

Chapter:	403	<b>OZONE LAYER PROTECTION ORDINANCE</b>	Gazette Number	Version Date
----------	-----	---	----------------	--------------

		<b>Long title</b>		30/06/1997
--	--	-------------------	--	------------

To give effect to Hong Kong's international obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer; to provide for the prohibition of the manufacture of, and to control the importation and exportation of, and to conserve the resources of, substances that deplete the ozone layer and of products containing or made with those substances; and to provide for related matters.

(Enacted 1989. Amended 26 of 1993 s. 2)

[The Ordinance (except Part 2 of the Schedule)	}		
Part 2 of the Schedule (in respect of section 3)	}	1 July 1989	<i>L.N. 204 of 1989</i>
Part 2 of the Schedule (in respect of all sections except section 3)	}	1 January 1990	<i>L.N. 399 of 1989</i> ]

(Originally 24 of 1989)

Section:	1	<b>Short title</b>		30/06/1997
----------	---	--------------------	--	------------

This Ordinance may be cited as the Ozone Layer Protection Ordinance.

(Enacted 1989)

Section:	2	<b>Interpretation</b>	L.N. 130 of 2007	01/07/2007
----------	---	-----------------------	------------------	------------

Remarks:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

In this Ordinance, unless the context otherwise requires-

"Advisory Council on the Environment" (環境諮詢委員會) means the advisory body established by the Chief Executive to advise on matters relating to pollution control and sustainability of the environment; (Added 6 of 1997 s. 2. Amended L.N. 631 of 1997; 34 of 2000 s. 3)

"air transshipment cargo" (航空轉運貨物) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap 60); (Added 29 of 2000 s. 9)

"aircraft" (飛機) "vehicle" (車輛) and "vessel" (船隻) have the same meanings as in the Import and Export Ordinance (Cap 60); (Amended 66 of 1991 s. 2)

"authorized officer" (特准人員) means an officer authorized under section 9;

"cargo transshipment area of Hong Kong International Airport" (機場貨物轉運區) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap 60); (Added 29 of 2000 s. 9)

"Director" (署長) means the Director of Environmental Protection;

"domestic premises" (住宅) means a premises or place used exclusively for residential purposes and constituting a separate household unit;

"export" (輸出、出口) means to take, or cause to be taken, out of Hong Kong any article other than an article in transit as defined in section 2 of the Import and Export Ordinance (Cap 60); (Added 66 of 1991 s. 2)

"import" (輸入、進口) means to bring, or cause to be brought, into Hong Kong any article other than an article in transit as defined in section 2 of the Import and Export Ordinance (Cap 60); (Added 66 of 1991 s. 2)

"licence" (許可證) means a licence issued under this Ordinance;

"scheduled substance" (受管制物質)-

- (a) means a substance listed in the Schedule, whether existing alone or in a mixture; but
- (b) in sections 4 and 6 does not include a substance listed in the Schedule that is-
  - (i) in a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance; or
  - (ii) part of a manufactured product solely because the substance was used in the process of manufacturing the product;

"Secretary" (局長) means the Secretary for the Environment. (Replaced 78 of 1999 s. 7. Amended L.N. 106 of 2002; L.N. 130 of 2007)

(Enacted 1989)

Section:	3	<b>Offence to manufacture scheduled substances</b>		30/06/1997
----------	---	--	--	------------

- (1) A person who manufactures a scheduled substance commits an offence and is liable to-
  - (a) a fine of \$1000000 and imprisonment for 2 years; and
  - (b) a fine of \$100000 for each day on which the offence continues.
- (2) Subsection (1) does not apply where the scheduled substance is manufactured solely for the purpose of research or academic instruction and the person manufactures no more than 1 kg of the substance in any 12 month period.

(Enacted 1989)

Section:	4	<b>Offence to import or export scheduled substances without a licence</b>		30/06/1997
----------	---	---	--	------------

A person who imports or exports a scheduled substance without a licence commits an offence and is liable to a fine of \$1000000 and to imprisonment for 2 years.

