

### WEBINAR

Independent Verification for HFC bulk importers/producers in line with obligations under the F-gas Regulation

January 2020

### **Outline Webinar Verification (bulk HFCs)**

- A. Introduction into the obligations for companies (by DG CLIMA, European Commission)
- B. Practical guidance to the verification process (by verico SCE)

  Specific Q&A Understanding Parts A & B
- C. How to upload the VR to the BDR (by Oeko-Institute)
- D. What if the verification process detects problems? (by DG CLIMA, European Commission)
- E. How to find an auditor? (by DG CLIMA, European Commission)

  Specific Q&A Understanding Parts C,D & E
- F. General Q&A Session



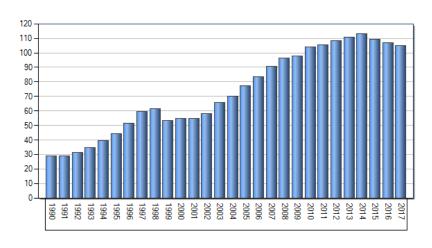
# Part A. Introduction to the obligations for companies as relevant to verification

presented by DG CLIMA

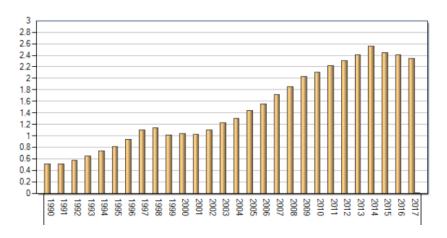


### **EU HFC emissions**

#### Total HFC emissions (MTCO2e)

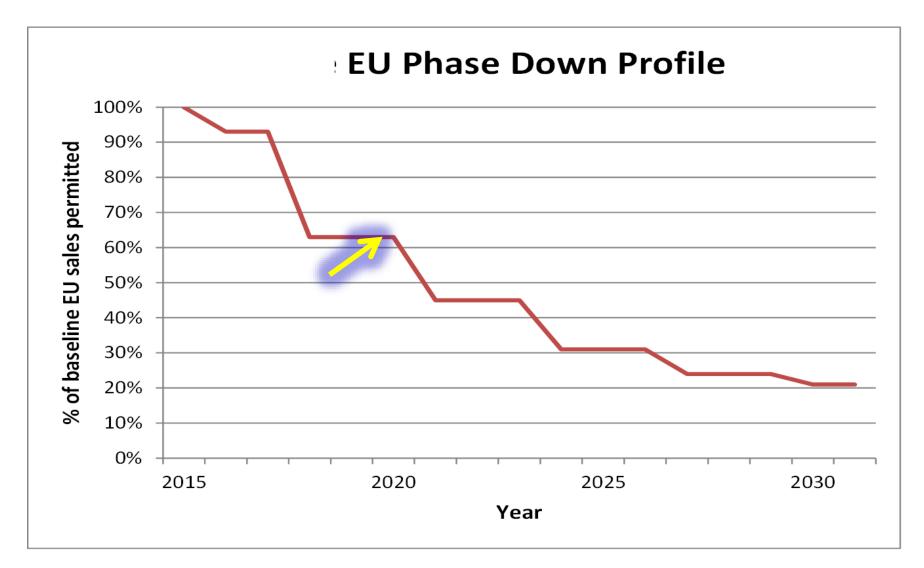


#### HFC emissions as % of total greenhouse gases



Source: EEA greenhouse gas data viewer





Placing of HFC on the market (import or production) is restricted and reduces over time

> European Commission

### EU Quota system in a



Companies importing or producing HFCs (bulk!) get HFC quota every year,

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either based on (i) market share of reference periods ("reference value"),

(ii) pro rata from a reserve ("annual declaration for quota"), or

(iii) by transfer from a quota holder
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Quotas are given in CO2 equivalent

With same quota more metric tonnes of climate-friendly HFCs can be put on the market

A company can only place quantities of bulk HFCs on the EU market up to their annual quota limit

Placing on the market means EU production or import into the EU using the procedure "release for free circulation"

➤ All HFCs in pre-charged RAC equipment need to be accounted for in the quota system, but compliance is achieved differently (usually via "quota authorisations")



- Placing on the market of non-refillable containers is prohibited!
- Containers must be labelled appropriately

  e.g. HFC name, quantity in weight and CO2, GWP (Art. 12)

  very important to label quota-exempted gases, polyols as such
- > Reports on imports/exports/production etc. (Art. 19) need to be submitted annually by 31 March, for previous year
- Need to register in Fgas Portal & HFC Licensing System: https://fgas-licensing.ec.europa.eu/
- NIL report: to avoid being reminded



### **Verfication obligations**

Reason: Ex post control of HFC quotas

(also: ex ante control at border)

- Annual verification required (!) if above threshold i.e. Placing on the market (9C in reporting sheets) exceeds 10 000 tCO2eq annually or any use of export exemption
- > By 30 June each year for activities of previous calendar year
- Must be forwarded to authorities (MS, EC) upon request i.e. uploaded into reporting tool



### **Independent Auditors**

Recommendation: Companies to look for an auditor well in advance of the verification deadline!

### Who can be the independent auditor?

- accredited pursuant to ETS-Directive 2003/87/EC; or
- accredited to verify financial statements in accordance with the legislation of the Member State concerned.

Some practical guidance to come in the next sessions...



