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F gases – importing products and equipment

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# New Obligations – Article 14

From **1 January 2017** refrigeration, air conditioning and heat pump equipment charged with hydrofluorocarbons shall not be placed on the market unless hydrofluorocarbons charged into the equipment are accounted for within the quota system



# What do I have to do?

- Need to ensure that the HFCs are accounted for within the quota system
- Register in the HFC register
- Draw up a Declaration of Conformity at the time of import
- Ensure that compliance is fully documented and verified



# How to get quota

- Importers cannot apply for quota themselves so have to obtain from a quota holder
- This can be done directly or via the pooling arrangement



# Authorisations directly from Quota Holder

**Equipment importer** calculates future need for authorisations (CO2 equivalents)

**Equipment importer** contacts a quota holder to obtain authorisations for the necessary amount

**Quota holder** introduces an authorisation in the HFC Registry (and reports on it the year after issuing it)

**Equipment importer** accepts authorisation in the HFC Registry

**Equipment importer** uses authorisation to import equipment and reports on the import in the following year



# Pooling Arrangement – Easier Route for smaller importers

- Some companies seemed to have trouble getting authorisations
  - Not knowing who to contact (quota holders)
  - Needing only small amounts
- Request to enable a "pooling" of authorisations
  - A larger amount of authorisation is obtained from the quota holder by a central entity (e.g. the Equipment manufacturer)
  - From this amount smaller quantities can be delegated to importers, as needed (no expiration date)
  - No sub-delegation



# How it works

A company managing authorisations such as the equipment manufacturer anticipates future need for authorisations for its importers (CO2 equivalents) and contacts a quota holder to obtain sufficient authorisations

Quota holder enters an authorisation to the authorisation manager in the HFC Registry (and reports on it the year after issuing it)

Authorisation manager accepts authorisation and may delegate parts of the received authorisation to various equipment importers in the HFC registry

Equipment importer accepts delegation in the HFC Registry

Equipment importer uses delegated authorisation to import equipment and reports on the import in the following year



## EU Import (release for free circulation) of pre-charged equipment



### Equipment importer

- receives authorisation (CO<sub>2</sub>eq.) in the registry directly from quota holder or delegated from authorisation manager
- imports equipment at any time using that authorisation
- reports on equipment import and authorisation used by 31 March in year following equipment import

Authorisation

### Quota holder

- authorises in the registry use of its quota (CO<sub>2</sub> eq.) to equipment importer OR to authorisation manager
- reports authorisation by 31 March in year after giving authorisation

Authorisation

Delegation of  
Authorisation

### Authorisation manager

- receives in the registry authorisation (CO<sub>2</sub>eq.) from quota holder
- delegates in the registry (parts of) its authorisations (CO<sub>2</sub> eq.) to equipment importer















# Pooling - Making Life Easier

if small quantities needed only

- better negotiation position vs. quota holder
- -can rely on their manufacturer to provide authorisations (and vice versa: manufacturer can help their importers)
- -upon industry request, the entity obtaining the authorisation for further delegation is labelled "manager of authorisations" (not necessarily a manufacturer)
- **-authorisations / delegations need to be introduced into the HFC Registry (otherwise not valid!)**
- HFC Registry stores all transactions



## QUOTA AUTHORIZATION BALANCE OVERVIEW

| BUSINESS PROFILE        | NAME                 | TOTAL AUTHORIZATIONS RECEIVED | TOTAL AUTHORIZATIONS USED | TOTAL AUTHORIZATIONS DELEGATED | AUTHORIZATIONS AVAILABLE       |  |
|-------------------------|----------------------|-------------------------------|---------------------------|--------------------------------|--------------------------------|--|
| ALL                     |                      |                               |                           |                                |                                |  |
| Importer                | NMORGANIZATION--9531 | 10440                         | 0                         | 0                              | 10440                          |   |
| Importer                | NMORGANIZATION--9556 | 15000                         | 0                         | 0                              | 15000                          |   |
| Importer / Manufacturer | NMORGANIZATION--9628 | 0                             | 0                         | 0                              | 0                              |   |
| Importer                | NMORGANIZATION--9645 | 0                             | 0                         | 0                              | 0                              |   |
| Importer                | NMORGANIZATION--9652 | 0                             | 0                         | 0                              | 0                              |   |
| Importer                | NMORGANIZATION--9663 | 40000                         | 0                         | 0                              | 40000                          |   |
| Importer                | NMORGANIZATION--9722 | 1200                          | 0                         | 0                              | 1200                           |   |
| Importer                | NMORGANIZATION--9728 | 1600                          | 0                         | 0                              | 1600                           |   |
| Importer                | NMORGANIZATION--9731 | 3000                          | 0                         | 0                              | 3000                           |   |
| Importer                | NMORGANIZATION--9733 | 2000                          | 0                         | 0                              | 2000                           |  |
| SHOW 10 ENTRIES         |                      |                               | PAGE 1 OF 18              |                                | SHOWING 1 TO 10 OF 181 ENTRIES |  |