(Enacted 1989)

Section:	4A	<b>Application to air transshipment cargo</b>	29 of 2000	26/05/2000
----------	----	---	------------	------------

(1) Section 4 does not apply in relation to a scheduled substance that is air transshipment cargo; but if at any time between its being brought into and taken out of Hong Kong such scheduled substance is removed from the cargo transshipment area of Hong Kong International Airport then, for the purposes of section 4-

- (a) the scheduled substance is deemed to be imported at the time of such removal; and
- (b) the person who brought the scheduled substance, or caused it to be brought, into Hong Kong as air transshipment cargo is deemed to be the person who imports the scheduled substance at the time of its removal,

and, except to that extent, that section has effect as if this subsection had not been enacted.

- (2) (a) For the purpose of the issue of a licence under section 6 for the import of a scheduled substance, the import of a scheduled substance that is air transshipment cargo does not take place unless and until the scheduled substance is removed from the cargo transshipment area of Hong Kong International Airport other than for the purpose of its being taken out of Hong Kong by air.
- (b) Nothing in this section precludes the issue of a licence under section 6 for the export of a scheduled substance that is air transshipment cargo only because the scheduled substance has been removed from the cargo transshipment area of Hong Kong International Airport.
- (3) In proceedings against a person for an offence under section 4, being proceedings-
  - (a) in relation to the import or export of a scheduled substance that is air transshipment cargo; and
  - (b) in which it is necessary for the prosecution to prove that, at any time between its being brought into and taken out of Hong Kong, the scheduled substance was removed from the cargo transshipment area of Hong Kong International Airport,

it is a defence for the person to show that he took all reasonable steps and exercised reasonable diligence to avoid such removal occurring or that he reasonably believed that such removal had not occurred, as the case may be.

- (4) Where in any proceedings the defence provided by subsection (3) involves an allegation that the

commission of the offence was due to-

- (a) the act or default of another person; or
- (b) reliance on information given by another person,

the defendant is not, without the leave of the court, entitled to rely on the defence unless, not less than 10 days before the hearing of the proceedings, he has served a notice in writing on the prosecutor giving all particulars of-

- (i) the person who committed the act or default or gave the information; and
- (ii) the act, default or information,

of which he is aware at the time he serves the notice.

(5) A person is not entitled to rely on the defence provided by subsection (3) by reason of his reliance on information supplied by another person, unless he shows that it was reasonable in all the circumstances for him to have relied on the information, having regard in particular to-

- (a) the steps which he took, and those which might reasonably have been taken, for the purpose of verifying the information; and
- (b) whether he had any reason to disbelieve the information.

(Added 29 of 2000 s. 9)

Section:	5	<b>Registration</b>		30/06/1997
----------	---	---------------------	--	------------

(1) Where the Director is satisfied that a person-

- (a) was, before the commencement of this Ordinance, an importer or exporter of scheduled substances; or
- (b) bona fide intends to import or export scheduled substances if granted a licence under section 6,

the Director may, on application to him in a form specified by him and on payment of the prescribed registration fee, register the person under this section.

(2) It is a condition of continued registration that the registrant bona fide intends to import or export scheduled substances if granted a licence under section 6.

(3) The Director may, at the time of registration or at any time after giving written notice to a registrant, impose conditions of registration that are reasonably related to Hong Kong's obligations referred to in section 6(4)(a) or to the measures referred to in section 6(4)(b).

(4) Registration under this section does not entitle a person to a licence under section 6.

(5) The Director shall issue a certificate of registration in a form specified by him to a person who is registered under this section and the condition of registration under subsection (2) and any conditions of registration imposed under subsection (3) shall be set out in the certificate.

(6) Where the Director specifies an expiry date in a certificate of registration, the registration ceases to have effect after that date.

(7) If the Director refuses to register an applicant, the Director shall serve on the applicant, by personal service or by post, a notice stating the reasons for his refusal.

(8) A person registered under this section who contravenes a condition of registration relating to him commits an offence and is liable to a fine of \$25000.

(Enacted 1989)

Section:	6	<b>Licence to import or export scheduled substances</b>	L.N. 248 of 2003	08/01/2004
----------	---	---	------------------	------------

(1) The Director may, on the application of a person registered under section 5 and on payment of the prescribed licence fee, issue in respect of a specified consignment of a scheduled substance- (Amended 33 of 2003 s. 6)

- (a) an import licence to import the scheduled substance ("import licence");
- (b) an export licence to export the scheduled substance ("export licence"); or
- (c) an import and export licence to import and export the scheduled substance ("import and export licence"),

subject to any conditions that the Director may impose. (Amended 33 of 2003 s. 6)

(2) The Director may, on application to him, vary the conditions of a licence.