### Where to get more info?

Quota system:

<u>F-gas Portal & HFC Licensing System: Quota allocation, authorisation and reporting (europa.eu)</u>

Legislation:

EU legislation to control F-gases (europa.eu)

Guidance documents:

Fluorinated greenhouse gases (europa.eu)

Including the document: "Verification by Auditors"

https://ec.europa.eu/clima/sites/clima/files/fgas/docs/guidance\_to\_verifiers\_en.pdf

"List of National Authorities"

https://climate.ec.europa.eu/document/download/12305969-23c0-4b3b-9cc7-81d5e5928383 en?filename=policy fgas\_contact\_list\_en\_0.pdf



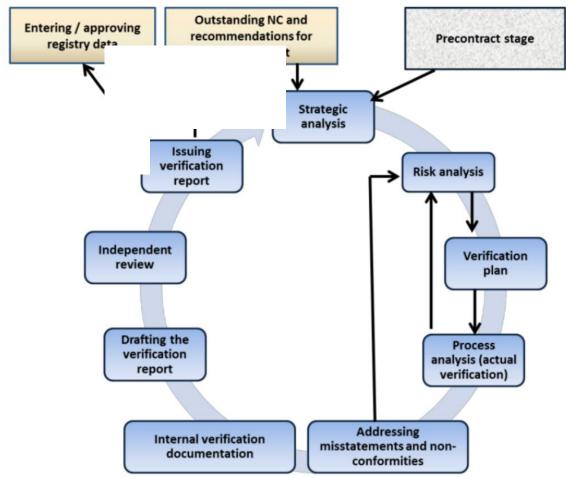
## Part B. Practical guidance to the verification process

presented by verico SCE





### **Verification process (general)**







### Risk assessment – steps to do (1)

Steps	To Do	Questions						
Inherent Risks								
1	Identify	Where in the data trail errors or deviations may happen?						
2	Assess	What is the probability and the impact of this risks in relation to the F-Gas reporting?						
3	Minimise	Which measure for avoidance and control need to be implemented to minimise this risks?						





### Risk assessment – steps to do (2)

Steps	To Do	Questions				
Inherent Risks						
4	Identify	What are the risks of the implemented measures of step 3?				
5	Minimise	Which measures help to minimise the identified control risks?				
6	Report	<ul> <li>Causes for errors and mistakes</li> <li>Method, how the risk has been identified and assessed</li> <li>Explain why the control measures are sufficient to mitigate the risks</li> </ul>				





### Risk analysis – risk assessment

 Ranking risks as high, medium and low risks in relation to their likelihood to give rise to misstatements and their impact on the reported data

Likelihood	Very High					
	High					
	Moderate					
	Low					
Lik	Very Low					
		Very low	Low	Moderate	High	Very High
		Severity / Impact				





### Risk based approach







### Sampling approach

### **Complete data check Random sampling**

- Simple random sampling
- Stratified random sampling
- Systematic sampling
- Cluster sampling
- Multi-stage sampling





### Practical example: bulk verification for midsized organisation (1)

a procedure description for compilation of F-Gas report acc. EU 517\_2014 für reporting entity and reporting year

#### Inhalt

Procedure description for compilation of F-Gases Report acc. EU517/2014 by client xyz for the reporting XXXX. 2

Products concerned in the xxxx Report 2

Editorial responsibility F-Gas Report 2

EU production data 2

Import Data 2

Export Data 3

Stock Data 3

Data Overview 4

Pure refrigerants / components 5





### Practical example: bulk verification for midsized organisation (2)

Reasonable level of assurance, materiality: 5%



Which are the reported refrigerants

evidence: product data sheets, check SAP for other F-Gases



Importer / exporter ?

evidence: Commercial register extract etc.



Data cross checks

evidence:
order,
shipping
documents,
customs
clearance



Quota management

evidence:
Quota
authorisations
from BDR

Last but not least: declaration of completeness

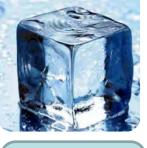




### Practical example: bulk verification for midsized organisation (3)











Year end, beginning of year? evidence: balance sheets, SAP

Stocks?
evidence:
balance
sheets, SAP

Recycled amounts? evidence: Delivery and acceptance documents, test reports

NIL reports: evidence: SAP

Last but not least: declaration of completeness





## Backbone of F-Gas reporting: Data management and control system

The Lead auditor has to make his decision:

- Data management covers all aspects of a state of the art quality management system (QMS) incl. qualification documented procedures and control, data archiving and internal verification.
- Data management outlines aspects of QMS incl. qualification documented procedures and control, data archiving and internal verification in a noncomprehensive manner.
- Data management does not follow a documented QMS.





### **Verification opinion types**

#### Advance notice of audit termination:

If information regarding conditions – fraud – comes to know within the F-Gas audit an early termination of the audit may be decided.

#### **Positive Opinion:**

If the opinion about the F-gas report statement is positive, then it is sent to the F-Gas reporting entity for final evaluation; and if there are no negative comments by the F-Gas reporting entity it is finalized for submission through BDR from F-Gas reporting entity

#### **Negative Opinion:**

If the opinion about the F-gas report statement is negative (e.g., F-Gas information, data or assertion includes errors, omissions and/or misrepresentations which could affect the decision of the intended user

- The revision of the F-Gas report assertion by the F-Gas reporting entity
- Presentation of an additional document by the F-Gas reporting entity explaining the errors and/or omissions without changing the F-Gas report assertion
- No change to the F-Gas report assertion by the F-Gas reporting entity





### **New Annex III Verification report template (1)**

Elements to be taken up in the independent auditor's verification report

I. Verification & reporting obligations

©known and unchanged obligations with regard to Regulation (EU) No 517/2014 on fluorinated greenhouse gases

II. Undertaking's details

• The reporting company needs to be clearly defined (mind company groups / sister companies...)

III. F-Gas report details

 The verifed report as submitted in the BDR needs to be clearly identified





### **New Annex III Verification report template (2)**

Elements to be taken up in the independent auditor's verification report

IV. surrounding conditions

**©NEW:** changes compared to previous year (changes in undertaking's activities, other request from authorities, new gases etc.)

Summary of verification process

• **NEW**: verification approach: risk assessment, sampling strategy, site verification details: date, Lead Auditor etc.

