

Fluorinated gases and ozone depleting substances

What does it cover?

- The trade and use of fluorinated gases (F gases) and ozone depleting substances (eg CFCs and HFCs). These are used as refrigerants in air conditioning and other cooling systems and as chemical feedstock. Other applications include medical inhalers and fire extinguishers.
- The EU currently regulates ozone depleting substances (ODSs) and F gases – which are greenhouse gases – in line with its commitments under the Montreal Protocol and wider EU climate change policy. Both are managed in part through the EU-wide quota systems. There are also bans on some uses, reporting systems, export/import licensing requirements for ODSs, and a requirement that those handling F gases are certified to do so by an EU member state.

What will happen?

- The note says the majority of ODS and F gas rules will continue to operate in the same way if there is a 'no deal' Brexit. But there are some differences:
 - the EU and UK are dividing F gas quotas up between them on the basis of current sales. Sales to the EU would require an EU quota; sales to the UK a quota issued under a new UK system to be administered by the Environment Agency.
 - any UK firms using ODSs and importing or exporting them will need to comply with their obligations through a new UK system.
 - IT systems are being developed to support the new UK regimes. More information on how to use these will be shared later this year.
 - the UK will continue to recognise certifications to handle F gases issued by other member states. However, certifications issued by the UK may not be valid in other countries.

What will businesses have to do?

- Companies captured by the current F gas quota systems should already have been contacted by the Environment Agency, Defra and/or the European Commission.
- Applications for quotas and import/export licences and any reporting will have to be done through the UK for UK-based activities.
- UK companies continuing to sell F gases or products containing them in the EU after 29 March will need an 'only representative' within in the EU and quota issued by the European Commission.

- Licenses will be needed to move ODSs between the UK and EU from 29 March 2019.
- Companies should review any certifications they use to handle F gases in the rest of the EU.

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