(3) The Director may specify the forms of the applications and licence under this section.

(4) In considering whether to issue a licence or vary the conditions of a licence the Director-

- (a) shall comply with Hong Kong's obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer, the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer as it may be

amended from time to time and any other protocols under the Convention that apply to Hong Kong;  
and

(b) may impose more stringent measures than are required by the Convention and the protocols referred to in paragraph (a).

(5) If the Director refuses to issue a licence or vary the conditions of a licence as requested by the applicant in his application, the Director shall serve on the applicant, by personal service or by post, a notice stating the reasons for his refusal.

(6) A licensee who contravenes a condition of a licence commits an offence and is liable to a fine of \$1000000 and to imprisonment for 2 years.

(Enacted 1989)

Section:	7	<b>Cancellation of registration or licence</b>	30/06/1997
----------	---	--	------------

(1) The Director may at any time cancel a registration or licence where he considers that a condition of the registration or licence has been contravened or that the registration was made or licence was issued as a result of an error or an unlawful act of the applicant or a false representation of a fact made by him.

(2) The Director shall, by personal service or by post, serve on the person whose registration or licence is cancelled a notice of the cancellation stating the reasons for the cancellation.

(3) Within 10 days after being served with a notice of cancellation the person served shall deliver the relevant certificate of registration or licence to the Director.

(4) Where the person served is not given an opportunity to be heard before his registration or licence is cancelled, he may apply to the Director to review his decision and the Director may, after hearing the applicant, reinstate the registration or licence, subject to any conditions he may impose.

(5) A person who fails to deliver a cancelled certificate of registration or licence in compliance with subsection (3) commits an offence and is liable to a fine of \$25000.

(Enacted 1989)

Section:	8	<b>Appeal to Administrative Appeals Board</b>	30/06/1997
----------	---	---	------------

(1) A person who is aggrieved by a decision made in respect of him by the Director under section 5, 6 or 7 or under provisions of the regulations that may be specified to be subject to an appeal under this section may, within 28 days after receiving notice of the decision, appeal to the Administrative Appeals Board.

(2) The Director shall take such action as is necessary to give effect to the Administrative Appeals Board's decision.

(Enacted 1989. Amended 6 of 1997 s. 3)

Section:	9	<b>Appointment of authorized officers</b>	30/06/1997
----------	---	---	------------

The Director may authorize in writing any public officer to exercise any powers and perform any duties conferred or imposed on an authorized officer by this Ordinance.

(Enacted 1989)

Section:	10	<b>General powers of authorized officers</b>	30/06/1997
----------	----	--	------------

(1) Without prejudice to the powers conferred by section 11, an authorized officer may, for the purposes of this Ordinance-

(a) enter at any reasonable time and search-

(i) any premises (other than domestic premises) occupied by a person registered under this Ordinance or by the holder of a licence;

(ii) any premises (other than domestic premises) in which there is a machine or machinery designed to cool or freeze anything or to function as a heat pump;

(iii) any premises (other than domestic premises) occupied by a person who carries on the business of, or any business that includes servicing, repairing or decommissioning air-conditioners or heat pumps; and