VI. Verification results  NEW: general assessment: accuracy, completeness, consistency; data management and control system; verified need of quota; auditor's key conclusions: verification opinion, statements on 9F quota need etc for questionnaire during BDR upload of VR and auditor's recommendations for improvement





### **New Annex III Verification report template (3)**

Elements to be taken up in the independent auditor's verification report



**©NEW:** Lead Auditor, independent reviewer, stamp signatures as well as accreditation certificate





### **Verification opinion**

We carried out the test with the aim of determining whether the F-Gas report is sufficiently reliable free of material misstatements.

Audit decision: We have audited the F-Gas reporting as outlined above. Based on our exam ...

we confirm at a reasonable level of assurance that the F-Gas reporting is satisfactory and accurate

we find at a reasonable level of assurance that the F-Gas reporting - with the following comments – is satisfactory and accurate. (comments to be specified)

it cannot be ascertained with sufficient certainty that the F-Gas reporting does not contain any material misstatements..

Remarks:





## Shortcomings in recent verifications (bulk)

- Processes and SOP need to be established to ensure compliance with the Implementation Regulation
- Embedding of F-Gas reporting within QMS
- Internal quality checks on a regular basis





## Part C. How to upload the verification report to the BDR?

### Presented by Öko-Institut







## Overview: upload of VR (bulk importers/producers of HFCs)

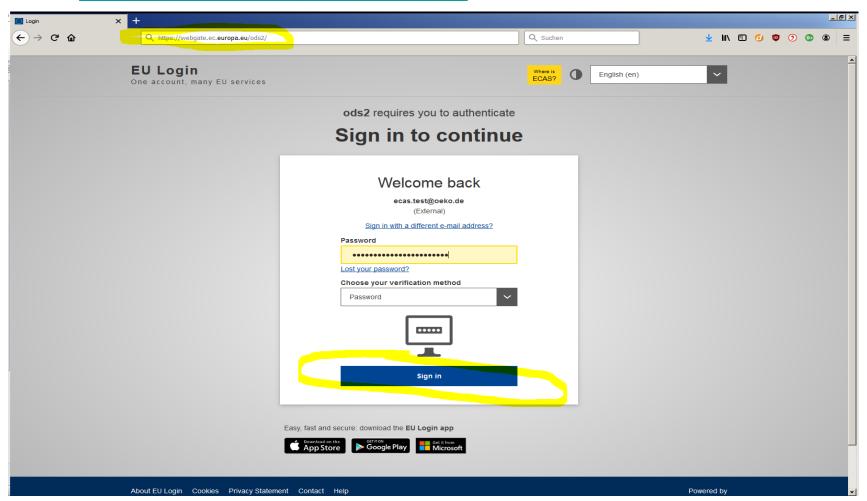
- Legal obligation to submit Art 19 report (on import/export/production etc.)
   by 31 March and to have it verified by 30 June and to present verification report (VR) to EU or national authorities on request
- Self-reliant upload of VR to the EU reporting system (BDR) strongly encouraged in order to facilitate the compliance process
- Upload of the VR does proactively and transparently demonstrate that you have fulfilled your obligation for the independent verification
- BDR (business data repository) operated by the European Environment Agency (EEA) collects and preserves data submitted by companies to the European Union. Information cannot be changed after submissions. In case of errors, a new submission will be interpreted as replacing the previous one.
   Access is protected and limited to the submitting company and involved authorities of the respective Member State and of the EU
- EU/national authorities may explicitly request the VR upload to the BDR for example in case of scrutiny for quota exceedance or in case of late resubmissions of the Art 19 report after the 31 March deadline
- How to do the upload?





### Login/enter the F-gas portal

https://fgas-licensing.ec.europa.eu/

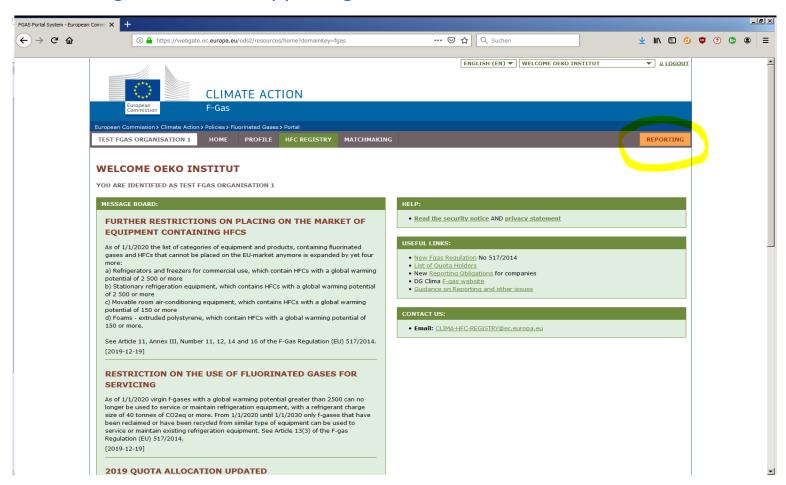






### "Reporting" button leads to BDR

Orange button on upper right-hand corner

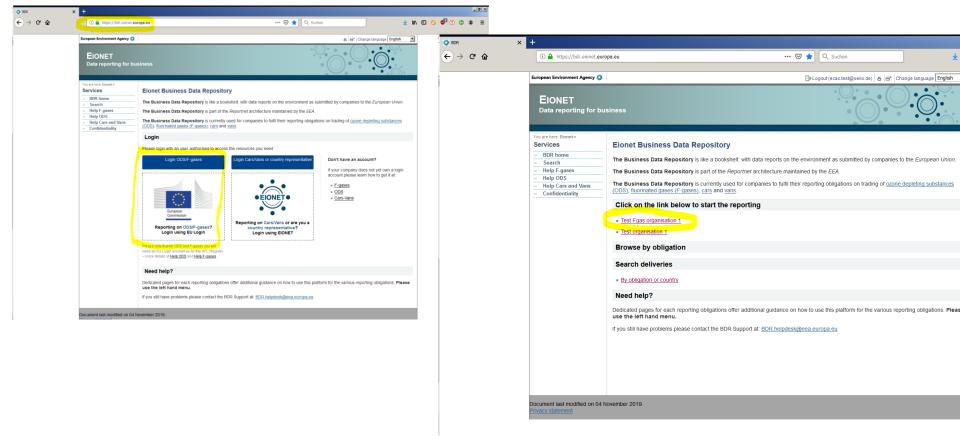






### Login to BDR and select company

- You are directed to <a href="https://bdr.eionet.europa.eu/">https://bdr.eionet.europa.eu/</a>
- Use left login button
- One person may have access to several company accounts

