Climate change: fluorinated greenhouse gases, hydrofluorocarbons HFCs, perfluorocarbons PFCs, sulphur hexafluoride

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In its assessment of the common position, the Commission takes into account the change in the form of its proposal into a Directive dealing specifically with the issue of HFCs in MACs, using vehicle type approval legislation, and a Regulation to cover the remainder of its original proposal. The Commission agreed to this change in form on the basis that the content continues to be considered as an overall package that guarantees the environmental ambition of its original proposal. The Council also considered it important for the content of this legislation to be considered as an overall package. This is reflected the recitals, which emphasise that this legislation should be adopted and published in the Official Journal simultaneously.

As regards the Directive on MACs the common position has adopted the Parliament's proposal to phase out fluorinated greenhouse gases from MACs using the type approval procedure instead of a transferable quota system. While the Commission could not initially accept such an amendment it has now decided to support the type-approval procedure since neither the Parliament nor the Council were ready to accept the Commission's proposal and given that the overall environmental ambition of the Commission's proposal is maintained.

Both the Commission and the Council did not accept the Parliament's proposal to reduce the GWP of fluorinated gases in MACs from 150 to 50 since it would exclude the use of HFC-152a, a possible alternative technology, with only minimal environmental benefits. However, the Commission is committed within the framework of Article 8(1) of the type-approval Directive to review and to report on possible changes concerning the GWP of fluorinated gases in the light of technological and scientific developments.

The common position incorporates a large proportion of the amendments proposed in the Parliament's first reading. Many help to clarify the terms of the proposal as well as to increase transparency and accountability. As part of the overall agreement, the Commission can also agree to a number of amendments proposed by the

Parliament that it initially rejected, for instance under the reporting provisions, that are partially accepted or reformulated in the common position. The common position also goes further than the Commission proposal in a number of instances, such as the new Article on labelling, which is acceptable to the Commission.

The majority of the proposed Parliament amendments were taken on board, in particular the Review Article in the Regulation was considerably strengthened and made more specific and it will provide the Commission with useful guidance to assess all the policy areas set out in the Regulation and to propose further measures where appropriate.