

GOVERNMENT OF THE REPUBLIC OF ZAMBIA

STATUTORY INSTRUMENT NO. 27 OF 2001

Environmental Protection and Pollution Control Act
(Laws, Volume 12, Cap. 204)

Environmental Protection and Pollution Control Act
(Ozone Depleting Substances) Regulations, 2000

In Exercise of powers contained in section ninety-six of the Environmental Protection and Pollution Control Act and in consultation with the Council, the following Regulation are hereby made:

PART I
Preliminary

Title 1. These Regulations may be cited as the Environmental Protection and Pollution Control Act (Ozone Depleting Substances) Regulations, 2000.

Interpretation 2. In these regulations, unless the context otherwise requires----

"adverse effect" means a change in the physical environment or biota, including a change in climate, which has a significant deleterious effect on human health or on the composition, resilience and production of and managed ecosystems, on materials useful to mankind;

"calculated levels" in relation to-

(a) a controlled substance that is imported or exported means a quantity of controlled substance;

(b) a group of controlled substances set out in column I of the first schedule, imported or exported during a given period, means the sum of the calculated levels of importation of the controlled substances within the group during that period; determined in accordance with the formula stipulated under regulation 6;

"Chlorofluorocarbon (CFC)" means a fully halogenated chlorofluorocarbon set out in the First Schedule;

"control period" means the period beginning on January 1st in a given year and ending on December 31st in the same year;

"controlled substances" means a substance set out in column II of the First Schedule, whether in pure form or in a mixture, and includes isomers of the substance, unless otherwise indicated;

"Council" means the Environmental Council established under section three of the Act;

"date of prohibition" means the date set out in the third column of the Second Schedule;

"halon" means a brominated chemical related to a chlorofluorocarbon, used in fire fighting and has a very high ozone depleting potential;

"Inspectorate" means the Environmental Inspectorate established under section eighty-one of the Act;

"law enforcement officer" means police officer, customs officer, forest officer or wildlife officer;

"ozone depleting potential" means the ability of a controlled substance to destroy the atmospheric ozone based on atmospheric lifetime, stability and reactivity;

"ozone depleting substances" means a substance listed in the First and Second Schedules;

"ozone layer" means the layer of atmospheric ozone above the planetary boundary layer;

"person" means an individual, partnership, corporation or association, whether corporate or incorporate;

"permit" means a permit issued under regulation 14;

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"port of entry" has the meaning assigned to it in the Customs and Excise Act;

"product" means -

- (a) a vehicle air conditioning unit, whether incorporated in the vehicle or not;
- (b) domestic or commercial refrigeration, and air conditioning or heat pump equipment, where the equipment contains a controlled substances as a refrigerant or in insulating materials of the product;
- (c) any aerosol product, except medical aerosol;
- (d) any cfc portable fire extinguisher;
- (e) any insulation board, panel or pipe cover; and
- (f) any pre-polymer;

"reclaimed" in respect of a controlled substance, means recovered, re-processed and up-graded through processes such as filtering, drying distillation or chemical treatment in order to restore the controlled substances to industrial accepted re-use standards;

"recovered" in respect of controlled substance, means -

- (a) collected after the substance has been used; or

(b) collected from machinery, equipment or a container during servicing or before the disposal of the machinery, equipment or container;

"recycled" in respect of a controlled substance, means re-used, recovered, cleaned by a process such as filtering, drying, or re-used to recharge equipment;

"refrigerant" means substance, whether part or mixture, that is used as a coolant in a refrigerator, freezer, cold room, dehumidifier, heat pump or an air conditioner; and

"technician" unless otherwise, means a person qualified in new technology to service or maintain refrigeration or air conditioning systems and certified by the council;

- Application
3. These regulations apply to-
- (a) an importer, exporter, producer or distributor of controlled substance whether in transit or otherwise;
 - (b) an importer, exporter, producer or distributor of technology or product which uses or contains a controlled substance;
 - (c) a person who services refrigerator, air conditioner, mobile or other technology using controlled substances;
 - (d) a person or an institution using or servicing fire extinguishers; and
 - (e) a person, an institution, a farmer or other individual using any controlled substance.

PART II

CONTROL MEASURES

- Prohibition of certain activities
4. A person shall not produce or conduct any activity likely to produce any controlled substance or any other substance likely to deplete the ozone layer.
- Prohibition of
5. A person shall not emit into the ambient air any pollution controlled substance likely to result in adverse effects on human health and the environment.
- Prohibition of import or export of controlled substances
6. (1) A person shall not import or export any manner deal with a controlled substance or product containing a controlled substances except in accordance with these regulations.
- (2) A person shall not import or export a recovered, recycled, reclaimed or used controlled substance except with a permit issued under these regulations.

(3) The calculated level of any imported or exported controlled substance shall be determined in accordance with the following formula:

$I \times ODP$, where-

- (i) I is the quantity imported during that period; and
- (ii) ODP is the ozone depleting potential for the controlled substances set out in column III of the First Schedule.

Sale, importation or exportation of controlled substance after the date of prohibition

7. (1) Subject to sub regulation (2), a person shall not use, sale, offer, for sale, distribute, import, export or in any manner deal in any with a controlled substance or a product containing any substance within a group set out in column I of the Second Schedule on or after the date of prohibition set out in column III of the Second Schedule in respect of that substance.

(2) Sub-regulation (1) does not apply to-

- (a) a controlled substance that was imported before the date of its prohibition ; or
- (b) a recovered, re-cycled re-claimed, or used controlled substance imported or exported pursuant to a permit issued by the Council.