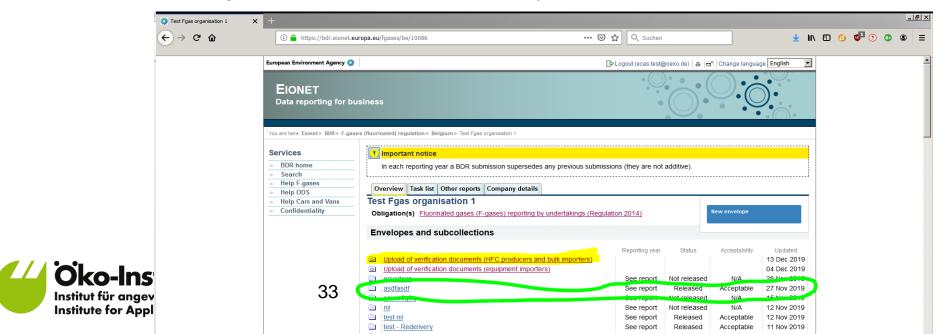




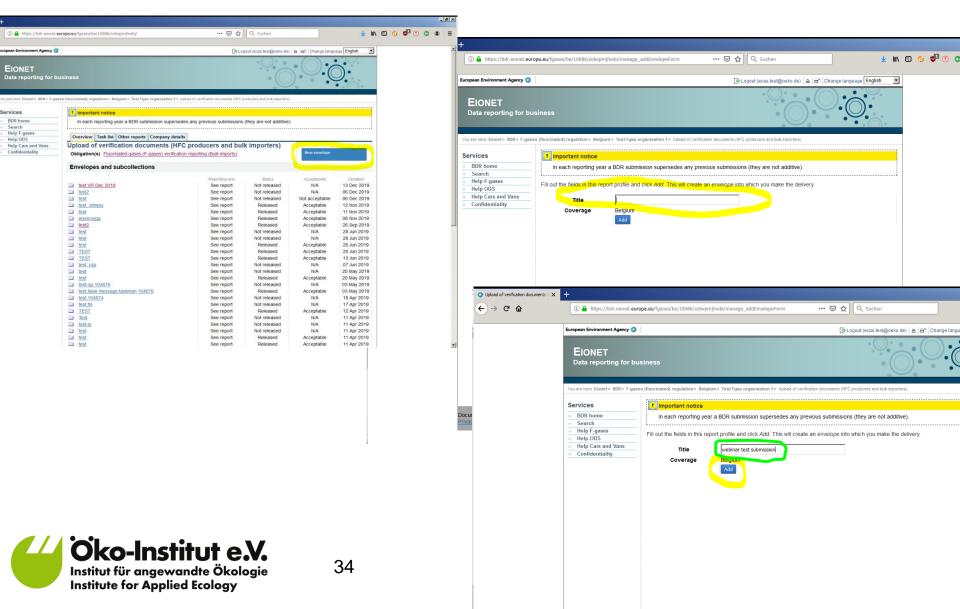


### Find the Art 19 report the VR refers to & proceed to subcollection 'Upload of verification reports'

- In the company folder may be a long list of 'envelopes' for draft and submitted Art 19 reports for the current and past years
- **Find the envelope** containing the Art 19 report your VR refers to (usually the uppermost having status 'released' and 'acceptable') and **memorise its name**
- Click to enter subcollection 'Upload of verification reports (HFC producers and bulk importers)' at the top of the list
- Do not try submitting your VR directly in the company folder next to the Art 19 reports! This will be blocked by the automated QC.

