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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 (CO₂eq.) 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 (CO₂ 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 (CO₂eq.) from quota holder
- delegates in the registry (parts of) its authorisations (CO₂ 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 CO₂ 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 31st March in the following calendar year (eg 2017 import reported in 2018)



Declaration of Conformity

- Burden of proof lies with the importer
- From 1st 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 31st 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
- Contains Templates for the Declaration of Conformity and the Auditors statement on level of accuracy of the documentation



