

STATUTORY RULES OF NORTHERN IRELAND

2015 No. 425

The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015

PART 2

Certification, evaluation and attestation

[^{F1}Appointment of certification, attestation and evaluation bodies

6.—(1) The Department, after consulting the Scottish Ministers, the Welsh Ministers and the Secretary of State, may appoint such person and on such terms as the Department thinks fit to be—

- (a) in relation to Commission Regulation 304/2008—
 - (i) a certification body for the purposes of Article 5 (personnel certificates);
 - (ii) an evaluation body for the purposes of Article 5; and
 - (iii) a certification body for the purposes of Article 8 (company certificates);
- (b) for the purposes of Commission Regulation 306/2008—
 - (i) a certification body; and
 - (ii) an evaluation body;
- (c) for the purposes of Commission Regulation 307/2008, an attestation body;
- (d) for the purposes of Commission Regulation 2015/2066—
 - (i) a certification body; and
 - (ii) an evaluation body;
- (e) in relation to Commission Regulation 2015/2067—
 - (i) a certification body for the purposes of Article 4 (certificates for natural persons);
 - (ii) an evaluation body for the purposes of Article 4; and
 - (iii) a certification body for the purposes of Article 6 (company certificates).

(2) The Department may charge such fees as it considers will enable the recovery of any reasonable expenses incurred in reviewing an application to be appointed as a certification, evaluation and/or attestation body under paragraph (1).

(3) The Department may, after consulting the Scottish Ministers, the Welsh Ministers and the Secretary of State, decide to terminate the appointment of a person appointed under paragraph (1) by giving that person notice of the decision, with reasons, in writing.]

Textual Amendments

- F1** Reg. 6 substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), 8

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Certificates, relating to stationary refrigeration, air conditioning and heat pump equipment, issued in EEA States and Great Britain

7.—(1) A person who holds a valid certificate issued under [^{F2}Article 4 or 6 of Commission Regulation 2015/2067] by a certification body in an EEA State other than the United Kingdom in respect of an activity mentioned in Article 2 of that Regulation cannot carry out that activity unless—

- (a) the certificate is written in English; or
- (b) the person holds a translation of the certificate in English.

(2) A person who holds a valid certificate issued under [^{F2}Article 4 or 6 of Commission Regulation 2015/2067] by a certification body appointed in Great Britain in respect of an activity mentioned in Article 2 of that Regulation may carry out that activity.

Textual Amendments

F2 Words in [reg. 7](#) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **9**

Certification and evaluation bodies: fire protection systems and fire extinguishers

^{F3}**8.**

Textual Amendments

F3 [Reg. 8](#) omitted (17.1.2019) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **10**

Certificates relating to fire protection systems and fire extinguishers issued in EEA States and Great Britain

9.—(1) A person who holds a valid certificate issued under Article 5 or 8 of Commission Regulation 304/2008 by a certification body in an EEA State other than the United Kingdom in respect of an activity mentioned in Article 2 of that Regulation cannot carry out that activity unless—

- (a) the certificate is written in English; or
- (b) the person holds a translation of the certificate in English.

(2) A person who holds a valid certificate issued under Article 5 or 8 of Commission Regulation 304/2008 by a certification body appointed in Great Britain in respect of an activity mentioned in Article 2 of that Regulation may carry out that activity.

Certification and evaluation bodies: high-voltage switchgear

^{F4}**10.**

Textual Amendments

F4 [Reg. 10](#) omitted (17.1.2019) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **10**

Certificates relating to [^{F5}electrical] switchgear issued in EEA States and Great Britain

11.—(1) An individual who holds a valid certificate issued under [^{F6}Article 3 of Commission Regulation 2015/2066] by a certification body in an EEA State other than the United Kingdom cannot carry out the activity mentioned in Article 1 of that Regulation unless—

- (a) the certificate is written in English; or
- (b) the individual holds a translation of the certificate in English.

(2) An individual who holds a valid certificate issued under [^{F6}Article 3 of Commission Regulation 2015/2066] by a certification body appointed in Great Britain in respect of the activity mentioned in Article 1 of that Regulation may carry out that activity.