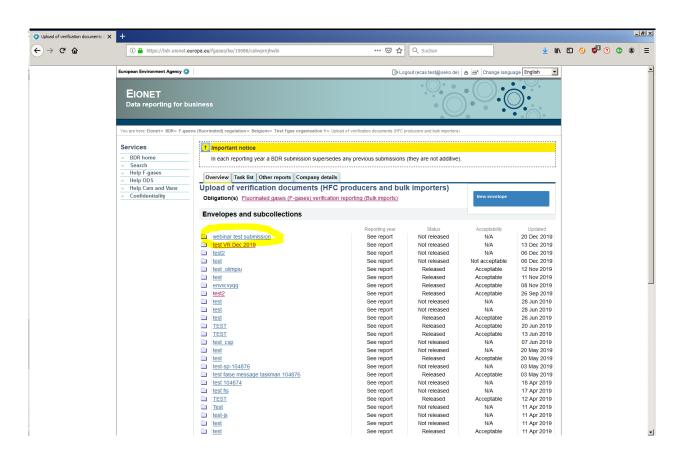


## Within the 'upload of verification documents' subcollection: create new envelope



### Open the new envelope

- Freshly created envelope appears at the top of the list
- Click to enter

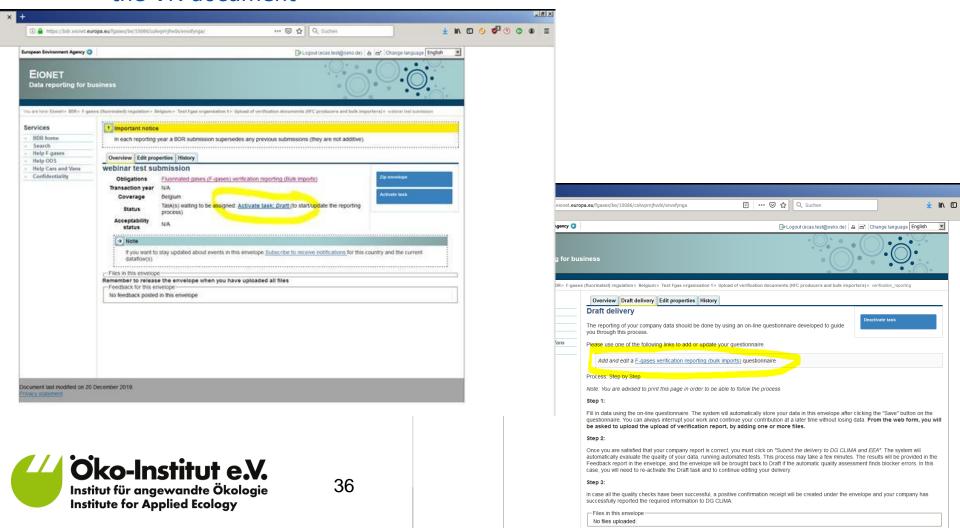






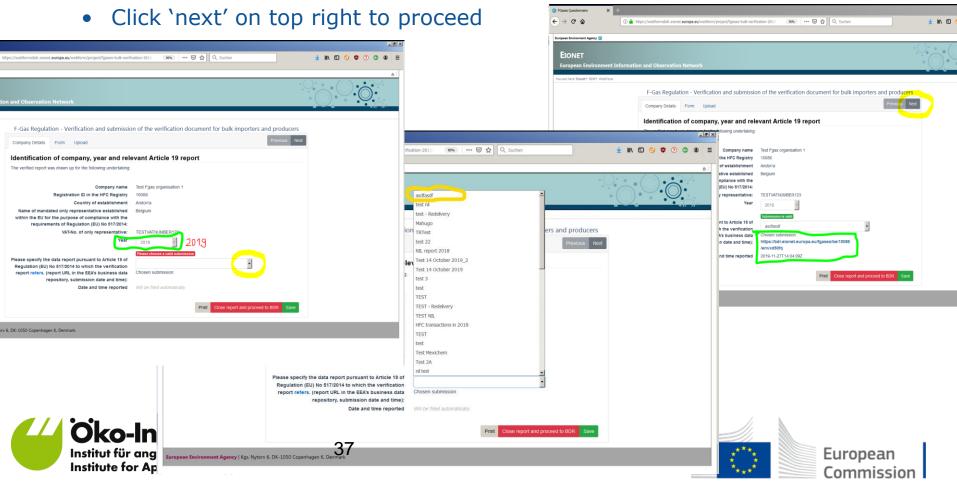
## Activate the task and open the questionnaire

 Need to complete very short questionnaire accompanying the upload of the VR document



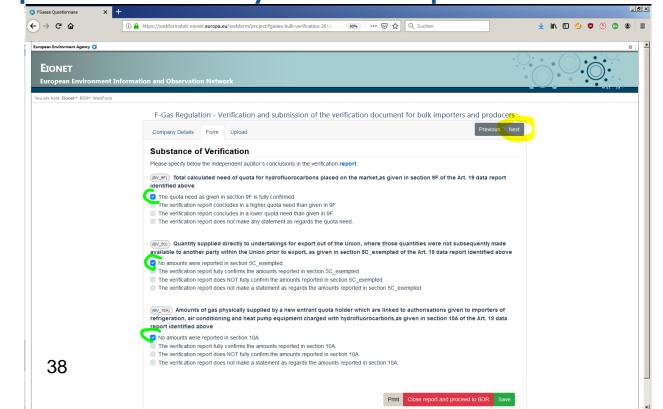
# Within the questionnaire: Select the verified Art 19 report and its transaction year

- Select transaction year in drop-down menu transaction year is the year the import/production took place in
- New feature: you may submit VRs also for previous years' Art 19 reports
- Select the memorised Art 19 report from the drop-down menu



# Answer 3 questions on the key results of the verification

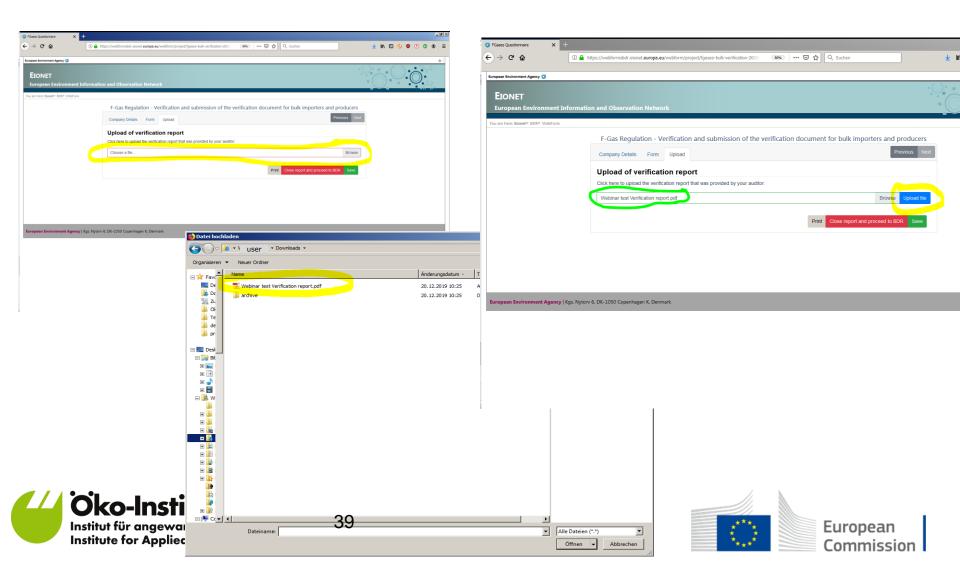
- Tick boxes to report auditor's conclusions on
  - \* calculated **quota use** (**section 9F** of Art 19 questionnaire)
  - \* exemption for export (section 5C\_exempted)
  - \* physical supplies provided by new entrants (section 10A)
- Verification report template suggested by the European Commission covers clear auditor's statements to those questions – completing the questionnaire is easy if the VR template is used
- Click 'next' to proceed





