

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 51

THURSDAY, 31st DECEMBER

2020

[LEGAL NOTICE NO. 109]

CUSTOMS ACT 1986

**Customs (Prohibited Imports and Exports)
(Amendment) (No. 2) Regulations 2020**

IN exercise of the powers conferred on me by section 64 of the Customs Act 1986, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Customs (Prohibited Imports and Exports) (Amendment) (No. 2) Regulations 2020.

(2) These Regulations come into force on 1 January 2021.

(3) In these Regulations, the Customs (Prohibited Imports and Exports) Regulations 1986 is referred to as the “Principal Regulations”.

Schedule 1 amended

2. Schedule 1 to the Principal Regulations is amended after item 18 by inserting the following new item—

“19. A polystyrene product as defined in section 45B(1) of the Environment Management Act 2005 but not including any polystyrene product exempted under section 45B(5)(b) of that Act.”.

Schedule 5 amended

3. Schedule 5 to the Principal Regulations is amended by—

(a) in Part 1, deleting Group 1 and substituting the following—

“Group 1 – any of the following Chlorofluorocarbons whether virgin, recycled or in a mixture—

<i>Chemical Formula</i>	<i>Substance</i>	<i>Ozone Depleting Potential</i>	<i>100-Year Global Warming Potential</i>
CFCl ₃	CFC-11	1.0	4,750
CF ₂ Cl ₂	CFC-12	1.0	10,900
C ₂ F ₃ Cl ₃	CFC-113	0.8	6,130
C ₂ F ₄ Cl ₂	CFC-114	1.0	10,000
C ₂ F ₅ Cl	CFC-115	0.6	7,370”;
CF ₃ Cl	CFC-13	1.0	
C ₂ FCl ₅	CFC-111	1.0	

<i>Chemical Formula</i>	<i>Substance</i>	<i>Ozone Depleting Potential</i>	<i>100-Year Global Warming Potential</i>
$C_2F_2Cl_4$	CFC-112	1.0	
C_3FCl_7	CFC-211	1.0	
$C_3F_2Cl_6$	CFC-212	1.0	
$C_3F_3Cl_5$	CFC-213	1.0	
$C_3F_4Cl_4$	CFC-214	1.0	
$C_3F_5Cl_3$	CFC-215	1.0	
$C_3F_6Cl_2$	CFC-216	1.0	
C_3F_7Cl	CFC-217	1.0	

(b) in Part 2, deleting Group 1 and substituting the following—

“Group 1 – HCFCs – any of the following Hydrochlorofluorocarbons whether virgin, recycled or in a mixture—

<i>Chemical Formula</i>	<i>Substance</i>	<i>Number of isomers</i>	<i>Ozone Depleting Potential*</i>	<i>100-Year Global Warming Potential***</i>
$CHFCl_2$	HCFC-21**	1	0.04	151
CHF_2Cl	HCFC-22**	1	0.055	1,810
CH_2FCl	HCFC-31	1	0.02	
C_2HFC_4	HCFC-121	2	0.01-0.04	
$C_2HF_2Cl_3$	HCFC-122	3	0.02-0.08	
$C_2HF_3Cl_2$	HCFC-123	3	0.02-0.06	77
$CHCl_2CF_3$	HCFC-123**	-	0.02	
C_2HF_4Cl	HCFC-124	2	0.02-0.04	609
$CHFClCF_3$	HCFC-124**	-	0.022	
$C_2H_2FC_3$	HCFC-131	3	0.007-0.05	
$C_2H_2F_2Cl_2$	HCFC-132	4	0.008-0.05	
$C_2H_2F_3Cl$	HCFC-133	3	0.02-0.06	
$C_2H_3FC_2$	HCFC-141	3	0.005-0.07	
CH_3CFCl_2	HCFC-141b**	-	0.11	725
$C_2H_4FC_2$	HCFC-151	2	0.003-0.005	
C_3HFC_6	HCFC-221	5	0.015-0.07	
$C_3HF_2Cl_5$	HCFC-222	9	0.01-0.09	
$C_3HF_3Cl_4$	HCFC-223	12	0.01-0.08	
$C_3HF_4Cl_3$	HCFC-224	12	0.01-0.09	
$C_3HF_5Cl_2$	HCFC-225	9	0.02-0.07	
$CF_3CF_2CHCl_2$	HCFC-225ca**	-	0.025	122
CF_2ClCF_2CHClF	HCFC-225cb**	-	0.033	595
C_3HF_6Cl	HCFC-226	5	0.02-0.10	
$C_3H_2FC_5$	HCFC-231	9	0.05-0.09	
$C_3H_2F_2Cl_4$	HCFC-232	16	0.008-0.10	
$C_3H_2F_3Cl_3$	HCFC-233	18	0.007-0.23	