Prohibition of importation of a refrigerator, and air conditioners

8. A person shall not import or export any air conditioner or other product containing or designed to use any controlled substance.

vehicle fitted air with an conditioner

9. A person shall not import a vehicle fitted with an air conditioner or refrigeration unit unless the vehicle's cooling unit is fitted with CFC free coolant.

Aerosol

10. (1) Subject to sub-regulation (2), from the date product of entry into force of these Regulations, a person shall not import any aerosol product which uses Chlorofluorocarbon as a gas or a propellant.

(2) Sub-regulation (1) does not apply to any medical aerosol.

Servicing installation, etc, of air conditioner

11. (1) A person, other than technician certified under sub-regulation (2), shall not service a product or technology that contains or uses a controlled substance.

(2) A technician shall not repair or service any product or technology that contains or uses a controlled substance unless the technician has a certificate issued by the Council.

(3) A technician shall not release into the ambient air any refrigerant that is an ozone depleting substance.

retrofitting
refrigeration
containing
controlled substance

12. A person shall not retrofit refrigeration or air conditioning equipment with any hydrochlorofluorocarbon

Fire
fighting
services

13. (1) A person shall not use any halon in fire fighting demonstrations

(2) A person shall not use any halon where alternative substances such as carbon dioxide, water, dry powder, foam or inert gases are available.

(3) With effect from 1st January, 2001, a person shall not refill any fire extinguishing system with any halon.

(4) With effect from 1st January, 2003, a person shall not sell any fire extinguisher containing any halon.

PART III

PERMITS

Application
for permit

14. (1) A person who intends to import or distribute a controlled substance shall submit to the inspectorate an application for a permit to in Form I set out in the third Schedule

(2) A person who intends to import a recovered, recycled, reclaimed or used controlled substance, shall submit an application for a permit to the inspectorate in Form 2 set out in third schedule.

(3) A person who intends to export any controlled substance shall submit to the inspectorate in Form 3 set out in third schedule.

(4) A person who intends to export a recovered, recycled, reclaimed or used controlled substance, shall submit an application for a permit to the inspectorate in Form 4 set out in third schedule.

(5) An application for a permit shall be accompanied by a fee set out in the Fourth Schedule.

Issue of
permit

15 (1) the inspectorate shall, unless it has otherwise informed the applicant or is undertaking investigations relevant for purposes of the application, within twenty

-eighty days of receipt of the application for a permit under regulation 14 issue a permit subject to such conditions as the inspectorate may determine, if--

- (a) the application is in accordance with the provisions of these regulations;
- (b) the application or other matter relating to the application does not contravene any laws or regulations in force.

(2) a permit shall be in Form 2 set out in third schedule.

(3) a permit issued under this regulation shall be valid for a period of one year starting January 1st to December 31st and shall be renewed for a like period upon payment of a fee if the applicant has been complying with the provisions of these regulations.

Refusal to
Issue permit

16.(1) Where the inspectorate is not satisfied with an application for a permit, it shall refuse to issue the permit to the applicant.

(2) A decision of the Inspectorate rejecting an application shall be accompanied by the reasons for the rejection.

Appeal from
of
Inspectorate

17. An applicant for a permit who is aggrieved with the decision of the Inspectorate may appeal to the Council, subject to a further appeal to the High Court.

Conditions

18. A person issued with a permit under regulation 15 shall -

- (a) operate in accordance with these Regulations and conditions determined by the Inspectorate;
- (b) comply with the general directives issued by the Inspectorate in exercise of its functions under these Regulations;
- (c) keep a record of activities in Form 9 set out in the Third Schedule and submit the record to the Inspectorate six months from the commencement of the permit; and
- (d) comply with any other conditions which the Inspectorate shall consider relevant for the purposes of these Regulations.

Failure to
use permit

19. (1) Where the holder of the permit is unable to use the permit within three months from the date of issue of the permit, the holder shall forthwith notify the Inspectorate of the failure giving reasons thereof, and the Inspectorate shall, where satisfied with the reasons, specify the period within which the holder shall comply with the terms of permit.

(2) Where a period of three months from the date of issue of the permit has expired without the holder of the permit performing the activities in accordance with the terms of the permit and no notification has been made in accordance with this regulations, the permit shall be lapsed and shall, subject to these Regulations be cancelled, and the Council shall publish the information in the *Gazette*.

Transfer
of permit

20. A permit shall not be transferred a third party.

Amendment
of permit

21. the Inspectorate may amend a permit on application of the holder of the permit-

- (a) where some other person has succeeded to the interest in the business enterprise belonging to the holder of the permit, by substituting for the name of the holder, the name of the successor;
- (b) where the name of business enterprise is altered, by substituting the name so altered; or
- (c) for any other reason submitted by the applicant of the permit which the Inspectorate may consider necessary.

Enforcement
notices

22. (1) Where the Inspectorate is satisfied that a person is contravening or is likely to contravene any provision of these Regulations, or directive issued by the inspectorate in the exercise of its functions or any other condition of the permit, the inspectorate shall serve an enforcement notice on that person.

(2) An enforcement notice issued under sub-regulation (1) shall-

- (a) state the contravention or likely contravention of the directive or any conditions of the permit and matters constituting the contravention or making it likely that the contravention will arise;
- (b) specify he steps that have to be taken to remedy the contravention or avoid the contravention, as the case may be; and
- (c) specify the effective date of notice and the time limit within which the steps described under paragraph (b) have to be taken.