- (iv) any premises (other than domestic premises) occupied by a person who carries on the business of, or any business that includes the recovery or recycling of scheduled substances; (Amended 26 of 1993 s. 3)
- (b) require a person to produce for his inspection-
  - (i) a licence or certificate of registration;
  - (ii) any document which relates to the origin, destination, specifications or nature of anything in respect of which a licence could be issued under this Ordinance or which he suspects to be evidence of an offence under this Ordinance; or (Amended 26 of 1993 s. 3)
  - (iii) any record or other document required to be kept by this Ordinance;
- (c) examine and make copies of a licence, certificate of registration or of any record or document produced under paragraph (b);
- (d) take possession of, without payment but subject to the issue of a receipt for it, a sample of anything that as may be required by the Director for the purpose of examination and investigation to determine whether an offence may have been committed under this Ordinance; (Amended 26 of 1993 s. 3)
- (e) examine anything if he considers it necessary to do so to ascertain whether or not the provisions of this Ordinance are being, or have been, complied with by any person in respect of that thing;
- (f) require the owner, occupier or person in charge of any premises entered under this section to provide sampling points with safe access for taking a sample under paragraph (d); (Added 26 of 1993 s. 3)
- (g) inspect and observe the operation of any equipment, and any gauge, dial or other instrument used or referred to in connection with its operation, or activated by its operation, and record the results of the inspection and observation for the purpose of ascertaining-
  - (i) whether or not this Ordinance applies to that equipment; and
  - (ii) whether or not the provisions of this Ordinance are being, or have been, complied with by any person in respect of that equipment; or (Added 26 of 1993 s. 3)
- (h) make any inspection or measurement for the purpose of ascertaining whether any equipment is maintained or used in accordance with this Ordinance. (Added 26 of 1993 s. 3)
- (2) An authorized officer may require-
  - (a) the holder of a licence;
  - (b) a person registered under this Ordinance;
  - (c) a servant, employee or agent of a person referred to in paragraph (a) or (b); and
  - (d) the owner, occupier or person in charge of any premises which he is empowered to enter under subsection (1), (Added 26 of 1993 s. 3)

to furnish such information or take such action as may be necessary to enable the authorized officer to exercise the powers conferred or perform the duties imposed on him under this Ordinance.

(3) Where a sample of anything is taken by an authorized officer under subsection (1)(d) the Director may, after his examination and investigation, direct that the sample be returned to the place from which it was taken, or destroyed or disposed of, as the Director thinks fit.

(Enacted 1989)

Section:	11	<b>Special powers of authorized officers</b>	30/06/1997
----------	----	--	------------

(1) An authorized officer may enter and search any place or premises (other than domestic premises) if he reasonably suspects that there is in or on that place or premises anything in respect of which an offence has been committed under this Ordinance or which is, or contains, evidence of the commission of such offence.

- (2) An authorized officer may seize anything, other than an aircraft, vessel or vehicle,-
  - (a) in respect of which he reasonably suspects that an offence has been committed under this Ordinance; or
  - (b) which he reasonably suspects to be, or to contain, evidence of the commission of such an offence.

(3) An authorized officer may enter and search any premises (other than domestic premises) or place connected with the manufacture, processing, production, storage, distribution or sale of anything in respect of which a licence has been issued under this Ordinance.

(4) An authorized officer who seizes anything under this section shall, as soon as reasonably practicable, give a receipt for it, and he may permit any person who would be entitled to have possession of it, or be entitled to inspect it but for its seizure, to inspect it at any reasonable time and to photograph or make copies of it.

(Enacted 1989)

Section:	12	<b>Ancillary powers of investigation of suspected offence</b>	30/06/1997
----------	----	---	------------

An authorized officer may-

- (a) use such force as is reasonably necessary to enter any place or premises which he is empowered by section 10 or 11 to enter and search;
- (b) use such force as is reasonably necessary to remove a person or thing obstructing him in the exercise of a power conferred or the performance of a duty imposed on him by section 10 or 11;
- (c) detain a person found in any place or premises which he is empowered by section 10 or 11 to search until the premises or place has been searched;
- (d) search the person and property and effects of a person whom he reasonably suspects of being guilty of an offence under this Ordinance, but no person shall be searched except by a person of the same sex or be searched in a public place if he objects to being so searched; and
- (e) if there are reasonable grounds for believing that it is necessary for the purpose of carrying out his duties or for the effective enforcement of this Ordinance, require a person found in any place or premises which he is empowered to enter by section 10 or 11 to give details of his identity, name and address and produce evidence of his identity. (Added 26 of 1993 s. 4)

(Enacted 1989)

Section:	13	<b>Offences in relation to enforcement</b>	30/06/1997
----------	----	--	------------

A person who-

- (a) wilfully resists, obstructs or delays any authorized officer in the exercise of any powers conferred on him by or under this Ordinance;
- (b) fails without reasonable excuse to comply with any requirement made by an authorized officer under section 10, 11 or 12;
- (c) in compliance or purported compliance with any such requirement produces a record or document which is incorrect or inaccurate in a material respect and which he knows to be incorrect or inaccurate or does not believe to be correct or accurate; or
- (d) wilfully or recklessly gives information which is incorrect or inaccurate in a material respect or withholds information as to any of the matters in respect of which information is required to be given under this Ordinance,

commits an offence and is liable to a fine of \$100000 and to imprisonment for 6 months.

