchgear

^{F7}**12.**

F7 Reg. 12 omitted (22.2.2018) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **11**

Certificates relating to [^{F8}electrical] switchgear issued in EEA States and Northern Ireland

13.—(1) An individual who holds a valid certificate issued under [^{F9}Article 3 of Commission Regulation 2015/2066] by a certification body in an EEA State [^{F10}other than the United Kingdom] may not carry out the activity mentioned in Article 1 of that Regulation unless—

- (a) the certificate is written in English; or
- (b) the individual holds a translation of the certificate in English.

(2) An individual who holds a valid certificate issued under [^{F11}Article 3 of Commission Regulation 2015/2066] by a certification body appointed in Northern Ireland in respect of the activity mentioned in Article 1 of that Regulation may carry out that activity.

F8 Word in reg. 13 heading substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **12(2)**

F9 Words in reg. 13(1) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **12(3)**

F10 Words in reg. 13(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/583\)](#), regs. 1(1), **35(1)(4)** (as amended by [S.I. 2020/1616](#), regs. 1(2), **2(2)(18)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

F11 Words in reg. 13(2) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **12(3)**

Certification and evaluation body: fluorinated greenhouse gas-based solvents

^{F12}**14.**

F12 Reg. 14 omitted (22.2.2018) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **13**

Certificates relating to fluorinated greenhouse gas-based solvents issued in EEA States and Northern Ireland

15.—(1) An individual who holds a valid certificate issued under Article 3 of Commission Regulation 306/2008 by a certification body in an EEA State [^{F13}other than the United Kingdom] may not carry out the activity mentioned in Article 1 of that Regulation unless—

- (a) the certificate is written in English; or
- (b) the individual holds a translation of the certificate in English.

(2) An individual who holds a valid certificate issued under Article 3 of Commission Regulation 306/2008 by a certification body appointed in Northern Ireland in respect of the activity mentioned in Article 1 of that Regulation may carry out that activity.

F13 Words in reg. 15(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/583\)](#), regs. 1(1), **35(1)(4)** (as amended by [S.I. 2020/1616](#), regs. 1(2), **2(2)(18)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

Attestation bodies: air conditioning systems in certain motor vehicles

^{F14}16.

F14 Reg. 16 omitted (22.2.2018) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **13**

Attestations relating to air conditioning systems in certain motor vehicles issued in EEA States and Northern Ireland

17.—(1) An individual who holds a valid attestation issued under Article 3(2) of Commission Regulation 307/2008 by an attestation body in an EEA State [^{F15}other than the United Kingdom] may not carry out the activity mentioned in Article 1 of that Regulation unless—

- (a) the attestation is written in English; or
- (b) the individual holds a translation of the attestation in English.

(2) An individual who holds a valid attestation issued under Article 3(2) of Commission Regulation 307/2008 by an attestation body appointed in Northern Ireland in respect of the activity mentioned in Article 1 of that Regulation may carry out that activity.

F15 Words in reg. 17(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Ozone-Depleting Substances and Fluorinated Greenhouse Gases \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/583\)](#), regs. 1(1), **35(1)(4)** (as amended by S.I. 2020/1616, regs. 1(2), **2(2)(18)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

Obligation of employers to employ qualified employees

18. The employer of an individual employed to carry out any work or activity referred to in the following provisions must ensure that that individual holds the qualification necessary to enable the individual to carry out the work or activity—

- (a) Article 2(1) of [^{F16}Commission Regulation 2015/2067];
- (b) Article 2(1) of Commission Regulation 304/2008;
- (c) Article 1 of [^{F17}Commission Regulation 2015/2066];
- (d) Article 1 of Commission Regulation 306/2008;
- (e) Article 1 of Commission Regulation 307/2008.

F16 Words in reg. 18(a) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **14(a)**

F17 Words in reg. 18(c) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **14(b)**

Obligations on certification bodies, attestation bodies and evaluation bodies to provide information

19.—(1) When requested to do so by any person, a certification body must, within 14 days of the request being made, provide details of any certificate issued by it pursuant to—

- [^{F18}(a) Commission Regulation 2015/2067;]
- (b) Commission Regulation 304/2008;
- [^{F19}(c) Commission Regulation 2015/2066;]

(d) Commission Regulation 306/2008.

(2) When requested to do so by any person, an attestation body must, within 14 days of the request being made, provide details of an attestation issued by it pursuant to Commission Regulation 307/2008.

(3) In this regulation, “details”, in relation to a certificate or attestation, includes—

- (a) the name of the person to whom the certificate or attestation was issued;
- (b) the date on which the certificate or attestation was issued; and
- (c) in the case of an individual, the examination or training to which the certificate or attestation relates.

(4) When requested to do so by the Secretary of State, a relevant body must provide as soon as reasonably practicable to the Secretary of State such information as the Secretary of State may require to ensure that the obligations of the United Kingdom imposed by the first sentence of Article 10(10) of the 2014 Regulation (training and certification) and by [^{F20}Commission Regulation 2015/2065] are complied with.

(5) In paragraph (4), “relevant body” means a certification body, an attestation body or an evaluation body referred to in, or appointed under, these Regulations.

F18 Reg. 19(1)(a) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **15(2)(a)**

F19 Reg. 19(1)(c) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **15(2)(b)**

F20 Words in reg. 19(4) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **15(3)**

[^{F21}Publication of details of certification bodies, attestation bodies and evaluation bodies

19A.—(1) The Secretary of State must, after consulting the Scottish Ministers, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs, publish the following information about any person appointed as a certification body, attestation body or evaluation body under regulation 8—

- (a) name;
- (b) company number, where relevant;
- (c) postal address;
- (d) telephone number;
- (e) email address.

(2) Publication under this regulation is to be in such manner as the Secretary of State considers appropriate.]

F21 Reg. 19A inserted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **16**

Changes to legislation:

There are currently no known outstanding effects for the The Fluorinated Greenhouse Gases Regulations 2015, PART 3.