Quota Unit = tonne CO2 equivalent



## AUTHORIZATION BALANCE FOR NMORGANIZATION--14139

### QUOTA AUTHORIZATION BALANCE PER YEAR





| YEAR | BALANCE FROM PREVIOUS YEAR * | AUTHORIZATION RECEIVED | AUTHORIZATION USED * | AUTHORIZATION DELEGATED | END YEAR BALANCE * |
|------|------------------------------|------------------------|----------------------|-------------------------|--------------------|
| 2015 | 0                            | 96048                  | Not yet determined   | 0                       | 96048              |
| 2016 | 96048                        | 101                    | Not yet determined   | 0                       | 96149              |

(\* ) These values can only be fully established after the reporting and quota compliance period has been concluded for the year in question. They are therefore not fully accurate for the currently running year and the preceding calendar year.

### AUTHORIZATIONS FOR NMORGANIZATION--14139

This part of the HFC Registry is for importers and producers of bulk HFCs as well as for importers and manufacturers of precharged equipment. The bulk HFC importers/producers can authorise the use of (parts of) their quota to equipment importers and manufacturers for compliance with Art. 14. Equipment importers and manufacturers can receive and list their authorisations obtained. The manufacturers of equipment can also delegate their received authorisations to importers of precharged RAC equipment.

### LIST OF ALL MY AUTHORIZATIONS AND DELEGATIONS

| YEAR | STATUS                 | TRANSACTION   | TYPE | GRANTOR               | BENEFICIARY           | NUMBER                      | AMOUNT (TONNES OF CO2 EQUIVALENT) | ACTIONS   |
|------|------------------------|---------------|------|-----------------------|-----------------------|-----------------------------|-----------------------------------|---|
| 2016 | WAITING FOR ACCEPTANCE | DELEGATION    | IN   | NMORGANIZATION--11729 | NMORGANIZATION--14139 |                             | + 1                               |    |
| 2016 | VALID                  | DELEGATION    | IN   | NMORGANIZATION--22114 | NMORGANIZATION--14139 | DEL-GR14-DEQT-2016-00000287 | + 100                             |    |
| 2016 | VALID                  | DELEGATION    | IN   | NMORGANIZATION--22460 | NMORGANIZATION--14139 | DEL-GD02-DEQT-2016-00000254 | + 1                               |  |
| 2015 | VALID                  | AUTHORIZATION | IN   | NMORGANIZATION--9410  | NMORGANIZATION--14139 | PRO-AR06-APPL-2015-00000137 | + 96 048                          |  |

Quota Unit = tonne CO2 equivalent



# Reporting

- Obligations cover all F gases and Annex II gases ( eg HFC 1234yf) in import of products or equipment containing 500 t CO<sub>2</sub> eq or more
- Need to report the use of delegated authorisations and these will be automatically imported in the registry to facilitate reporting
- Deadline is 31<sup>st</sup> March in the following calendar year ( eg 2017 import reported in 2018)



# Declaration of Conformity

- Burden of proof lies with the importer
- From 1<sup>st</sup> January the importer needs to draw up a Declaration of Conformity ( DOC) on import and release for free circulation
- Must be signed by a legal representative of the importer and must be available for Customs when documents related to release for free circulation are submitted
- DOC and related documents must be kept for 5 years



# Verification ( Beginning 31 March)

- Declaration of Conformity and related documents must be independently verified
- Importer must submit to the Commission the verification document and to report on the auditor's statement on the level of accuracy
- Reporting deadline is 31<sup>st</sup> March in year following the import



# Guidance

- New guidance “Information for Importers of Equipment containing Fluorinated greenhouse gases on their obligations under the EU F gas regulation” available at
- [https://ec.europa.eu/clima/sites/clima/files/f-gas/docs/guidance\\_equipment\\_importers\\_en.pdf](https://ec.europa.eu/clima/sites/clima/files/f-gas/docs/guidance_equipment_importers_en.pdf)
- Contains Templates for the Declaration of Conformity and the Auditors statement on level of accuracy of the documentation