(Enacted 1989)

Section:	14	<b>Forfeiture</b>	30/06/1997
----------	----	-------------------	------------

(1) Anything seized under section 11(2) is liable to forfeiture, whether or not any person has been convicted of an offence in respect of the thing.

(2) Where anything is seized under section 11(2), the Director may at any time release it, upon payment of reasonable storage charges, to the person who appears to him to be the owner of it or his authorized agent subject to any conditions that the Director may specify in writing. (Amended 6 of 1997 s. 4)

(2A) Where anything seized under section 11(2) is without an apparent owner, the Director shall, within 7 days from the date of its seizure, cause a notice to be exhibited at the Environmental Protection Department in a place to which the public have access-

- (a) calling upon the owner to submit a claim of ownership within 30 days; and
- (b) declaring the Director's intention to apply for forfeiture of the thing at the expiration of the period if no claim of ownership is submitted. (Added 6 of 1997 s. 4)

(3) Where anything has not been released under subsection (2), the Director may, in proceedings where an offence is prosecuted under this Ordinance or in separate proceedings relating to the thing seized, apply to a court or magistrate for the forfeiture of the thing.

(4) Upon the hearing of an application under subsection (3), other than in a case to which subsection (4A) applies, if the court or magistrate is satisfied that an offence was committed in respect of the thing, the court or magistrate may order that the thing-

- (a) be forfeited; or

(b) be delivered to its owner or his authorized agent upon payment of reasonable storage charges and subject to any conditions that the court or magistrate may specify in the order. (Amended 6 of 1997 s. 4)

(4A) Upon the hearing of an application under subsection (3) in a case where no claim of ownership has been submitted under subsection (2A)(a), if the court or magistrate is satisfied that the Director has complied with the provisions of subsection (2A), the court or magistrate may order that the thing be forfeited to the Government. (Added 6 of 1997 s. 4)

(5) Where under subsection (3) an application is made for forfeiture otherwise than in proceedings where an offence under this Ordinance is prosecuted, the Director shall forthwith notify in writing the person who appears to him to be the owner of the thing or his authorized agent, unless the person who appears to him to be the owner or his authorized agent has indicated in writing to the Director that notification is not required. (Amended 6 of 1997 s. 4)

(6) If there is more than one apparent owner of the thing seized, it is sufficient for the purposes of subsection (5) to give notice to one apparent owner or his authorized agent, unless that apparent owner or his authorized agent has indicated that notification is not required. (Amended 6 of 1997 s. 4)

(7) Anything ordered to be forfeited under this section that is a scheduled substance shall be destroyed or disposed of as determined by the Director.

(8) The Director shall determine the amount of storage charges payable under subsection (2) which shall not exceed the value of the thing seized. (Added 6 of 1997 s. 4)

(Enacted 1989)

Section:	14A	<b>Claims for the return of thing forfeited under section 14(4A)</b>		30/06/1997
----------	-----	--	--	------------

(1) A person wishing to claim the return of anything forfeited to the Government under section 14(4A) may, within 6 weeks after the thing has been forfeited, give notice in writing to the Director of his intention to submit to the Secretary a petition under this section in respect of the thing forfeited.

(2) A petition shall be submitted to the Secretary by lodging it in triplicate with the Director within 30 days of giving notice under subsection (1).

(3) The Secretary may after considering the petition-

- (a) upon payment of reasonable storage charges, order the return of the thing forfeited subject to any conditions that the Secretary may specify in writing; or
- (b) reject the petition.

(4) The Secretary shall determine the amount of storage charges payable under subsection (3)(a) which shall not exceed the value of the thing forfeited.

(5) The decision of the Secretary under subsection (3) is final.

(Added 6 of 1997 s. 5)

Section:	15	<b>Prosecutions</b>		30/06/1997
----------	----	---------------------	--	------------

(1) Prosecutions for offences under this Ordinance may be brought in the name of the Director or the Commissioner of Customs and Excise.

