



September 2009

Is your company risking F-gas prosecution?

F-gas regulations must succeed for the sake of the industry and the environment, as REFCOM's chief executive Bruce Kirton explains.

If your business is trading without an F-gas company certificate when it should have one, you are risking prosecution and fines. But it is never too late to apply for certification; if you have been trading illegally it is better to get certified now than run the risk of prosecution.

All businesses that install, maintain or service stationary refrigeration, air-conditioning and/or heat-pump equipment (SRAC) equipment that contains or is designed to contain F-gas refrigerants must possess either an interim or full company certificate from an appointed mandatory certification body. Since July 4 2009, failure to do so is an illegal offence.

Any business currently not certificated could be subject to enforcement notices; prohibition notices with the possibility of the site eventually being shut down; and prosecution ending in unlimited fines. The penalties depend on where the offence is tried. Less serious offences will be dealt with at magistrates' courts where the penalty can be up to £5,000 on summary convictions. Serious offences will be sent to the Crown Court, which has the power to impose unlimited fines on conviction.

Customers are increasingly relying on company certification as the starting point for selecting contractors, with un-certificated businesses losing out. Certification of REFCOM's scheme will reassure your clients.

After 15 years of running a voluntary registration scheme, REFCOM has earned full industry backing and support. This was confirmed in 2008 during an extensive consultation process by the Department for Environment, Food and Rural Affairs (Defra), when 65 out of 67 respondents recommended REFCOM to act as the

company certification body. REFCOM was involved in the development of the F-Gas Regulations from the outset, working closely with Defra and the Department for Business, Innovation and Skills (formerly BERR) to ensure that the certification scheme was as light touch and low cost as possible.

As a result, REFCOM's fees are set at a level that covers the scheme's administration and auditing requirements. Any surplus arising is not profit but must be used either to support the aims of the regulations or to reduce fees in later years.

REFCOM has processed more than 3,500 company applications for certification, with more arriving every day. We are ready to help. Any business which has not yet applied for certification should do so now by visiting www.refcom.org.uk.

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