No. 554

MALTA COMPETITION AND CONSUMER AFFAIRS AUTHORITY

Explanatory Notes

1. Introduction

Title of Regulations	Fluorinated Greenhouse Gases (Implementing) Regulations, 2025 (hereinafter referred to as the "implementing regulations").
Activity to be regulated	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 (hereinafter referred to as "Regulation (EU) 2024/573") establishes rules on containment, use, recovery, recycling, reclamation and destruction of fluorinated greenhouse gases as well as certification and training for the safe handling of fluorinated greenhouse gases..
Responsible entity	The Technical Regulations Division (TRD) within the Malta Competition and Consumer Affairs Authority (MCCAA).

2. Summary and Background

2.1 Aims & Objectives of the legislation

The scope of these regulations is to implement Regulation (EU) 2024/573.

Regulation (EU) 2024/573 provides for rules on containment, use, recovery, recycling, reclamation, and destruction of fluorinated greenhouse gases as well as certification and training for the safe handling of fluorinated greenhouse gases.

Regulation (EU) 2024/573 also imposes conditions on the production, import, export, placing on the market, subsequent supply, and use of fluorinated greenhouse gases and of specific products and equipment containing fluorinated greenhouse gases or whose functioning relies upon those gases. Moreover, this Regulation imposes conditions on specific uses of fluorinated greenhouse gases and establishes quantitative limits for the placing on the market of hydrofluorocarbons.

Today, fluorinated greenhouse gas emissions amount to 2.5 % of total greenhouse gas emissions in the EU and have doubled from the year 1990 till the year 2014 as opposed to other greenhouse gas emissions, which have been reduced.

Regulation (EU) 2024/573 introduces stricter controls and bans on F-gas compared to the preceding Regulation (EU) 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006, while establishing a framework to completely eliminate the consumption of hydrofluorocarbons (HFCs) in the EU by the year 2050. This will be achieved through a series of phase out dates for the use of F-gases in products and equipment.

Phasing out harmful F-gases is intended to lead to an uptake of alternatives, more environmentally friendly gases in products and equipment, which is necessary for the EU achieving its potential climate goals. Moreover, Regulation (EU) 2024/573 implements further bans on placing specified products and equipment containing HFCs on the market for several categories, where it is technologically and economically feasible to switch to F-gas alternatives.

Therefore, in view of the above requirements, Fluorinated Greenhouse Gases (Implementing) Regulations (S.L. 427.94) needs to be repealed and substituted by the new implementing regulations as means of implementing Regulation (EU) 2024/573 into national legislation.

The Fluorinated Greenhouse Gases (Implementing) Regulations (S.L. 427.94) may be accessed through the following link:

https://legislation.mt/eli/sl/427.94/20180502/eng

[1]These Explanatory Notes are for the purpose of and in accordance with article 3(2)(c) of the Small Business Act (Chapter 512 of the Laws of Malta).

2.2 Overview of the Regulation being transposed

Regulation (EU) 2024/573 may be access through the following link:

https://eur-lex.europa.eu/eli/reg/2024/573/oj

3. Overview of the structure of the instrument

The proposed regulations consist of nine regulations.

4. Commentary

Regulation No. of the implementing regulations	Meaning & obligations placed on user
1	Citation and scope of regulations.
2	Interpretation.
3	Designation of competent authority.
4	Designation of customs authority.
5	Certification and training pursuant to article 10 of the Regulation (EU) 2024/573.
6	The labelling requirements of products and equipment containing fluorinated greenhouse gases.
7	Functions and powers of the Director General.
8	Proceedings and penalties in terms of the Product Safety Act (Cap. 427).
9	Repeal of Fluorinated Greenhouse Gases (Implementing) Regulations (S.L. 427.94) (S.L. 427.94).

5. Concluding Sections

Should more information be required kindly contact the Regulatory Affairs Directorate within the Malta Competition and Consumer Affairs Authority.

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

Annex

(for the purpose of paragraph (vi) of Schedule III of Chapter 512 of the Laws of Malta)

Transposition Notes for the implementation of the main elements of Regulation (EU) 2024/573

Regulation (EU) 2024/573 Article number	Implementing regulation	Applicability date
Article 3	Regulation 2	11 March 2024
Article 10	Regulation 5	11 March 2024
Article 12	Regulation 6	1 January 2025
Article 23	Regulation 4	3 March 2025
Article 31	Regulation 8	11 March 2024
Article 37	Regulation 9	11 March 2024

8th April, 2025