

# Consultation Response

## **Defra, Welsh Government and Scottish Government consultation on:**

### **Implementing the new EU Fluorinated Greenhouse Gases Regulation**

Natural Resources Wales welcomes the opportunity to comment on the draft UK Fluorinated Greenhouse Gases Regulations 2015.

#### **Domestic Regulations**

**Q1: Are you content with the proposals for limiting the powers of entry?**

Natural Resources Wales is content with the limitation on the times when a premises may be entered under the revised powers of entry. We are also content with the number of people that may accompany a person authorised under the regulations.

We feel there needs to be clarification around the intention of regulations with regard to when a warrant is required from a justice of the peace.

Enforcing authorities other than DECC have powers of entry under other legislation. For example, Natural Resource Wales may inspect a site, either by invitation or by exercise of powers of entry, as part of our duties under the Environmental Permitting Regulations (England and Wales) 2010 (as amended). Should a breach of the Fluorinated Greenhouse Gases Regulations come to light during such an inspection, we require clarity on when a warrant from a justice of the peace would be required.

**Q2: Do you think the proposed balance between direct criminal offences and enforcement notices is appropriate to ensure effective compliance with the EU Regulation?**

We are content with the balance between enforcement notices and criminal offences. The proposed approach is in line with the principles of better regulation.

**Q3: Do you have any other comments on the draft Regulation?**

We have no further comments on the draft regulations.

#### **Impact assessment on business**

Natural Resources Wales has not been required to undertake any enforcement action against the 2009 regulations since its creation in April 2013. We therefore have no data to inform the impact assessment. We have no further comments on the impact assessment.

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