(2) A complaint or information in respect of an offence under this Ordinance shall be made or laid within 6 months after the time the matter of the complaint or information first came to the knowledge of the Director, the Commissioner of Customs and Excise or an authorized officer.

(Enacted 1989)

Section:	15A	<b>Protection of public officers</b>		30/06/1997
----------	-----	--------------------------------------	--	------------

(1) A public officer shall not be personally liable in respect of any act or omission of his if it was done or made by him in the honest belief that it was required or authorized in the exercise of any function, duty or power of his under this Ordinance.

(2) The protection conferred on public officers by subsection (1) in respect of any act or omission shall not in any way affect any liability of the Government in tort for that act or omission.

(Added 6 of 1997 s. 6)

Section:	16	<b>Regulations</b>		30/06/1997
----------	----	--------------------	--	------------

(1) The Secretary may, after consultation with the Advisory Council on the Environment, make regulations generally for the purposes of this Ordinance including regulations for all or any of the following matters- (Amended 6 of 1997 s. 7)

- (a) the control or prohibition of the import, export, manufacture, use, sale, distribution, storage, recycling and disposal of products containing a scheduled substance;
- (b) the control or prohibition of the import, export, manufacture, use, sale, distribution, storage and disposal of products made with a scheduled substance;
- (ba) the control or prohibition of the use, sale, distribution, handling, storage, recovering, recycling, emission and disposal of a scheduled substance; (Added 26 of 1993 s. 5)
- (c) the prohibition of the use of a scheduled substance in any prescribed plant or process;
- (d) the issue of codes of practice relating to the use, recovery, recycling or disposal of scheduled substances for a particular process, plant or product containing or made with a scheduled substance;
- (e) the prohibition of the manufacture or import of products containing or made with a scheduled substance by a person who has not complied with a code of practice relating to the use, recovery, recycling or disposal of scheduled substances used in products manufactured or imported by that person;
- (f) the labelling or marking of products containing or made with a scheduled substance;
- (g) the prohibition of the distribution of products that are not labelled or marked in accordance with the regulations;
- (h) empowering the Director to determine whether a country or place is in full compliance with the requirements of the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer as that Protocol may be amended from time to time; (Added 26 of 1993 s. 5)
- (i) empowering the Director to declare by notice in the Gazette a scheduled substance to be a controlled refrigerant; (Added 26 of 1993 s. 5)
- (j) empowering the Director to approve the type of equipment to be used for recovering or recycling a scheduled substance and to signify his approval by notice in the Gazette; and (Added 26 of 1993 s. 5)
- (k) empowering the Director to specify by notice in the Gazette the manner in which equipment designed for recovering or recycling a scheduled substance is to be used. (Added 26 of 1993 s. 5)

(1A)(Repealed 6 of 1997 s. 7)

(2) Regulations made under this section may in respect of any contravention of the regulations provide for-

- (a) a fine not exceeding \$1000000 for each contravention and in addition a fine not exceeding \$10000 for each day on which a contravention continues; and
- (b) imprisonment not exceeding 2 years.

(3) Regulations made under this section, other than regulations that only prescribe fees, are subject to the approval of the Legislative Council.

(Enacted 1989. Amended 26 of 1993 s. 5)

Section:	17	<b>Secretary may amend Schedule</b>		30/06/1997
----------	----	-------------------------------------	--	------------

The Secretary may, after consultation with the Advisory Council on the Environment by order published in the Gazette, amend the Schedule.

(Enacted 1989. Amended 6 of 1997 s. 8)

Section:	18	<b>Application of Ordinance to Government</b>		30/06/1997
----------	----	---	--	------------

(1) Subject to this section, this Ordinance shall bind the Government.

(2) Sections 3, 4, 5(8), 6(6), 7(5) and 13 and any regulations made under section 16 shall not have effect to permit proceedings to be taken against, or to impose any criminal liability on, the Government.

(3) Any application for registration under section 5 or the issue of a licence under section 6 which is to be made or may be made by or on behalf of the Government may be made by any public officer on behalf of the Government.

(4) No fee or charge prescribed for the purposes of this Ordinance shall be payable by the Government.

(Added 6 of 1997 s. 9)

### SCHEDULED SUBSTANCES

A substance listed in this Schedule includes, except as otherwise stated, the substance's isomers.

