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STATUTORY INSTRUMENTS

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**2019 No. 281**

**EXITING THE EUROPEAN  
UNION, NORTHERN IRELAND  
ENVIRONMENTAL PROTECTION,  
NORTHERN IRELAND**

The Fluorinated Greenhouse Gases and  
Ozone-Depleting Substances (Amendment)  
(Northern Ireland) (EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>14th February 2019</i>
<i>Made - - - -</i>	<i>15th February 2019</i>
<i>Laid before Parliament</i>	<i>18th February 2019</i>
<i>Coming into force in accordance with regulation 1(2).</i>	

The Secretary of State makes these Regulations in exercise of powers conferred by section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(1)</sup>.

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Fluorinated Greenhouse Gases and Ozone-Depleting Substances (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.

(2) These Regulations come into force on exit day.

(3) These Regulations extend to Northern Ireland only.

**Amendment of the Controls on Ozone-Depleting Substances Regulations (Northern Ireland) 2011**

2.—(1) The Controls on Ozone-Depleting Substances Regulations (Northern Ireland) 2011(2) are amended as follows—

(2) after regulation 2(4), insert—

“(5) References in these Regulations to the EU Regulation are to the EU Regulation as amended by regulations made under the European Union (Withdrawal) Act 2018.”;

(3) omit regulation 4; and

(4) in regulation 8(2)(b), for “Article 18(4), 27(1) to (7) or 28(3) of the EU Regulation (notifying the European Commission of changes to data supplied in a licence application, annual reporting to the Commission and providing information requested by the Commission),” substitute “Article 18(4) or 27(1) to (7) of the EU Regulation,”.

**Amendment of the Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2011**

3. After regulation 2(4) of the Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2011(3), insert—

“(5) References in these Regulations to the EU Regulation are to the EU Regulation as amended by regulations made under the European Union (Withdrawal) Act 2018.”

**Amendment of the Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015**

4.—(1) The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015(4) are amended as follows—

(2) In regulation 3 (interpretation: EU Regulations), after paragraph (3), insert—

“(4) References in these Regulations to the legislation listed in paragraph (1) is to that legislation as amended by regulations made under the European Union (Withdrawal) Act 2018.”.

(3) In the following regulations, omit “other than the United Kingdom”—

(a) regulation 7(1) (certificates, relating to stationary refrigeration, air conditioning and heat pump equipment, issued in EEA States and Great Britain);

(b) regulation 9(1) (certificates relating to fire protection systems and fire extinguishers issued in EEA States and Great Britain);

(c) regulation 11(1) (certificates relating to electrical switchgear issued in EEA States and Great Britain);

(d) regulation 13(1) (certificates relating to fluorinated greenhouse gas-based solvents issued in EEA States and Great Britain); and

(e) regulation 15(1) (attestations relating to air conditioning systems in certain motor vehicles issued in EEA States and Great Britain).

(4) In Schedule 2 (2014 Regulation provisions)—

(a) in the following rows, in the second column, omit “or to the European Commission”—

(i) “Article 6(2)”;

(ii) “Article 6(3) (read in association with Article 11(4))”; and

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(2) [S.R. 2011 No. 239](#)

(3) [S.R. 2011 No. 240](#)

(4) [S.R. 2015 No. 425](#)

- (b) in the following rows, in the second column, for “European Commission”, substitute “competent authority”—
- (i) “Article 19(1)”;
  - (ii) “Article 19(2)”;
  - (iii) “Article 19(3)”;
  - (iv) “Article 19(4)”;
  - (v) “Article 19(5)”;
- (c) in the row “Article 19(6), in the second column, omit “and to the European Commission”.

15th February 2019

*Thérèse Coffey*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

**Status:** *This is the original version (as it was originally made).*

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations remove references to the United Kingdom being a Member State of the European Union and are being made under the European Union (Withdrawal) Act 2018.

These Regulations make amendments to legislation in the field of ozone-depleting substances (regulations 2 and 3) and fluorinated greenhouse gases (regulation 4).

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