Suspension
or cancellation
of permit

23. (1) Subject to the other provisions of these Regulations, the Inspectorate may suspend or cancel any permit if the holder of the permit-

- (a) obtained the permit by fraud or deliberate or negligent submission of false information.
- (b) contravenes these Regulations or any terms and conditions of the permit;

- (c) fails, without reasonable cause, to comply with an enforcement notice issued under regulation twenty two (22); or
- (d) fails, without reasonable cause, to use the permit within the time stipulated under these regulations.

(2) The Inspectorate shall, before suspending or canceling a permit, give its written notice to the holder of the permit of its intention to suspend or cancel the permit and specify the grounds for the suspension or cancellation and require the person to show cause, within a period of more than thirty days, why the permit should not be suspended to cancelled.

(3) The Inspectorate shall not suspend or cancel a permit if the holder of the permit takes remedial measures to the satisfaction of the inspectorate, within the period of thirty days.

(4) If the holder of a permit notified under this regulation fails to show cause to the satisfaction of the Inspectorate or does not take remedial measures to the satisfaction of the Inspectorate, within the time specified in this regulation, the Inspectorate may suspend or cancel the permit.

(5) Any person who is aggrieved by any decision of the Inspectorate under this regulation may appeal to the Council, subject to a further appeal to the high court.

Register

24 The Inspectorate shall keep a register of permits and therein all matter relating to permits issued under this Part and shall, at least once every year, publish in the Gazette a list of all persons holding a permit under these regulations.

Annual record

25 (1) A person who import a controlled substances report or product containing a controlled substances shall submit to the Inspectorate an annual report in Form 5 set out in the Third Schedule.

(2) A person who imports a recovered, recycled, reclaimed or used controlled substance, shall submit to the Inspectorate an annual report in Form 6 set out in the third Schedule.

(3) A person who exports a controlled substance shall submit to the inspectorate an annual report in Form 7 set out in the Third Schedule.

(4) A person who export a recovered, recycled, reclaimed or used controlled substance, shall submit to the inspectorate an annual report in Form 8 set out in the Third Schedule.

(5) An annual report shall be submitted to the inspectorate on or before the 15th January every year.

PART IV

GENERAL

- Customs
- 26 (1) A person who import a controlled substances or product containing a controlled substances shall provide a copy of permit to the Inspector at port of entry or exit.
- (2) A person who imports or export any product into Zambia shall tender to the Inspector for certification as to whether or not the product contains or is made of any controlled substance.
- (3) A customs officer shall inspect and certify whether the controlled substance imported into or exported out of Zambia is in accordance with these regulations.
- (4) Where the exportation or importation is contrary to these regulations, an inspector or law enforcement officer shall seize the products or substances.
- (5) The sized products shall be disposed off by the inspector or law enforcement officer in accordance with he guidelines se by the Council.
- Suppliers and Distributors
27. (1) An importer of controlled substance shall cause a person who receives or buys any controlled substance from the importer to sign a declaration set out in Form 10 of the third schedule.
- (2) A person who supplies or distributes any controlled substances shall keep a record of names and address of the person of whom the substances have been supplied or distributed and shall submit to the record to the Inspectorate within fourteen days of such supply or distribution.
- Labeling
28. An importer, producer or distributor or seller or exporter shall not import, produce or distribute sell or in any manner deal with a product or other material containing an ozone depleting substance unless.
- (a) the product or material containing an ozone depleting substance is labeled with words "ozone friendly," or "Not ozone friendly", or ozone depleting". or "CFC free" or "No CFC", as the case may be; or
- (b) the substance is sealed in a package or other material to avoid any leakage and labeled as required under paragraph 28 (a).

Storage and disposal

29. (1) An importer, exporter, distributor or seller transported or supplier of any controlled substances shall ensure that the controlled substances is stored in a secure premises licensed or approved by the inspectorate for the purposes of storing controlled substances.

(2) A person shall no dispose any controlled substance without he approval and authorization of the Inspectorate

Transportation

30. (1) Any person who intends to transport any controlled substance or any product or equipment containing a controlled substance except for personal domestic use , whether in transit or otherwise, shall apply to the inspectorate for a permit.

(2) A person shall not , where the substance or product transported under sub-regulation (1) is in transit to another country, use, distribute, sell, dispose off in any manner deal with the substance or product.

Offences and penalties

31. Any person who contravenes any provisions of these regulations commits an offence and is liable, upon conviction, to the penalty provided for under section ninety-one of the Act.

publication of controlled substances

32. The Council shall, before the 31st of December of every year, publish a list of controlled substances in the gazette.

Transitional provision

33. (1) A technician or person who services or repairs any product or technology that contains or uses any controlled substance shall, within six months from the coming into force of these Regulations, apply to the Council for the certificate.

(2) An importer, or exporter, or distributor or seller or transporter or supplier of any controlled substances or person of whom these regulation apply shall within three months from the coming into force of these Regulations, apply to the Inspectorate for a permit in accordance with these Regulations.

FIRST SCHEDULE
(Regulation 2(b))

INFORMATION FOR THE DETERMIATION OF ODP CALCULATED LEVELS.