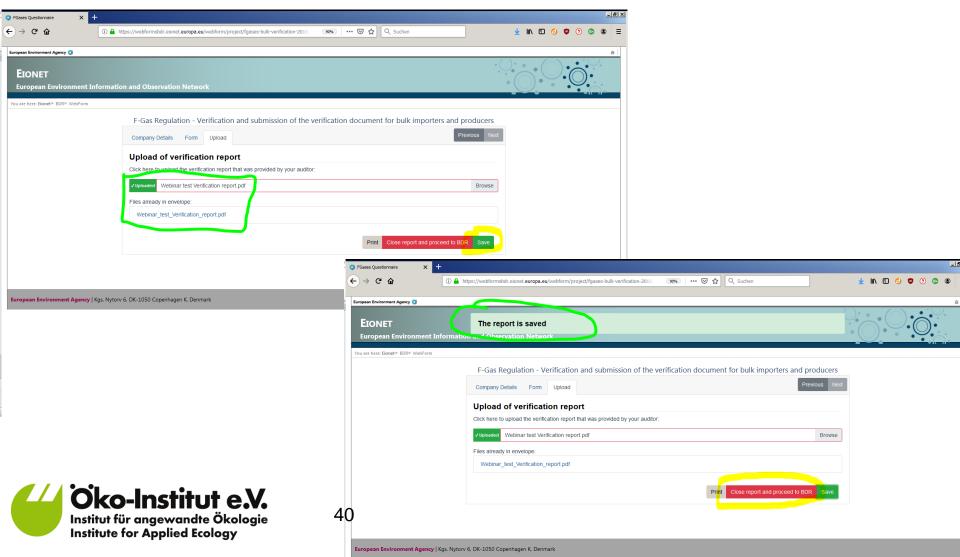
## **Upload the VR document**

Select VR document (usually a pdf) on your computer and upload



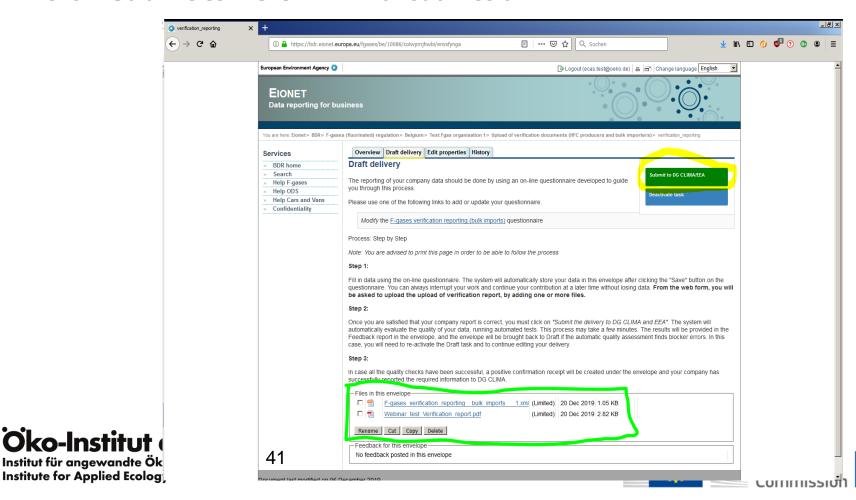
## Save and close the questionnaire

- After saving click 'close report and proceed to BDR'
- Thus you close the questionnaire and return to your envelope



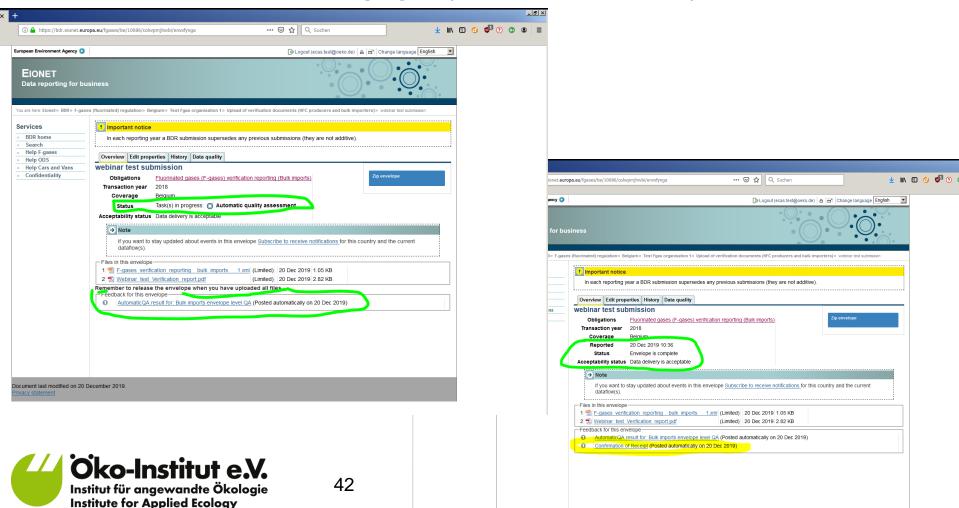
# Check envelope contents and submit

- In the envelope you should find two files:
  - \* Your edits in the questionnaire are stored in the .xml file
  - \* You should see the VR file (.pdf) you uploaded
- Click "Submit to DG CLIMA" for submission



