

Ozone layer protection: base year for the allocation of quotas of hydrochlorofluorocarbons (HCFCs) for the new Member States that acceded on 1 May 2004

2004/0296(COD) - 06/09/2006 - Final act

PURPOSE: to amend the base year for the allocation of quotas of hydrochlorofluorocarbons taking account of EU enlargement in 2004.

LEGISLATIVE ACT: Regulation 13666/2006/EC of the European Parliament and of the Council amending Regulation 2037/2000 as regards the base year for the allocation of quotas of hydrochlorofluorocarbons with respect to the Member States that acceded to the European Union on 1 May 2004.

CONTENT: to recall, Regulation 2037/2000 took 1999 as the base year for allocating quotas of hydrochlorofluorocarbons (HCFCs). However, the market for HCFCs has changed considerably in the 10 new Member States since 1999. Thus, taking 1999 as the base year for allocating quotas of HCFCs in these new Member States would result in a large number of companies not being able to receive an import quota. In order to avoid the arbitrary nature of this, and in order not to breach the principles of non-discrimination, this Regulation adds a new provision to Regulation 2037/2000/EC.

This new provision stipulates that each producer and importer from the following list of countries:

- the Czech Republic,
- Estonia,
- Cyprus,
- Latvia,
- Lithuania,
- Hungary,
- Malta,
- Poland,
- Slovenia, and
- Slovakia

Is obliged to ensure that the calculated level of hydrochlorofluorocarbons which it places on the market or uses for its own account will not exceed as a percentage of the calculated levels set out the average of its percentage market share in 2002 and 2003.

ENTRY INTO FORCE: 26 September 2006.

APPLY: 1 January 2007.