Item	Column I	Column II Controlled Substances	Column III ODP
1.	Group 1		
	CFCl ₃	CFC 11 (Trichloroflouromethane)	1.0
	CF ₂ Cl ₃	CFC 12 (Dichloroflouromethane)	1.0
	C ₂ F ₃ Cl ₃	CFCI 113 (1,1,2-trichloro-1,1,2 trichloroflouromethane)	0.8
	C ₂ F ₄ Cl ₂	CFC 114 (1,1,2-Dichorotetraflouroethane)	1.0
	C ₂ F ₅ Cl	CFC 115 (Cloropentaflouruethane)	0.6
2.	Group II		
	CF ₂ BrCl	Halon 1211 (Bromochorodifluoromethane)	3.0
		Halon 1301 (Bromotirfluoromethane)	10.0
		Halon 2402 (Dibromotetrafluoromethane)	6.0
3.	Group I		
	CF ₃ Cl	CFC 13 (Chlorifluoromethane)	1.0
	C ₂ FCl ₅	CFC 111(Pentachlorofluoroethane)	1.0
	C ₂ F ₂ Cl ₄	CFC 112 (Tetrachlorodifluoroethane)	1.0
	C ₃ FCl ₇	CFC 211 (Heptachlorofluoropropane)	1.0
	C ₃ F ₂ Cl ₆	CFC 212 (Hexachlorodifluoropropane)	1.0
	C ₃ F ₃ Cl ₅	CFC 213 (Pentachlorodifluoropropane)	1.0
	C ₃ F ₄ Cl ₄	CFC 214 (Tetrachlorotetrafluoropropane)	1.0
	C ₃ F ₅ Cl ₃	CFC 215 (Trichloropentafluoropropane)	1.0
	C ₃ F ₆ Cl ₂	CFC 216 (Dichlorohexafluoropropane)	1.0
	C ₃ F ₆ Cl ₂	CFC 217 (Chloroheptafluoropropane)	1.0
4.	Group II		
	CCl ₄	Carbon tetrachloride (Tetrachloromethane)	1.1
5.	Group III		
	C ₂ H ₃ Cl ₃	1,1,1-Trichloroethane (Methy Chloroform)	0.1

6. Group I

Partially halogenated fluoro-chemicals (40 compounds including HCFC-21, HCFC-123, HCFC-124, HCFC-141b, HCFC142) all with ODPs of less than 0.12, are defined as transitional substances.

<i>Group I</i>	<i>Controlled Substances</i>	<i># of isomers</i>	<i>ODP</i>
CHFCL ₂	HCFC-21	1	0.04
CHF ₂ CL	HCFC-22	1	0.055
CH ₂ FCI	HCFC-31	1	0.02
C ₂ HFCl	HCFC-121	2	0.01 – 0.04
C ₂ HF ₂ Cl ₃	HCFC-122	3	0.02 – 0.08
C ₂ HF ₃ Cl ₂	HCFC-123	3	0.02 – 0.06
CHCl ₂ CF ₃	HCFC-123 **	-	0.02
C ₂ HF ₄ Cl	HCFC-124	2	0.02 – 0.04
CHFCICF ₃	HCFC-124 **	-	0.022
C ₂ H ₂ FCI ₃	HCFC-131	3	0.007 – 0.05
C ₂ H ₂ F ₂ Cl ₂	HCFC-132	4	0.008 – 0.05
C ₂ H ₂ F ₂ Cl	HCFC-133	3	0.02 – 0.06
C ₂ H ₂ FCI ₂	HCFC-141	3	0.005- 0.07
CH ₃ CFCl ₂	HCFC-141	-	0.11
C ₂ H ₃ F ₂ Cl	HCFC-142	3	0.008-0.07
C ₁₃ CF ₂ CL	HCFC-142b **	-	0.065
C ₂ H ₄ FCI	HCFC-151	2	0.003 – 0.005
C ₃ HFCl ₆	HCFC-221	5	0.015 – 0.07
C ₃ HF ₂ Cl ₅	HCFC-222	9	0.01 – 0.09
C ₃ HF ₃ Cl ₄	HCFC-223	12	0.01 – 0.08
C ₃ HF ₄ Cl ₃	HCFC224	12	0.01 – 0.09
C ₃ HF ₅ Cl ₃	HCFC225	9	0.02 – 0.07
CF ₃ CF ₂ CHCl ₂	HCFC-225ca **	-	0.025
CF ₂ CICF ₂ CHCIF	HCFC-225cb **	-	0.035
C ₃ HF ₆ Cl	HCFC-226	5	0.02- 0.10
C ₃ H ₂ FCI ₅	HCFC-231	9	0.05- 0.09
C ₃ H ₂ F ₂ Cl ₄	HCFC-232	16	0.008 – 0.10
C ₃ H ₂ F ₃ Cl ₃	HCFC-233	18	0.007 – 0.23
C ₃ H ₂ F ₄ Cl ₂	HCFC-234	16	0.01 – 0.28
C ₃ H ₂ F ₅ Cl	HCFC-235	9	0.03 – 0.52
C ₂ H ₃ FCI ₄	HCFC-241	12	0.004 – 0.09
C ₃ H ₃ F ₂ Cl ₃	HCFC-242	18	0.005 – 0.13
C ₃ H ₃ F ₃ Cl ₂	HCFC-243	18	0.007 – 0.12
C ₃ H ₃ F ₄ Cl	HCFC244	12	0.009 – 0.14
C ₃ H ₄ FCI ₃	HCFC-251	12	0.001 – 0.01
C ₃ H ₄ F ₂ Cl ₂	HCFC-252	16	0.005 – 0.04
C ₃ H ₄ F ₃ Cl	HCFC-253	12	0.003-0.03
C ₃ H ₃ FCI ₂	HCFC-261	9	0.002 – 0.02
C ₃ H ₃ F ₂	HCFC-262	9	0.002 – 0.02
C ₃ H ₆ FCI	HCFC-271	5	0.001 – 0.03

* Where a range of ODP is indicated, the highest value in the range shall be used for the purposes of these Regulations. The ODP listed as a single value have been determined from calculations based on laboratory measurements. Those listed as a range are based on estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of ODP of the isomer with the highest ODP, and the lower value is estimate of the ODP of the isomer with the lowest ODP.