# Wait for automated quality control and confirmation of receipt

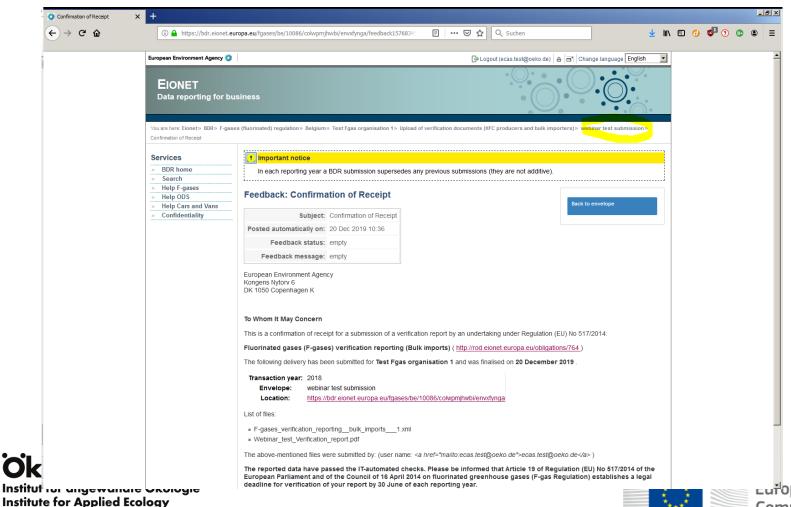
- QC checks the envelope is complete, can take about a minute
- Confirmation of receipt gets posted into the envelope



Document last modified on 20 December 2019

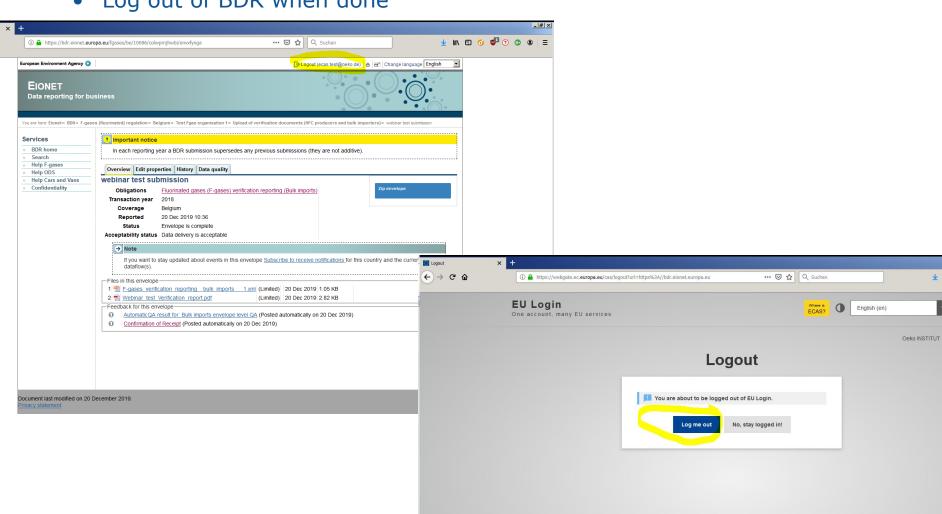
## **Confirmation of receipt**

- In the envelope: Click on 'confirmation of receipt' link to open
- Print or save as pdf for your own records
- Return to envelope (klick top right on envelope name)



# Logout

Log out of BDR when done



# Where to get more help?

- BDR F-gases help page <a href="https://bdr.eionet.europa.eu/help/fgases">https://bdr.eionet.europa.eu/help/fgases</a>
- guidance document for verification of HFC producers & bulk importers
   <a href="https://ec.europa.eu/clima/sites/clima/files/f-gas/docs/guidance\_to\_verifiers\_en.pdf">https://ec.europa.eu/clima/policies/f-gas\_en#tab-0-1</a>
   guidance documents for F-Gas Regulation" on DG CLIMA website
   <a href="https://ec.europa.eu/clima/policies/f-gas\_en#tab-0-1">https://ec.europa.eu/clima/policies/f-gas\_en#tab-0-1</a>
- Ask questions on the upload process to BDR helpdesk <u>bdr.helpdesk@eea.europa.eu</u>
- Legal questions to your Member State's national contact point <a href="https://ec.europa.eu/clima/system/files/2021-09/contact\_list\_en.pdf">https://ec.europa.eu/clima/system/files/2021-09/contact\_list\_en.pdf</a>
- non-EU companies: address the Member State of your EU Only Representative





# Part D. What to do if the verification report detects problems

presented by DG CLIMA



# The auditor finds inaccuracies in a company's F-Gas report *before* the 31 March deadline for the submission of the F-Gas report

- ➤ The company should resubmit a corrected F-Gas report to the BDR ("reporting tool") by 31 March.
- ➤ The company should have the corrected resubmission verified by 30 June.
- ➤ The company is encouraged to upload the verification report of the resubmitted corrected F-Gas report to the BDR.



# The auditor finds inaccuracies in a company's F-Gas report *after* the 31 March deadline for the submission of the F-Gas report

- > The company is encouraged to upload to the BDR the verification report identifying the inaccuracies in the Fgas report
- The company should alert the authorities (EC, national)
- > The company should resubmit a **corrected F-Gas report** in the BDR ASAP
- > The company should have the corrected resubmission verified by 30 June
- The company is encouraged to upload the verification report of the resubmitted corrected F-Gas report to the BDR



## Please note

- it is not the auditor's task to alert authorities, this is the company's responsibility.
- if an inaccuracy is detected, the auditor should inform the company of its responsibilities and the procedure to be followed (previous slides).
- that the acceptance of late submissions of the F-gas report after 31 March is subject to a case-by case decision by the competent authorities.