<i>Chemical Formula</i>	<i>Substance</i>	<i>Number of isomers</i>	<i>Ozone Depleting Potential*</i>	<i>100-Year Global Warming Potential***</i>
$C_3H_2F_4Cl_2$	HCFC-234	16	0.01-0.28	
$C_3H_2F_5Cl$	HCFC-235	9	0.03-0.52	
$C_3H_3FCl_4$	HCFC-241	12	0.004-0.09	
$C_3H_3F_2Cl_3$	HCFC-242	18	0.005-0.13	
$C_3H_3F_3Cl_2$	HCFC-243	18	0.007-0.12	
$C_3H_3F_4Cl$	HCFC-244	12	0.009-0.14	
$C_3H_4FCl_3$	HCFC-251	12	0.001-0.01	
$C_3H_4F_2Cl_2$	HCFC-252	16	0.005-0.04	
$C_3H_4F_3Cl$	HCFC-253	12	0.003-0.03	
$C_3H_5FCl_2$	HCFC-261	9	0.002-0.02	
$C_3H_5F_2Cl$	HCFC-262	9	0.002-0.02	
C_3H_6FCl	HCFC-271	5	0.001-0.03	

*Where a range of Ozone Depleting Potentials is indicated, the highest value in that range shall be used for the purposes of the Montreal Protocol on Substances that Deplete the Ozone Layer. The Ozone Depleting Potentials 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 the Ozone Depleting Potential of the isomer with the highest Ozone Depleting Potential, and the lower value is the estimate of the Ozone Depleting Potential of the isomer with the lowest Ozone Depleting Potential.

** Identifies the most commercially viable substances with Ozone Depleting Potential values listed against them to be used for the purposes of the Montreal Protocol on Substances that Deplete the Ozone Layer.

*** For substances for which no Global Warming Potential is indicated, the default value 0 applies until a Global Warming Potential value is included.”;

(c) after Part 2, inserting the following new Part—

“PART 2A

Group 1 — HFCs — any of the following Hydrofluorocarbons whether virgin, recycled or in a mixture—

<i>Chemical Formula</i>	<i>Substance</i>	<i>100-Year Global Warming Potential</i>
CHF_2CHF_2	HFC-134	1,100
CH_2FCF_3	HFC-134a	1,430
CH_2FCHF_2	HFC-143	353
$CHF_2CH_2CF_3$	HFC-245fa	1,030
$CF_3CH_2CF_2CH_3$	HFC-365mfc	794

<i>Chemical Formula</i>	<i>Substance</i>	<i>100-Year Global Warming Potential</i>
$\text{CF}_3\text{CHF}_2\text{CF}_3$	HFC-227ea	3,220
$\text{CH}_2\text{FCF}_2\text{CF}_3$	HFC-236cb	1,340
$\text{CHF}_2\text{CHF}_2\text{CF}_3$	HFC-236ea	1,370
$\text{CF}_3\text{CH}_2\text{CF}_3$	HFC-236fa	9,810
$\text{CH}_2\text{FCF}_2\text{CHF}_2$	HFC-245ca	693
$\text{CF}_3\text{CHFCH}_2\text{CF}_2\text{CF}_3$	HFC-43-10mee	1,640
CH_2F_2	HFC-32	675
CHF_2CF_3	HFC-125	3,500
CH_3CF_3	HFC-143a	4,470
CH_3F	HFC-41	92
$\text{CH}_2\text{FCH}_2\text{F}$	HFC-152	53
CH_3CHF_2	HFC-152a	124

Group 2 — Trifluoromethane

<i>Chemical Formula</i>	<i>Substance</i>	<i>100-Year Global Warming Potential</i>
CHF_3	HFC-23	14,800”; and

(d) in Part 3—

- (i) in paragraph (b), deleting “Part 1” and substituting “Parts 1 and 2A”;
- (ii) in paragraph (c)—
 - (A) deleting “Part 1” and substituting “Parts 1 and 2A”; and
 - (B) after “;”, deleting “and”;
- (iii) in paragraph (d)—
 - (A) deleting “Part 1” and substituting “Parts 1, 2 and 2A”; and
 - (B) deleting “.” and substituting “; and”; and
- (iv) after paragraph (d), inserting the following new paragraph—

“(e) import any apparatus or equipment containing any controlled substance listed in Parts 1, 2 and 2A.”.

Schedule 6 amended

4. Schedule 6 to the Principal Regulations is amended after item 4 by inserting the following new item—

- “5. A polystyrene product as defined in section 45B(1) of the Environment Management Act 2005 but not including any polystyrene product exempted under section 45B(5)(b) of that Act.”.

Made this 31st day of December 2020.

A. SAYED-KHAIYUM
Attorney-General and Minister for Economy