** Identifies the most commercially viable substances with ODP values listed against them to be used for the purpose of these regulations.

7. Group II

Hydrobromofluorocarbons (34 compounds with ODP estimated to vary from around)1 to 1.00.

<i>Group II</i>	<i>Controlled Substances</i>	<i># of isomers</i>	<i>ODP</i>
CHBr ₂	HBFC-22BI	1	1.0
CHF ₂ Br		1	0.74
CH ₂ HBr		1	0.73
C ₂ H ₂ Br ₂		2	0.3-0.8
C ₂ H ₃ Br		3	0.5-1.8
C ₂ H ₄ Br		3	0.4-1.6
C ₂ H ₅ Br		2	0.7-1.2
C ₂ H ₂ FBr		3	0.1-1.1
C ₂ H ₃ F ₂ Br		4	0.2-1.5
C ₂ H ₄ F ₃ Br		3	0.7-1.6
C ₂ H ₅ F ₂ Br		3	0.1-1.7
C ₂ H ₆ F ₂ Br		3	0.2-1.1
C ₂ H ₇ F ₃ Br		2	0.07-0.1
C ₂ H ₈ F ₄ Br		5	0.3-1.5
C ₃ H ₂ Br ₃		9	0.2-1.9
C ₃ H ₃ Br ₂		12	0.3-1.8
C ₃ H ₄ Br		12	0.5-2.2
C ₃ H ₅ Br ₂		9	0.9-2.0
C ₃ H ₆ Br		5	0.7-3.3
C ₃ H ₂ FBr ₂		9	0.1-1.9
C ₃ H ₃ F ₂ Br		16	0.2-2.1
C ₃ H ₄ F ₃ Br		18	0.2-5.6
C ₃ H ₅ F ₄ Br		16	0.3-7.5
C ₃ H ₆ F ₅ Br		8	0.9-1.4
C ₂ H ₃ F ₂ Br ₂		12	0.08-1.9
C ₂ H ₄ F ₃ Br ₂		18	0.1-3.1
C ₂ H ₅ F ₄ Br ₂		18	0.1-2.5
C ₂ H ₆ F ₅ Br ₂		12	0.3-4.4
C ₃ H ₄ F ₂ Br ₃		12	0.03-0.3
C ₃ H ₅ F ₃ Br ₃		16	0.1-1.0
C ₃ H ₆ F ₄ Br ₃		12	0.07-0.8
C ₃ H ₇ F ₅ Br ₃		9	0.04-0.4
C ₃ H ₈ F ₆ Br ₃		9	0.07-0.8
C ₃ H ₉ F ₇ Br ₃		5	0.02-0.7

* Where a range of ODPs is indicated, the highest value in the range shall be used for the purposes of the Protocol. The ODPs listed as a single value have been determined from calculations based on laboratory measurements. Those listed as a range are based on the estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of the ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

** Identifies the most commercially viable substances with ODP values listed against them to be used for the purposes of these Regulations.

8.	<i>Group 1</i>	<i>Controlled substance</i>	<i>ODP</i>
	MeBr	Methyl Bromide	0.6

* ODP values are estimates based on the information available when these chemicals were added to the Protocol and they were used to calculate compliance quotas.

SECOND SCHEDULE
(Regulation 7)

<i>Item</i>	<i>Column I Group of Controlled Substance</i>	<i>Column II Controlled Substance</i>	<i>Column III Date of Prohibition</i>
1.	Group 1 CFCl ₃ CF ₂ Cl ₃ C ₂ F ₃ Cl ₃ C ₂ F ₄ Cl ₂ C ₂ F ₅ Cl	CFC 11 (Trichloroflouromethane) CFC 12 (Dichloroflouromethane) CFCI 113 (1,1,2-trichloro-1,1,2 trichloroflouromethane) CFC 114 (1,1,2-Dichlorotetraflouroethane) CFC 115 (Cloropentaflouruethane)	Jan 1, 2010
	<i>Column I Group of Controlled Substance</i>	<i>Column II Controlled Substance</i>	<i>Column III Date of Prohibition</i>
2.	Group II CF ₂ BrCl	Halon 1211 (Bromochorodifluoromethane) Halon 1301 (Bromotirfluoromethane) Halon 2402 (Dibromotetrafluoromethane)	Jan 1, 2010
3.	Group I CF ₃ Cl C ₂ FCl ₅ C ₂ F ₂ Cl ₄ C ₃ FCl ₇ C ₃ F ₂ Cl ₆ C ₃ F ₃ Cl ₅ C ₃ F ₄ Cl ₄ C ₃ F ₅ Cl ₃ C ₃ F ₆ Cl ₂ C ₃ F ₆ Cl ₂	CFC 13 (Chlorifluoromethane) CFC 111(Pentachlorofluoroethane) CFC 112 (Tetrachlorodifluoroethane) CFC 211 (Heptachlorofluoropropane) CFC 212 (Hexachlorodifluoropropane) CFC 213 (Pentachlorodifluoropropane) CFC 214 (Tetrachlorotetrafluoropropane) CFC 215 (Trichloropentafluoropropane) CFC 216 (Dichlorohexafluoropropane) CFC 217 (Chloroheptafluoropropane)	Jan 1, 2010
4.	Group II CCl ₄	Carbon tetrachloride (Tetrachloromethane)	Jan 1,2015
5.	Group III C ₂ H ₃ Cl ₃	1,1,1-Trichloroethane (Methy Chloroform)	Jan 1, 2040
6.	Group I CHFCl	HCFC ₅	Jan 1, 1996
7.	Group II CHFBr	HBFC ₅	Jan 1, 1996
8.	Group I CH ₂ Br	Methyl bromide	Jan 1, 2015

THIRD SCHEDULE
(Regulation 15 (1))

PRESCRIBED FORMS



FORM 1

The Environmental Council of Zambia
The Environmental Protection and Pollution Control (Ozone Depleting Substances)
Regulations, 2000

APPLICATION FOR PERMIT TO IMPORT A CONTROLLED SUBSTANCE
(One application for each group of controlled substance)

Information concerning the applicant

Date:.....