#### More information

Bulk verification guidance

https://ec.europa.eu/clima/system/files/2020-02/verification hfc pre-charged presentations en.pdf

#### National Contacts:

https://ec.europa.eu/clima/system/files/2021-09/contact\_list\_en.pdf



## Part E. How to find an auditor

presented by DG CLIMA



## I need an auditor...

## Who can be the independent auditor?

- accredited pursuant to ETS-Directive 2003/87/EC; or
- accredited to verify financial statements in accordance with the legislation of the Member State concerned.
- Some Member States competent authorities have accreditation lists, and some also have information on special Fgas competence
- ➤ The Commission cannot recommend which auditing firm to use
- ➤ In the past, in some countries only few companies were able to do it

# New module in F-gas Portal & HFC Licensing System

As a service to companies:

"Auditor Module": will be available for next reporting period, ca. mid February 2020

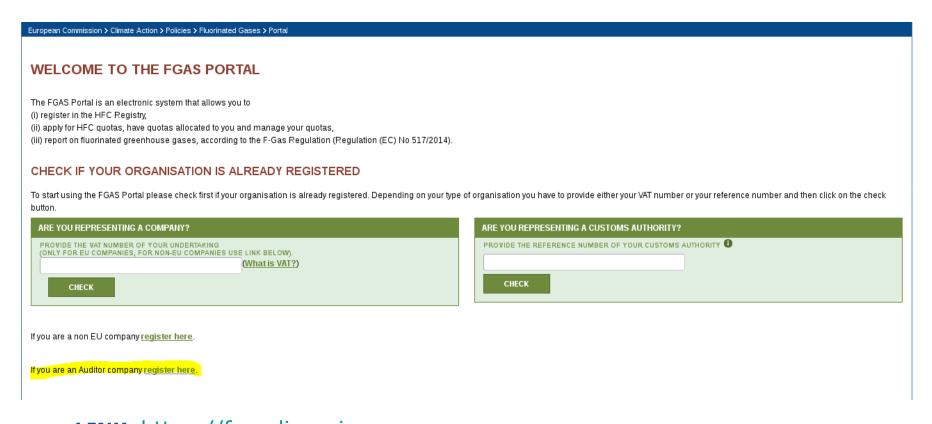
#### This module

- will allow interested auditors to provide their contact details
- will allow companies to browse auditing firms available for their country and contact them by email
- No recommendation by European Commission!

**Disclaimer**: The module will be at the discretion of the companies only. The European Commission will not assume any guarantee or liability for the accuracy of auditor's details or their competence nor would we recommend any single listed auditor



# Registration of interested auditors (I)

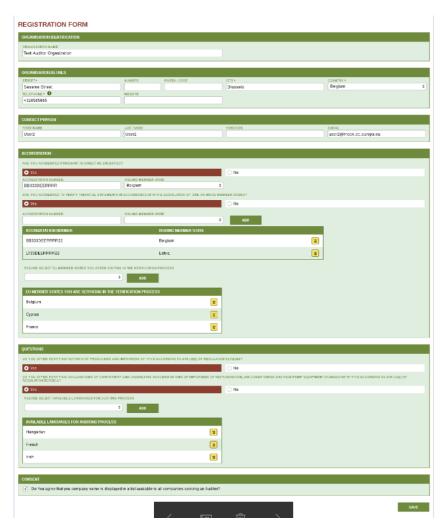


• **LINK:** <a href="https://fgas-licensing.ec.europa.eu">https://fgas-licensing.ec.europa.eu</a>
Available from ca. mid-February 2020



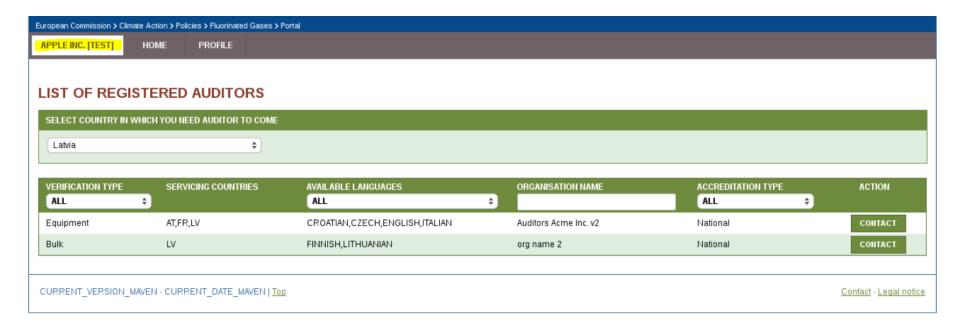
# Registration of interested auditors (II)

- Contact details
- Contact person
- Accreditation
- Countries
- Languages
- Bulk/Equipment Verification





# List of auditors visible to companies





## E-mail requesting contact to auditor

# IFGAS] Contact Details of Apple Inc. [TEST] \*\*\*Rue This is a IEST, Please do not consider. To: CC: BCC: ReplyTo: CLIMA-ODS2-TEST@ec.europa.eu Dear Madam/Sir, This is an automatic email from the Fgas Portal and HFC Licensing System. Your company asked to be included in a list of auditing companies that are accredited either (i) pursuant to Directive 2003/87/EC and/or (ii) to verify financial statements according to national law of a Member State. The initiator of this email is an undertaking that is affected by Article 19 of the Fgas Regulation, i.e. needs to have their annual reports verified independently, and seeks to find an independent auditor for this purpose. Please take up contact directly with the initiator if you are interested in pursuing this further, by writing to the specified email(s). • User1 User1 user1@mock.ec.europa.eu DO NOT REPLY TO THIS EMAIL. This message is intended for the use of the addressee only and may contain information that is privileged and confidential. If you are not the intended recipient, you are notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by return of this e-mail.

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