



Rialtas na hÉireann
Government of Ireland

BREXIT Implications for ODS and F-Gas Contractors

**This notice has been produced by the EPA and FGR in conjunction with
Department of Communications, Climate Action and Environment**

Updated 31 January 2020 to reflect the ratification of the Withdrawal Agreement and the transition period to 31 December 2020

BREXIT implications for ODS and F-Gas contractors

This is an important notice for individuals and companies certified by UK bodies to operate with Ozone Depleting Substances (ODS) and Fluorinated Greenhouse Gas (F-Gas).

The ratification of the Withdrawal Agreement by the EU and the UK ensured that it entered into force upon the UK's exit from the EU at 11pm on 31 January 2020. The Withdrawal Agreement ensures an orderly withdrawal of the United Kingdom from the EU. It covers citizens' rights, the financial settlement, a transition period, protocols on Ireland/Northern Ireland, Cyprus and Gibraltar, governance and other separation issues.

The transition period will last until 11pm on 31 December 2020. During the transition period the UK will continue to apply EU law which includes the F-Gas Regulation. This includes the mutual recognition of UK certificates in the EU-27. At the end of the transition period, mutual recognition will no longer remain for UK certificates within the EU-27.

Accordingly the Minister has signed regulations to extend the application process for individuals to apply to the Environmental Protection Agency (EPA) for recertification to 31 December 2020.

If you are an individual affected by these changes and want to remain certified after the end of the transition period, **you must take action** as set out in this notice. **If you do not make a valid application** within the required timeframe (i.e. procedures in advance of the conclusion of the transition period) or **if you are issued your UK certificate after the end of the transition period, then you will be unable to avail of the process outlined in this notice.** You will then need to be certified by a certification body within the EU-27 such as the Irish certification body QQI. This may require undertaking further training.

In the case of Companies you will need to be certified by a certification body within the EU-27 such as the Irish certification body F-Gas Registration Ltd prior to 31 December 2020. Note if your current certificate expires prior to 31 December 2020 you will need to apply for a new certificate in advance of the expiry date.

You are reminded that under Regulation 13 (1) (a) of the European Union (Fluorinated Greenhouse Gas) Regulations 2016, S.I. No. 658 of 2016, **it is an offence for a person,**

operator or undertaking, that does not hold the required F-Gas certification to engage in an activity¹ without the required certification or attestation.

This affects the following:

1. Companies and undertakings registered in the UK with certification bodies such as Refcom and Quidos; and,
2. Individuals who hold training certificates or attestations awarded by a certification body in the UK² such as City & Guilds³.

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Companies certified by a certification body in the UK may continue to enjoy the benefit of mutual recognition of that certification with the EU-27 until 11pm on 31 December 2020.

Given the recurrent renewal nature of the company certification process and access to EU-27 certification bodies, it has been decided not to extend the application process for companies and hence the regulations underpinning this application process expired at 11pm on 31 January 2020.

Companies who wish to continue to operate within the EU-27 after 11pm on 31 December 2020 should attain certification from an EU-27 certification body. The designated company certification body in Ireland is F-Gas Registration Ltd.

2. Individuals who hold training certificates or attestations awarded by a certification body in the UK such as City & Guilds

Under regulations 12B and 12J of the European Union (Fluorinated Greenhouse Gas) Regulations 2016 as amended, if you hold a certificate or training attestation which was issued by a certification body in the United Kingdom before the end of the transition period, you may

¹ Such as acquiring F-Gases, or undertaking activities on equipment such as leak checking, recovery, installation, repair/servicing or decommissioning

² A list of such individual certification bodies can be found at <https://www.gov.uk/guidance/qualifications-required-to-work-on-equipment-containing-f-gas>

³ This includes circumstances where training was undertaken at a location in Republic of Ireland and the training certificate was awarded by a certification body in the United Kingdom such as City & Guilds

apply to the Environmental Protection Agency for a training certificate or attestation in respect of the activity.

- Valid applications in respect of the activity to which the certificate or training attestation relate must be made by completing an online [application form](#)⁴. Please ensure you select the correct form for the certificate you currently hold.
- The application **must be accompanied** by a valid UK certificate or training attestation. Incomplete applications or applications containing false or misleading information will be invalid. **If you have mislaid your UK certificate, please contact your course provider or the UK certifying body as a matter of urgency as you will not be able to apply for a replacement Irish certificate without submitting your UK certificate.**
- If the EPA determines an application has been made in accordance with its procedures in advance of the end of the transition period, then the EPA shall issue the certificate or training attestation applied for and will maintain a register of all EPA certificate holders.
- This certificate or training attestation will allow you to work in the EU, including Ireland.
- There will be no fee for making this application.

Furthermore, the EPA reserves the right to suspend or withdraw certificates at any point in the future including where false or misleading information is found to have been provided in any way under this process.

Data Protection Policy:

Information disclosed in an application for a certificate, including any data and sensitive personal data, may be shared with Government Departments and any employee, subcontractor or agent on their behalf for the purposes of processing that application. In providing details in an application you also provide permission to the Department and its agents to verify the status of UK certificates with the original issuing certification body.

Application form for individual certification:

Please note that the application form for individual certification is hosted by SurveyMonkey® when using SurveyMonkey® you will be bound by its privacy policy.

⁴ <https://www.epa.ie/air/airenforcement/ozone/training/brexitodsfgas/>

The EPA privacy policy may be viewed at <http://www.epa.ie/footer/privacy/>

We wish to remind you that the EPA data protection policy applies to personal data that we collect/process through your use of the EPA website. It does not apply to any links to third-parties' websites and/or services, such as third-party applications, that you may encounter when you use the website. You acknowledge that the service that we provide may enable or assist you to access the website content of, correspond with, and purchase products and services from, third parties via third-party websites and that you do so solely at your own risk.

We make no representation or commitment and shall have no liability or obligation whatsoever in relation to the content or use of, or correspondence with, any such third-party website, or any transactions completed, and any contract entered into by you, with any such third party and the use by any such third-party of your personal data. We do not endorse or approve any third-party website nor the content of any of the third-party website made available via the website. We encourage you to carefully familiarise yourself with terms of use and privacy policies applicable to any websites and/or services operated by third parties. Please be aware that we are not responsible for the privacy practices of any third parties.

The personal data that we collect from you may be transferred to and stored by the EPA. It may also be processed by our staff. By submitting your personal data, you agree to this transfer, storing or processing of your personal data by EPA for purposes set out in this Policy. If you have any queries related to the basis upon which we process your personal data please contact us at dpo@epa.ie.



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