#### PART 1

##### CHLOROFLUOROCARBONS (CFCs)

Chemical Name	Chemical Formula
Trichlorofluoromethane	$\text{CFCl}_3$
Dichlorodifluoromethane	$\text{CF}_2\text{Cl}_2$
Trichlorotrifluoroethane	$\text{C}_2\text{F}_3\text{Cl}_3$
Dichlorotetrafluoroethane	$\text{C}_2\text{F}_4\text{Cl}_2$
Chloropentafluoroethane	$\text{C}_2\text{F}_5\text{Cl}$

#### PART 2

##### HALONS

Chemical Name	Chemical Formula
Bromochlorodifluoromethane	$\text{CF}_2\text{BrCl}$
Bromotrifluoromethane	$\text{CF}_3\text{Br}$
Dibromotetrafluoroethane	$\text{C}_2\text{F}_4\text{Br}_2$

#### PART 3

##### OTHER FULLY HALOGENATED CHLOROFLUOROCARBONS

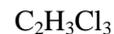
Chemical Name	Chemical Formula
Chlorotrifluoromethane	$\text{CF}_3\text{Cl}$
Pentachlorofluoroethane	$\text{C}_2\text{FCl}_5$
Tetrachlorodifluoroethane	$\text{C}_2\text{F}_2\text{Cl}_4$
Heptachlorofluoropropane	$\text{C}_3\text{FCl}_7$
Hexachlorodifluoropropane	$\text{C}_3\text{F}_2\text{Cl}_6$
Pentachlorotrifluoropropane	$\text{C}_3\text{F}_3\text{Cl}_5$
Tetrachlorotetrafluoropropane	$\text{C}_3\text{F}_4\text{Cl}_4$
Trichloropentafluoropropane	$\text{C}_3\text{F}_5\text{Cl}_3$
Dichlorohexafluoropropane	$\text{C}_3\text{F}_6\text{Cl}_2$
Chloroheptafluoropropane	$\text{C}_3\text{F}_7\text{Cl}$

#### PART 4

##### METHYL CHLOROFORM

Chemical Name	Chemical Formula
---------------	------------------

1, 1, 1-Trichloroethane  
(except 1, 1, 2-Trichloroethane)



#### PART 5

#### CARBON TETRACHLORIDE

Chemical Name	Chemical Formula
Tetrachloromethane	$\text{CCl}_4$

#### PART 6

#### METHYL BROMIDE

Chemical Name	Chemical Formula
Bromomethane	$\text{CH}_3\text{Br}$

#### PART 7

#### HYDROBROMOFLUOROCARBONS (HBFCs)

Chemical Name	Chemical Formula
Dibromofluoromethane	$\text{CHFBr}_2$
Bromodifluoromethane	$\text{CHF}_2\text{Br}$
Bromofluoromethane	$\text{CH}_2\text{FBr}$
Tetrabromofluoroethane	$\text{C}_2\text{HFBr}_4$
Tribromodifluoroethane	$\text{C}_2\text{HF}_2\text{Br}_3$
Dibromotrifluoroethane	$\text{C}_2\text{HF}_3\text{Br}_2$
Bromotetrafluoroethane	$\text{C}_2\text{HF}_4\text{Br}$
Tribromofluoroethane	$\text{C}_2\text{H}_2\text{FBr}_3$
Dibromodifluoroethane	$\text{C}_2\text{H}_2\text{F}_2\text{Br}_2$
Bromotrifluoroethane	$\text{C}_2\text{H}_2\text{F}_3\text{Br}$
Dibromofluoroethane	$\text{C}_2\text{H}_3\text{FBr}_2$
Bromodifluoroethane	$\text{C}_2\text{H}_3\text{F}_2\text{Br}$
Bromofluoroethane	$\text{C}_2\text{H}_4\text{FBr}$
Hexabromofluoropropane	$\text{C}_3\text{HFBr}_6$
Pentabromodifluoropropane	$\text{C}_3\text{HF}_2\text{Br}_5$
Tetrabromotrifluoropropane	$\text{C}_3\text{HF}_3\text{Br}_4$
Tribromotetrafluoropropane	$\text{C}_3\text{HF}_4\text{Br}_3$
Dibromopentafluoropropane	$\text{C}_3\text{HF}_5\text{Br}_2$
Bromoheptafluoropropane	$\text{C}_3\text{HF}_6\text{Br}$
Pentabromofluoropropane	$\text{C}_3\text{H}_2\text{FBr}_5$
Tetrabromodifluoropropane	$\text{C}_3\text{H}_2\text{F}_2\text{Br}_4$
Tribromotrifluoropropane	$\text{C}_3\text{H}_2\text{F}_3\text{Br}_3$
Dibromotetrafluoropropane	$\text{C}_3\text{H}_2\text{F}_4\text{Br}_2$
Bromopentafluoropropane	$\text{C}_3\text{H}_2\text{F}_5\text{Br}$
Tetrabromofluoropropane	$\text{C}_3\text{H}_3\text{FBr}_4$
Tribromodifluoropropane	$\text{C}_3\text{H}_3\text{F}_2\text{Br}_3$