Name of Applicant:.....
NRC/Passport No:.....
Address: (business)Residential.....
Company Name:Physical /Address.....
Business Activity:..... Tel/ Fax.....
Registration Certificate No.....
Work Permit No.....
Investment Permit No:.....

Name of person authorized to act on behalf of applicant (where applicable)

Title:.....
Fax No:.....
E-mail No:.....
Telephone No:.....
Address:.....

Request for confidentiality of information (tick)

Yes No.....

Reasons:.....
.....

Information concerning the controlled substances (tick) group of controlled substances

Item I..... Item V.....
Item II..... Item VI.....
Item III..... Item VII.....
Item IV..... Item VIII.....
Control period.....

Information concerning the controlled substance for which a permit to import is requested.

Controlled Substance	Country of origin	Quantity to be imported	ODP	Calculated level
.....	Kg X.....	=Kg
.....	Kg X.....	=Kg
.....	Kg X.....	=Kg
.....	Kg X.....	=Kg

Controlled Substance	Name and Address
.....
.....
.....
.....

I declare that the information provided in this application is correct and that the applicant is willing and able to use the controlled substance in compliance with all the laws for the time being in force.

.....
Date Name Signature

Witness:..... Designation:.....
Address:..... Company:.....
Occupation:..... Address:.....

Official use only:
Date received:..... Licence No:.....
Amount paid:..... Signature:.....
Receipt No:..... Official Stamp:.....
Accepted/Rejected:.....



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substance) Regulation, 2000**

**APPLICATION FOR PERMIT TO IMPORT A RECOVERED, RECYCLED,
RECLAIMED OR USED CONTROLLEED SUBSTANCE
(One application for each group of controlled substance)**

Information concerning the applicant

Name of applicant:
Physical Address:
.....
.....

Registration certificate No:
Work Permit No:
Investment Permit No:

Name of person authorized to act on behalf of applicant (where Applicable)

Title:
Fax No:
E-mail:
Telephone No:
Address:

Request for confidentiality

Yes No.

Reasons
.....

Information concerning the controlled substances (tick)

Group of controlled substance

Item I Item II
Item III Item IV
Item V Item VI
Item VII Item VIII

Type of controlled substances (tick)

Recovered reclaimed
Recycled Used

Control period

Party from which the controlled substance is being imported.
.....

Name and Address of the person who recovered, recycled or reclaimed the controlled substance.

Controlled Substance	Name and Address
.....
.....
.....

Quantity of the substance to be imported:

Controlled Substance	Country of origin	Quantity to be imported	ODP	Calculated level
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg

For each controlled substance, name and address of sender

Controlled Substance	Name and Address
.....
.....
.....

I declare that the information in this request (application) is correct and that the applicant is able to import the controlled substance in compliance with all the relevant laws for the time being in force.

.....
Date	Name	Signature
Designation:	Witness:	
Company:	Address:	
Address:	Occupation:	

Official use only:

Date Received: Licence No.....

Amount paid: Signature:.....

Receipt No..... Official Stamp:.....

Accepted/Rejected:



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substance) Regulation, 2000**

**APPLICATION FOR PERMIT TO IMPORT A RECOVERED, RECYCLED,
RECLAIMED OR USED CONTROLLEED SUBSTANCE
(One application for each group of controlled substance)**

Information concerning the applicant

Name of Applicant:.....

NRC/Passport No:.....

Address:

.....

Company Name: Physical/Address.....

Business Activity:..... Tel/ Fax.....

Registration Certificate No.....

Work Permit No.....

Investment Permit No:.....

Name of person authorized to act on behalf of applicant

Title:.....

Fax No:.....

E-mail No:.....

Telephone No:.....

Address:.....

Request for confidentiality of information (tick)

Yes No.....

Reasons:.....

.....

information concerning the controlled substances (tick) group of controlled substances

Item I..... Item V.....

Item II..... Item VI.....

Item III..... Item VII.....

Item IV..... Item VIII.....

Control period.....

Party to which the controlled substance is being exported:.....

Type of control LED substance (tick):.....

Group of controlled substance

Item I..... Item V.....
Item II..... Item VI.....
Item III..... Item VII.....
Item IV..... Item VIII.....

Type of controlled substances (tick)

Recovered reclaimed
Recycled Used

Control period.....

Party from which the controlled substance is being exported.

Name and address of recipient of each shipment

Controlled Substance	Date of Export	Quantity to be Exported	ODP	Calculated level of Export
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg

Source of the controlled substance being exported

I hereby consent that the names of the recipient may be released to the party of import.

I hereby declare that the information provided in this application is correct and that I am able to export the controlled substance in compliance with all the relevant laws for the time being in force.

