

COMMISSION IMPLEMENTING REGULATION (EU) 2021/980**of 17 June 2021****amending Implementing Regulation (EU) 2019/661 as regards information requirements for registration in the electronic registry for quotas for placing hydrofluorocarbons on the market****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 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 ⁽¹⁾, and in particular Article 17(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/661 ⁽²⁾ lays down the requirements for undertakings whose registration in the registry established in accordance with Article 17(1) of Regulation (EU) No 517/2014 is compulsory.
- (2) Pursuant to Implementing Regulation (EU) 2019/661, undertakings established in the Union must provide their Economic Operators Registration and Identification (EORI) number to the Commission for the purposes of becoming registered in the registry, if applicable. Undertakings established outside the Union that have mandated an only representative within the meaning of Article 16(5) of Regulation (EU) No 517/2014, must only provide that information with respect to their only representative. The only representative may be mandated as such by more than one undertaking established outside the Union. The EORI number of such only representative does not, therefore, necessarily correspond to one undertaking established outside the Union.
- (3) In accordance with Article 17(4) of Regulation (EU) No 517/2014, the registry is accessible to national competent authorities, including customs authorities, for information purposes.
- (4) When enforcing the placing on the market restrictions and prohibitions set out in Regulation (EU) No 517/2014, customs authorities must be able to identify the undertakings placing hydrofluorocarbons on the market in accordance with that Regulation via their EORI numbers. In particular, this can also facilitate controls by customs authorities when using digital tools. The identification of the concerned undertaking can be achieved if that undertaking's EORI number is available in the registry. Therefore, it is necessary to require from the undertakings established outside the Union that have mandated an only representative to provide their own EORI number. The requirement for these undertakings to provide the EORI number of their only representative should be removed since it is superfluous.
- (5) Implementing Regulation (EU) 2019/661 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 24(1) of Regulation (EU) No 517/2014,

HAS ADOPTED THIS REGULATION:

Article 1

Article 3, paragraph 2 of Implementing Regulation (EU) 2019/661 is amended as follows:

- (1) point (b) is replaced with the following:

'(b) the information listed in paragraph 1, points (d) and (i), but with respect to the only representative rather than the undertaking;'

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Commission Implementing Regulation (EU) 2019/661 of 25 April 2019 ensuring the smooth functioning of the electronic registry for quotas for placing hydrofluorocarbons on the market (OJ L 112, 26.4.2019, p. 11).

(2) the following point (g) is added:

'(g) the undertaking's EORI number, if applicable.'

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 June 2021.

For the Commission
The President
Ursula VON DER LEYEN
