Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,418, 8 ta' April, 2025

Taqsima B

L.N. 69 of 2025

PRODUCT SAFETY ACT
(CAP. 427)

Fluorinated Greenhouse Gases (Implementing) Regulations, 2025

IN EXERCISE of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister responsible for consumer affairs, on the advice of the Director General (Technical Regulations), has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Fluorinated Greenhouse Gases (Implementing) Regulations, 2025.

(2) The scope of these regulations is to implement the requirements of Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014.

Interpretation.

2. In these regulations, unless the context otherwise requires:

"Act" means the Product Safety Act; Cap. 427.

"competent authority" means the Technical Regulations Division established by article 19 of the Malta Competition and Consumer Affairs Authority Act and wherever it occurs in Regulation (EU) 2024/573, it shall be construed accordingly; Cap. 510.

"Department of Customs" means the customs authority responsible for border control in Malta as duly authorised by virtue of the Customs Ordinance for the purpose of these regulations; Cap. 37.

"Directive (EU) 2015/1535" means Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification);

"Director General" means the Director General (Technical Regulations) appointed by article 19(2) of the Malta Competition and Consumer Affairs Authority Act; Cap. 510.

"F-gas certification card" means a card issued by the

competent authority to undertakings, in pursuant to adequate certification and training to carry out activities involving fluorinated greenhouses gases in terms of article 10 of Regulation EU 2024/573;

"Regulation (EU) 2024/573" means Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014.

Designation of competent authority.

3. Unless otherwise provided in these regulations, the Technical Regulations Division shall be designated as the competent authority responsible for the implementation and enforcement of Regulation (EU) 2024/573 and these regulations.

Designation of customs authority.

4. The Department of Customs shall be designated as the customs authority for the purposes of Article 23 of Regulation (EU) 2024/573.

Certification and training.

5. (1) Upon completion of appropriate training and certification obtained pursuant to Article 10 of Regulation (EU) 2024/573, undertakings as defined in article 3 of the said Regulation shall submit an application with the competent authority for an F-gas certification card, which shall be issued by the competent authority upon being satisfied that the undertaking has duly obtained the appropriate training and certification.

(2) The introduction of the F-gas card mentioned in sub-regulation (1) has been notified to the Commission in terms of article 4 and article 5(5) of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Labelling and product and equipment information.

6. For the purposes of Article 12(4) of Regulation (EU) 2024/573 the label shall be written in either the Maltese and, or the English language.

Functions and powers of the Director General.

7. For the enforcement of the requirements of Regulation (EU) 2024/573 and these regulations the Director General shall have the same functions and powers prescribed under the Act.

Proceedings and penalties.

8. Part IV of the Act shall apply to any offence under Regulation (EU) 2024/573 and these regulations.

Repeal and saving. S.L. 427.94.

9. (1) The Fluorinated Greenhouse Gases (Implementing) Regulations, are hereby repealed.

(2) Saving the provisions of sub-regulation (1), any act, decision

or action taken before the coming into force of these regulations shall continue to be regulated by the provisions of the regulations referred to in sub-regulation (1), as in force prior to the coming into force of these regulations.

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