.....
Date	Name	Signature
Designation:	Witness:	
Company:	Address:	
Address:	Occupation:	

Official use only:

Date Received: Licence No.....
Amount paid: Signature:.....
Receipt No: Official Stamp:.....
Accepted/Rejected:



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

**APPLICATION FOR PERMIT TO EXPORT A RECOVERED, RECYCLED,
RECLAIMED OR USED CONTROLLED SUBSTANCE**

(One request for each group of controlled substances)

Information concerning the applicant

Name of applicant:

NRC/Passport No:

Address (Business): Residential:.....

Company Name: Physical address

Business Activity: Tel/Fax:

Registration certificate No:

Work Permit No:

Investment Permit No:

Name of person authorized to act on behalf of applicant

Title:

Fax No.:

E-mail No.

Telephone No.:

Address:

Request for confidentially (tick)

Yes No

Reasons:.....

.....

Information concerning the controlled substances (tick one)

Group of controlled substances

Item I	Item II
Item III	Item IV
Item V	Item VI
Item VII	Item VIII

Type of controlled substance (tick)

recovered	reclaimed
recycled	Already used

Control period

Party to which the controlled substances is being exported:

Type of controlled substance (tick)

recovered	reclaimed
recycled	Already used

Control period

Party to which the controlled substance is being exported:

Name and address of the person who recovered, recycled or reclaimed the controlled substance.

Controlled substance	Name and Address
.....
.....
.....

If the controlled substance is being exported for destruction, the name and address of the facility where the controlled substance will be destroyed:

Quantity of the controlled substance to be exported:

Controlled Substance	Date of Export	Quantity to be exported	ODP	Calculate level of export
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg
.....	Kg X ..... =	..... Kg

For each controlled substance, name and address of recipient:

Controlled Substance

Name and Address

.....
.....
.....

.....
.....
.....

I hereby consent that the names of the recipients be released to the Party of import.

.....

I declare that the information provided in this application is correct and that the applicant is able to export the controlled substance in compliance with laws in force.

.....
Date Name Signature

Designation: Witness:

Company: Address:

Address: Occupation:

Official use only:

Date Received: Licence No:.....

Amount paid: Signature:.....

Receipt No: Official Stamp:

Accepted/Rejected:



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

**ANNUAL REPORT ON IMPORTS OF CONTROLLED SUBSTANCE
(Information concerning the person submitting this report)**

Name:

NRC/Passport No:

Address business: Residential:.....

Company Name: Physical address

Business Activity: Tel/Fax:

Registration certificate No:

Work Permit No:

Investment Permit No:

Name of person authorized to act on behalf of person submitting the report

Title:

Fax No.:

E-mail No.

Telephone No.:

Address:

Request for confidentially (tick)

Yes

No

Reasons:.....

.....

Information concerning the controlled substances (tick one)

Group of controlled substances

Item I	Item II
Item III	Item IV.....
Item V	Item VI.....
Item VII.....	Item VIII.....

Control period:.....

Quantity of the controlled substance to be Imported:

Controlled Substances	Date of Import	Country of Origin	Quantity to be imported	ODP	Calculated level of Import
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=

Names and Address of persons whom the controlled substances were sold or supplied.

.....

.....

.....

.....

I declare that the information provided in this report is correct to the best of my knowledge and belief.

.....
Date	Name	Signature

Designation:	Witness:
Company:	Address:
Address:	Occupation:

Official use only:		
Date Received: .....	.....	Licence No.....
Amount paid: .....	.....	Signature:.....
Receipt No: .....	.....	Official Stamp:.....
Accepted/Rejected: .....	.....



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

**ANNUAL REPORT ON IMPORTS OF RECOVERED, RECLAIMED,
USED CONTROLLED SUBSTANCES
(Information concerning the person submitting this report)**

Name:
NRC/Passport No:..... Tel.....
Address:.....
.....

Company Name:..... Physical address
Business Activity:..... Tel/Fax:
Registration certificate No:
Work Permit No:.....
Investment Permit No:.....
Name of person authorized to act on behalf of person submitting this report
Title:.....
Fax No.:.....
E-mail No:.....
Telephone No.:.....
Address:.....

Request for confidentially (tick)

Yes No

Information concerning the recovered, recycled, reclaimed or used controlled substances imported (tick)

Item I Item II
Item III Item IV.....
Item V Item VI.....
Item VII Item VIII.....

Control period:.....

Calculated level of imports of recovered, recycled, reclaimed or used substances:

Controlled Substances	Date of Import	Country of Origin	Quantity to be imported	ODP	Calculated level of Import
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=

Name and Address of recipient of controlled substances

.....

I declare that the information provided in this report is correct to the best of my knowledge and belief

.....
 Date Name Signature

Designation: Witness:

Company: Address:

Address: Occupation:

Official use only:

Date Received:..... Licence No:.....
 Amount paid: Signature:
 Receipt No: Official Stamp:
 Accepted/Rejected:.....



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

**ANNUAL REPORT ON EXPORT OF CONTROLLED SUBSTANCES
(Information concerning the person submitting this report)**

Name:

NRC/Passport No: Tel.....

Address business:

Company Name:.....Physical address

Business Activity:..... Tel/Fax:

Registration certificate No:.....

Work Permit No:.....

Investment Permit No:.....

Name of person authorized to act on behalf of person submitting this report

Title:.....

Fax No.:.....

E-mail No:.....

Telephone No.:.....

Address:.....

Request for confidentially (tick)

Yes

No

Reasons:.....

Information concerning the controlled substances (tick)

Item I

Item II

Item III.....

Item IV.....

Item V.....

Item VI.....

Item VII.....

Item VIII.....