Dibromotrifluoropropane	$C_3H_3F_3Br_2$
Bromotetrafluoropropane	$C_3H_3F_4Br$
Tribromofluoropropane	$C_3H_4FBr_3$
Dibromodifluoropropane	$C_3H_4F_2Br_2$
Bromotrifluoropropane	$C_3H_4F_3Br$
Dibromofluoropropane	$C_3H_5FBr_2$
Bromodifluoropropane	$C_3H_5F_2Br$
Bromofluoropropane	$C_3H_6FBr$

## PART 8

### HYDROCHLOROFLUOROCARBONS (HCFCs)

Chemical Name	Chemical Formula
Dichlorofluoromethane	$CHFCl_2$
Chlorodifluoromethane	$CHF_2Cl$
Chlorofluoromethane	$CH_2FCl$
Tetrachlorofluoroethane	$C_2HFCl_4$
Trichlorodifluoroethane	$C_2HF_2Cl_3$
Dichlorotrifluoroethane	$C_2HF_3Cl_2$
Chlorotetrafluoroethane	$C_2HF_4Cl$
Trichlorofluoroethane	$C_2H_2FCl_3$
Dichlorodifluoroethane	$C_2H_2F_2Cl_2$
Chlorotrifluoroethane	$C_2H_2F_3Cl$
Dichlorofluoroethane	$C_2H_3FCl_2$
Chlorodifluoroethane	$C_2H_3F_2Cl$
Chlorofluoroethane	$C_2H_4FCl$
Hexachlorofluoropropane	$C_3HFCl_6$
Pentachlorodifluoropropane	$C_3HF_2Cl_5$
Tetrachlorotrifluoropropane	$C_3HF_3Cl_4$
Trichlorotetrafluoropropane	$C_3HF_4Cl_3$
Dichloropentafluoropropane	$C_3HF_5Cl_2$
Chlorohexafluoropropane	$C_3HF_6Cl$
Pentachlorofluoropropane	$C_3H_2FCl_5$
Tetrachlorodifluoropropane	$C_3H_2F_2Cl_4$
Trichlorotrifluoropropane	$C_3H_2F_3Cl_3$
Dichlorotetrafluoropropane	$C_3H_2F_4Cl_2$
Chloropentafluoropropane	$C_3H_2F_5Cl$
Tetrachlorofluoropropane	$C_3H_3FCl_4$
Trichlorodifluoropropane	$C_3H_3F_2Cl_3$
Dichlorotrifluoropropane	$C_3H_3F_3Cl_2$
Chlorotetrafluoropropane	$C_3H_3F_4Cl$
Trichlorofluoropropane	$C_3H_4FCl_3$
Dichlorodifluoropropane	$C_3H_4F_2Cl_2$
Chlorotrifluoropropane	$C_3H_4F_3Cl$
Dichlorofluoropropane	$C_3H_5FCl_2$
Chlorodifluoropropane	$C_3H_5F_2Cl$
Chlorofluoropropane	$C_3H_6FCl$

## PART 9

### BROMOCHLOROMETHANE (BCM)

Chemical Name

Chemical Formula

Bromochloromethane

$\text{CH}_2\text{BrCl}$   
(Schedule replaced L.N. 114 of 2009)  
(Enacted 1989)