
STATUTORY INSTRUMENTS

2008 No. 41

The Fluorinated Greenhouse Gases Regulations 2008

PART 3

Qualifications

Preliminary

14. The following provisions are subject to regulation 20—

- (a) regulation 15(1), (3) and (6);
- (b) regulation 16(1) and (2); and
- (c) regulation 17(1), (2) and (4).

Qualifications relating to certain stationary equipment

15.—(1) No person may—

- (a) install, service or maintain the stationary equipment referred to in paragraph (2);
- (b) check such equipment for any leakages of fluorinated greenhouse gases; or
- (c) repair, or carry out work to prevent, such leakages,

unless he has obtained one of the qualifications referred to in Part 1 of Schedule 1.

(2) The equipment is—

- (a) refrigeration equipment;
- (b) air conditioning equipment; or
- (c) heat pump equipment,

which contains 3 kilograms or more of fluorinated greenhouse gases.

(3) No person may—

- (a) install, service or maintain the stationary equipment referred to in paragraph (4);
- (b) check such equipment for any leakages of fluorinated greenhouse gases; or
- (c) repair, or carry out work to prevent, such leakages,

unless he has obtained one of the qualifications referred to in Part 1 of Schedule 1 or an in-house qualification, or he satisfies the requirement in paragraph (5).

(4) The equipment is—

- (a) refrigeration equipment;
- (b) air conditioning equipment; or
- (c) heat pump equipment,

which contains less than 3 kilograms of fluorinated greenhouse gases.

(5) The requirement referred to in paragraph (3) is that, before the date on which these Regulations come into force, the person has carried out work referred to in paragraph (3) without supervision.

(6) No person may—

- (a) install a leakage detection system in the equipment referred to in paragraph (7); or
- (b) check that such a system functions properly,

unless he has obtained one of the qualifications referred to in Part 1 of Schedule 1.

(7) The equipment is—

- (a) refrigeration equipment;
- (b) air conditioning equipment; or
- (c) heat pump equipment,

which contains 300 kilograms or more of fluorinated greenhouse gases.

(8) For the purposes of this regulation, “equipment” includes the circuits which relate to the equipment.

(9) A person is guilty of an offence if he fails to comply with paragraph (1), (3) or (6).

Qualifications relating to fire protection equipment

16.—(1) No person may—

- (a) install, service or maintain a fire protection system which contains a fluorinated greenhouse gas;
- (b) check such a fire protection system for any leakages of fluorinated greenhouse gases; or
- (c) repair, or carry out work to prevent, such leakages,

unless he has obtained an in-house qualification.

(2) No person may—

- (a) install a leakage detection system in a fire protection system which contains 300 kilograms or more of fluorinated greenhouse gases; or
- (b) check that such a leakage detection system functions properly,

unless he has obtained an in-house qualification.

(3) A person is guilty of an offence if he fails to comply with paragraph (1) or (2).

Qualifications relating to the recovery of fluorinated greenhouse gases

17.—(1) No person may recover fluorinated greenhouse gases from the air conditioning system in a motor car or motor van during the servicing or maintenance of that system unless he has obtained at least one of the qualifications referred to in Schedule 1.

(2) Subject to paragraph (4), no person may recover fluorinated greenhouse gases from the stationary equipment referred to in paragraph (3), unless he has obtained an in-house qualification.

(3) The equipment is—

- (a) the cooling circuits of refrigeration, air-conditioning or heat pump equipment;
- (b) equipment containing fluorinated greenhouse gas-based solvents;
- (c) fire protection systems;
- (d) fire extinguishers; or
- (e) high-voltage switchgear.

(4) No person may dismantle the equipment referred to in paragraph (3)(a) where the equipment can only be dismantled at the place where the equipment is used unless he has obtained one of the qualifications referred to in Part 1 of Schedule 1.

(5) A person is guilty of an offence if he fails to comply with paragraph (1), (2) or (4).

(6) In this regulation, “motor car” means a motor vehicle which—

- (a) has at least four wheels;
- (b) is used for the carriage of passengers; and
- (c) has no more than nine seats, including the seat of the driver.

(7) In this regulation, “motor van” means a motor vehicle which—

- (a) has at least four wheels;
- (b) has a maximum weight not exceeding 1.305 metric tons; and
- (c) is used for the carriage of goods.

Obligations of employers

18.—(1) The employer of a person employed to carry out any work referred to in—

- (a) regulation 15(1), (3) or (6);
- (b) regulation 16(1) or (2); or
- (c) regulation 17(1), (2) or (4),

must ensure that that person has obtained the qualification necessary to enable him to carry out the work in question under these Regulations.

(2) For the purposes of paragraph (1), a person is deemed to have obtained the necessary qualification if he is working under supervision in accordance with regulation 20 with a view to obtaining that qualification.

(3) A person is guilty of an offence if he fails to comply with paragraph (1).

Training provided by an employer

19.—(1) A training employer must ensure that the course of training he provides will enable an employee who has been trained to carry out relevant work satisfactorily.

(2) In respect of each employee trained, a training employer must keep for the required period a record of—

- (a) the name of the employee trained;
- (b) the training he provides;
- (c) the date he provides such training; and
- (d) the date on which is issued the certificate of competence or other written confirmation that the course of training has been successfully completed.

(3) A training employer must provide a copy of the record referred to in paragraph (2) to the employee in question when requested to do so by that employee during the required period.

(4) A training employer is guilty of an offence if he fails to comply with paragraph (1), (2) or (3).

(5) In this regulation—

- (a) “relevant work” means work referred to in regulation 15(3), 16(1), 16(2), 17(1) or 17(2);
- (b) “the required period” means both—

- (i) the period during which the employee in question undergoes training provided by the training employer, and
- (ii) the period during which the employee is employed by the training employer to carry out relevant work; and
- (c) “training employer” means an employer who provides training leading to an in-house qualification.

Working under supervision

20. A person who has not obtained the requisite qualification to carry out work referred to in—

- (a) regulation 15(1), (3) or (6);
- (b) regulation 16(1) or (2); or
- (c) regulation 17(1), (2) or (4),

may carry out such work if he does so under the supervision of a person who has obtained the requisite qualification and with a view to obtaining that qualification.