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

**ANNUAL REPORT ON EXPORT OF RECOVERED, RECYCLED, RECLAIMED
OR USED SUBSTANCES
(Information concerning the person submitting this report)**

Name:
NRC/Passport No: Tel:
Address business:

Company Name: Physical address
Business Activity: Tel/Fax:
Registration certificate No:

Work Permit No:
Investment Permit No:

Name of person authorized to act on behalf of person submitting this report
Title:

Fax No.:
E-mail No:

Telephone No.:
Address:

Request for confidentially (tick)
Yes No

Reasons:
.....
.....

Information concerning the controlled substances (tick)

Group of controlled substances

- | | |
|----------------|-----------------|
| Item I | Item II |
| Item III | Item IV |
| Item V | Item VI |
| Item VII | Item VIII |

Control period:

Calculated level of exports of recovered, recycled, reclaimed or used substances

Controlled Substances	Date of Export	Country of Origin	Quantity to be Exported	ODP	Calculated level of Import
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=
.....	Kg X	=

Name and address of recipient

.....

I declare that the information provided in this report is correct to the best of my knowledge and belief

.....
 Date Name Signature

Designation: Witness:

Company: Address:

Address: Occupation:

Official use only:

Date Received:..... Licence No:.....

Amount paid: Signature:

Receipt No: Official Stamp:

Accepted/Rejected:.....



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

INFORMATION TO BE MAINTAINED

1. INFORMATION RELATING TO DISTRIBUTION, USE AND OFFER FOR SALE

Date records of:

- (a) the actual quantity of each controlled substance purchased from a supplier, wholesaler or distributor;
- (b) the actual quantity of controlled substance used and the use;
- (c) the actual quantity of each controlled substance sold, names and addresses of the customers and declaration set out in Form X signed by the Customer

2. INFORMATION RELATING TO IMPORT

Date records of;

- (a) the actual quantity of each controlled substance imported in each shipment.
- (b) the port through which the controlled substance was imported.
- (c) the port from which the controlled substance was imported and the name and address of the sender
- (d) the import number for the shipment of the controlled substance imported
Copies of the bill of lading, the invoice and documents submitted to the Zambia Revenue Authority for each shipment of controlled substance.

3. INFORMATION RELATING TO EXPORT

Date records of;

- (a) the actual quantity of each controlled substance exported in each shipment;
- (b) the port through which the controlled substance was exported;
- (c) the port through which the controlled substance was exported and the name and address of the recipient.

(Regulation 27)

FORM 10



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

DECLARATION BY THE RECIPIENT/BUYER OF CONTROLLED SUBSTANCES

(Information concerning the vendor/supplier)

Name of vendor/supplier:
NRC/Passport No: Tel.....
Address (Business.....(Residential).....

Information concerning the recipient/buyer

Name of recipient/buyer:
NRC/Passport No:
Address:
.....

Company name: Physical address:
Business activity: Tel/Fax:

Name of person authorized to act on behalf of the recipient/buyer.

Title:
Fax No:
E-mail No:
Telephone No:.....
Address:

Request for confidentiality (tick)

Yes No

Reasons:
.....

Information concerning the controlled substances (tick)

Group of controlled substances

Item I	Item II
Item III	Item IV
Item V	Item VI
Item VII	Item VIII

Control period:

Information concerning the controlled substances for which this form is prepared.

Controlled Substances	Date of Import	Country of Origin	Quantity to be exported	ODP	Calculated level of Import
.....	Kg X .....=	.....
.....	Kg X .....=	.....
.....	Kg X .....=	.....
.....	Kg X .....=	.....
.....	Kg X .....=	.....
.....	Kg X .....=	.....
.....	Kg X .....=	.....

I undertake not to sell or otherwise supply any of the quantity of the controlled substance received to any person who has not signed a declaration in this form.

I also undertake not to use any of the controlled substances received for a purpose set out in this declaration for any thing other than that purpose.

I declare that the information provided in this report is correct to the best of my knowledge and belief.

.....
Date	Name	Signature

Designation:	Witness:
Company:	Address:
Address:.....	Occupation:

Official use only:

Date Received:.....	Licence No:.....
Amount paid:	Signature:
Receipt No:	Official Stamp:
Accepted/Rejected:.....	



**The Environmental Council of Zambia
The Environmental Protection and Pollution Control
(Ozone Depleting Substances) Regulation, 2000**

PERMIT TO IMPORT/EXPORT/PRODUCE/USE/SALE/HANDLE
CONTROLLED/OZONE DEPLETING SUBSTANCES

Name:.....
Physical Address:.....
Tel. No:.....
Fax. No:.....
Permit No:.....

You are hereby permitted to import/export/produce/Sale/Use/Handle Controlled Substance,
according to the Environmental Protection and Pollution Control (Ozone Depleting
Substances) Regulations, 2000.

.....

The permit is valid from.....to December 31st.....

The permit is subject to conditions of the Environmental protection and Pollution Control
(Ozone Depleting Substances) Regulations.

Date:.....

.....
Chief Inspector (Pollution Control)
Environmental Council of Zambia

FORTH SCHEDULE
(Regulation 16 (5))

FEEES FOR PERMITS

Item	Fee Units	ODP	
1.	25,000	1-10	Non-Ozone Friendly
2.	20,000	0.8-0.9	
3.	17,050	0.6-0.7	
4.	14,000	0.4-0.5	
5.	12,000	0.1-0.3	
6.	9,000	0.001<	Less Ozone Friendly

LUSAKA
13th February, 2001
[MENR. 64/9/5]

S. MIYANDA
Minister of Environment and
Natural Resources