

**SECOND SUPPLEMENT TO THE
GIBRALTAR GAZETTE
No. 4135 of 18 December, 2014**

LEGAL NOTICE NO.258 OF 2014.

ENVIRONMENT ACT

**OZONE-DEPLETING SUBSTANCES (QUALIFICATIONS)
(AMENDMENT) REGULATIONS 2014**

In exercise of the powers conferred upon it by section 18 of the Environment Act, and in order to implement, in part, Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on Fluorinated Greenhouse Gases and Repealing Regulation (EC) No 842/2006, the Government has made the following Regulations–

Title and commencement.

1. These Regulations may be cited as Ozone-Depleting Substances (Qualifications) (Amendment) Regulations 2014 and come into operation on 1 January 2015.

Amendments to Regulations.

2.(1) The Ozone-Depleting Substances (Qualifications) Regulations 2014 are amended in accordance with the provisions in this regulation.

(2) In regulation 2–

(a) in subregulation (1)–

(i) after the definition “course of training” insert–

““EEA State” means a State party to the Agreement on the European Economic Area;”;

(ii) in subregulation (1) after the definition “employed” insert–

““F-Gas Regulation” means Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on Fluorinated

Greenhouse Gases and Repealing Regulation (EC) No 842/2006, as the same may be amended from time to time;”;

- (iii) in subregulation (1) after the definition “the Minister” insert-

““Ozone Regulation” means Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, as the same may be amended from time to time;”.

- (b) for subregulation (2) substitute–

“(2) Unless the context otherwise requires expressions used in these Regulations and in the F-Gas Regulation or the Ozone Regulation have the same meaning in these Regulations as they have in those regulations.”.

- (3) After regulation 4(b) insert the following paragraphs–

“(c) installation, servicing, maintenance, repair or decommissioning of the equipment listed in the points (a) to (f) of Article 4(2) of the F-Gas Regulation;

(d) leak checks of the equipment referred to in points (a) to (e) of Article 4(2) of the F-Gas Regulation, as provided for in Article 4(1) of that Regulation;

(e) recovery of fluorinated greenhouse gases as provided for in Article 8(1) of the F-Gas Regulation;”.

- (4) After regulation 6 insert the following regulation-

“F-Gas Regulations: authorised undertakings.

6A.(1) The Environmental Agency shall maintain a list of undertakings that carry out the installation, servicing,

maintenance, repair or decommissioning of the equipment listed in Article 4(2)(a) to (d) of the F-Gas Regulation.

- (2) For the purposes of listing pursuant to subregulation (1), the undertaking must provide the Environmental Agency with—
 - (a) details of its employees and the nature of their qualifications, including details of any qualifications obtained in an EEA State;
 - (b) such other information as the Environmental Agency may require for the purpose of enforcing the provisions of the F-Gas Regulation.
- (3) An undertaking that is not listed in accordance with this regulation may not undertake any of the activities set out in subregulation (1).
- (4) The list maintained in accordance with this regulation shall be made publicly available.”.
- (5) The Schedule is amended—
 - (a) in the first entry in column 1 for “Servicing and maintenance of equipment” substitute “Installation, servicing, maintenance, repair and leakage checks of equipment.”; and
 - (b) in the second entry in column 1 for “Dismantling of equipment.” substitute “Decommissioning of equipment.”.

Repeal of Regulations.

3.(1) Subject to subregulation (2) the Environment (Fluorinated Green House Gasses) Regulations 2011 are repealed.

(2) Any proceedings commenced before the repeal of the regulations referred to in subregulation (1) shall continue notwithstanding their repeal by these Regulations.

Dated 18th December, 2014.

DR J CORTES,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations implement, in part, Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on Fluorinated Greenhouse Gases and Repealing Regulation (EC) No 842/2006.