

S.I. 24 of 2000

ENVIRONMENT PROTECTION ACT

(Cap 71)

Environment Protection (Ozone) Regulations, 2000

In exercise of the powers conferred by section 10(3) of the Environment Protection Act, the Vice-President, acting as the Minister of Environment and Transport, hereby makes the following Regulations –

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| 1. These Regulations may be cited as the Environment Protection (Ozone) Regulations, 2000. | Citation |
| 2. In these Regulations –

“Administrator” means the Administrator of the Authority under section 2 of the Act. | Interpretation |
| 3. These Regulation shall apply to –

(a) the substances specified in the Schedule and goods containing, made with or designed for, such substances (hereinafter referred to as “controlled products”), and

(b) persons who, in the course of any licensed activity or otherwise, import, export, sell, purchase or use controlled products (hereinafter referred to a “persons to whom these regulations apply”). | Application |
| 4. No person shall produce or manufacture controlled products. | Prohibition on making of controlled products |
| 5. No person shall sell any controlled products –
(a) except under, and otherwise than in accordance with the conditions of, a permit issued under these Regulations; and | Restriction on sale of controlled products |

- (b) except to persons who are, by a permit issued in that behalf under these regulations, authorized to purchase controlled products.
6. No person shall use controlled products for any purpose including the purpose of installing, servicing, or operating any such products, except under, and otherwise than in accordance with the conditions of, a permit issued under these Regulations. Restriction on use of controlled products
7. (1) No person shall decommission controlled products except under, and otherwise than in accordance with the condition of, any licence issued by the Seychelles Licensing Authority. Decommissioning of controlled products etc
- (2) A licence referred to in sub-regulation (1) shall be issued to a person only if such person has satisfied the Administrator that he has completed a course of training approved by the Administrator.
8. Every application for a permit under these regulations shall be made to the Administrator in the form provided by the Ministry of Environment and shall be accompanied by such documents as may be specified in the form. Application for permit
9. (1) On receipt of an application under regulation 8, the Administrator may issue a permit or may refuse to issue a permit. Issurance of permit
- (2) A permit issue under these Regulations shall –
- (a) be subject to any conditions set out therein;
 - (b) remain in force for such period as may be specified therein and shall be renewable;
 - (c) not be transferable.
10. Any person aggrieved by the decision of the Administrator to refuse to issue or renew a permit may within thirty days of such decision appeal to the Minister against the decision. The decision of the Minister on such appeal shall be final and conclusive. Appeal against refusal

11. (1) The Administrator may cancel a permit if any of the conditions specified in the permit is contravened, after giving the holder of the permit an opportunity to show cause why the permit should not be cancelled. Appeal against cancellation
- (2) A person aggrieved by the decision of the Administrator to cancel a permit may within thirty days of the decision appeal to the Minister against the cancellation and the Minister's decision on such appeal shall be final and conclusive.
12. A person to whom these regulations apply shall be required to make arrangements for the recovery of controlled products – Recovery of substances
- (a) from refrigerators and air conditioners;
 - (b) from equipment containing such products;
 - (c) from fire protection systems;
 - (d) before recycling and reclamation of such products during servicing or maintenance of goods; or
 - (e) before dismantling or disposal of goods
- Under the supervision of an officer authorized in that behalf by the Ministry responsible for Environment and Transport.
13. Persons to whom these regulations apply shall be responsible for taking all practicable measures to prevent leakage of substances constituting controlled products whenever they handle controlled products. Precautions against leakage
14. (1) The Minister may empower any officer of his Ministry to be an authorized officer for the purpose of ensuring compliance with these Regulations. Authorised Officers
- (2) The provision of section 22 of the Act shall *mutatis mutandis* apply to an authorised officer empowered under this regulation.

15. Any person who contravenes Regulations 4, 5, 6, 7, 12, 13 of these Regulations is guilty of an offence and is liable on conviction to imprisonment for a period not exceeding 2 years and to a fine not exceeding R20,000.

Offences

SCHEDULE

1. Any substance mentioned below or a compound containing any such substance and all isomers of such substances

Substance

CFC 11

CFC 12

CFC 113

CFC 114

CFC 115

Halon 1211

Halon 1301

Halon 2402

CFC 13

CFC 111

CFC 112

CFC 211-217

Carbon Tetrachloride

Methyl Chloroform

HCFC's

HBFC's

Methyl Bromide

2. Goods containing, made with, or designed for the substances referred to in paragraph 1.

MADE this 25th day of April, 2000

J. MICHEL
VICE-PRESIDENT
