

Annex II

Report on how significant cases of illegal production and consumption have been addressed and the causes, in accordance with decision XXXI/3 paragraph 5(d)

Please kindly follow the guidance provided in italic text in each column to ensure that information is consistent and complete.

Party: United Kingdom

Date of incident	Nature of incident i.e. illegal production and consumption (name substances and volume)	Description of the case <i>1. How the illegal activity was detected; 2. Causes of illegal activity, if known; and 3. The legal basis for considering the activity to be illegal.</i>	Action taken to address the case <i>Please describe what immediate legal measures were taken in relation to the illegal activity. If possible, please specify any additional legal measures taken after the seizure.</i>	Other remarks <i>Please provide any additional information on causes of illegal activity, best practices, lessons learned on the means identification, addressing, prevention and combating of illegal production, and consumption in controlled substances.</i>
2019	Failure to obtain sufficient HFC quota for various substances totaling 409,127tCO ₂ e.	Reported to the UK by the EU (failure to submit an annual report).	Issued with a civil penalty under regulation 31A of the Fluorinated Greenhouse Gases Regulations 2015 (SI 2015 No.310) (as amended) for failing to obtain sufficient HFC quota before placing HFCs on the market within Great Britain (GB), contrary to Article 15(1) of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases.	13 civil penalties issued.
2021	Failure to obtain sufficient quota authorisations for various substances totaling 88,340tCO ₂ e.	Established through annual reporting, referrals by the National Clearance Hub*, and interrogation	Issued with a civil penalty under regulation 31A of the Fluorinated Greenhouse Gases Regulations 2015 (SI 2015 No.310) (as	34 civil penalties issued.

		of HM Revenue & Customs import/export data.	amended) for failing to obtain sufficient HFC quota authorisations before placing HFCs on the market within Great Britain (GB), contrary to Article 14(1) of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases.	
2021	Failure to obtain sufficient HFC quota for various substances totaling 5,898tCO ₂ e.	Established through annual reporting, referrals by the National Clearance Hub*, and interrogation of HM Revenue & Customs import/export data.	Issued with a civil penalty under regulation 31A of the Fluorinated Greenhouse Gases Regulations 2015 (SI 2015 No.310) (as amended) for failing to obtain sufficient HFC quota before placing HFCs on the market within Great Britain (GB), contrary to Article 15(1) of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases.	7 civil penalties issued.
2022	Failure to obtain sufficient quota authorisations for various substances totaling 8,406tCO ₂ e.	Established through annual reporting, referrals by the National Clearance Hub*, and interrogation of HM Revenue & Customs import/export data.	Issued with a civil penalty under regulation 31A of the Fluorinated Greenhouse Gases Regulations 2015 (SI 2015 No.310) (as amended) for failing to obtain sufficient HFC quota authorisations before placing HFCs on the market within Great	1 civil penalty issued.

			Britain (GB), contrary to Article 14(1) of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases.	
Ongoing	Online listings for the sale of prohibited products.	Monitoring of online listings on eBay, Gumtree, Facebook Marketplace, and Amazon.	Working with eBay, Gumtree, Facebook Marketplace, and Amazon to take down listings of prohibited products for sale.	Facebook Marketplace has recently removed the functionality to report and take down illegal sales.

* There is an agreed policy between the Environment Agency, who manages the Great Britain (GB) online F gas/ODS service, and the National Clearance Hub (part of HM Revenue & Customs), where a list of all GB F gas/ODS registrants is made available, including whether quota, quota authorisations and ODS licences are held. The National Clearance Hub checks this list whenever an F gas or ODS commodity code is declared for import/export, and where the consignee is registered and holds quota, quota authorisations and ODS licences, then the import is allowed. When this is not the case, the import/export is referred to the Environment Agency to establish if the import/export is legal. This list does not provide a live status of quota and quota authorisations held; therefore, a breach can only be established through annual reporting in the following year, or by interrogation of HM Revenue & Customs import/export data.