Textual Amendments

- F5** Word in [reg. 11](#) heading substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **11(2)**
- F6** Words in [reg. 11](#) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **11(3)**

Certification and evaluation body: fluorinated greenhouse gas-based solvents

^{F7}**12.**

Textual Amendments

- F7** [Reg. 12](#) omitted (17.1.2019) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **12**

Certificates relating to fluorinated greenhouse gas-based solvents issued in EEA States and Great Britain

13.—(1) An individual who holds a valid certificate issued under Article 3 of Commission Regulation 306/2008 by a certification body in an EEA State other than the United Kingdom cannot carry out the activity mentioned in Article 1 of that Regulation unless—

- (a) the certificate is written in English; or
- (b) the individual holds a translation of the certificate in English.

(2) An individual who holds a valid certificate issued under Article 3 of Commission Regulation 306/2008 by a certification body appointed in Great Britain in respect of the activity mentioned in Article 1 of that Regulation may carry out that activity.

Attestation bodies: air conditioning systems in certain motor vehicles

^{F8}**14.**

Textual Amendments

- F8** [Reg. 14](#) omitted (17.1.2019) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **12**

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Attestations relating to air conditioning systems in certain motor vehicles issued in EEA States and Great Britain

15.—(1) An individual who holds a valid attestation issued under Article 3(2) of Commission Regulation 307/2008 by an attestation body in an EEA State other than the United Kingdom cannot carry out the activity mentioned in Article 1 of that Regulation unless—

- (a) the attestation is written in English; or
- (b) the individual holds a translation of the attestation in English.

(2) An individual who holds a valid attestation issued under Article 3(2) of Commission Regulation 307/2008 by an attestation body appointed in Great Britain in respect of the activity mentioned in Article 1 of that Regulation may carry out that activity.

Obligation of employers to employ qualified employees

16. The employer of an individual employed to carry out any work or activity referred to in the following provisions must ensure that that individual holds the qualification necessary to enable the individual to carry out the work or activity—

- (a) Article 2(1) of Commission Regulation [^{F9}2015/2067] ;
- (b) Article 2(1) of Commission Regulation 304/2008;
- (c) Article 1 of Commission Regulation [^{F10}2015/2066] ;
- (d) Article 1 of Commission Regulation 306/2008; or
- (e) Article 1 of Commission Regulation 307/2008.

Textual Amendments

- F9** Word in reg. 16(a) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **13(a)**
- F10** Word in reg. 16(c) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **13(b)**

Obligations on certification bodies, attestation bodies and evaluation bodies to provide information

17.—(1) When requested to do so by any person, a certification body in Northern Ireland must, within 14 days of the request being made, provide details of any certificate issued by it pursuant to—

- (a) Commission Regulation [^{F11}2015/2067] ;
- (b) Commission Regulation 304/2008;
- (c) Commission Regulation [^{F12}2015/2066] ; or
- (d) Commission Regulation 306/2008.

(2) When requested to do so by any person, an attestation body in Northern Ireland must, within 14 days of the request being made, provide details of an attestation issued by it pursuant to Commission Regulation 307/2008.

(3) In this regulation, “details”, in relation to a certificate or attestation, includes—

- (a) the name of the person to whom the certificate or attestation was issued;
- (b) the date on which the certificate or attestation was issued; and
- (c) in the case of an individual, the examination or training to which the certificate or attestation relates.

(4) When requested to do so by the Department, a relevant body in Northern Ireland must provide as soon as reasonably practicable to the Department such information as the Department may require to ensure that the obligations imposed by the first sentence of Article 10(10) of the 2014 Regulation (training and certification) and by Commission Regulation [^{F13}2015/2065] are complied with.

(5) In this regulation, “relevant body” means a certification body, an attestation body or an evaluation body referred to in, or appointed under, these Regulations.

Textual Amendments

- F11** Word in reg. 17(1)(a) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **14(a)**
- F12** Word in reg. 17(1)(c) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **14(b)**
- F13** Word in reg. 17(4) substituted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **14(c)**

[^{F14}Publication of details of certification bodies, attestation bodies and evaluation bodies

17A.—(1) The Department, after consulting the Scottish Ministers, the Welsh Ministers and the Secretary of State, must publish the following information about any person appointed as a certification body, attestation body or evaluation body under regulation 6—

- (a) name;
- (b) company number, where relevant;
- (c) postal address;
- (d) telephone number; and
- (e) e-mail address.

(2) Publication under this regulation is to be in such a manner as the Department considers appropriate.]

Textual Amendments

- F14** [Reg. 17A](#) inserted (17.1.2019) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **15**

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Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- [reg. 3\(4\)](#) inserted by [S.I. 2019/281 reg. 4\(2\)](#)