

TRIPPLICATE COPY

Administer in
documents
ariat in co
Ex. No. 5
Insertion of



this copy in
secre-
tion.
y by
1 send



for Legislative Services Division,
Office of Legislative Drafting, Attorney-General's
Department.

Statutory Rules 1995 No. ^L1

389/

Ozone Protection Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, make the
following Regulations under the *Ozone Protection Act 1989*.

Dated ^L 1995.

12 December

^L BILL HAYDEN
Governor-General

By His Excellency's Command,

^L
Minister for the Environment, Sport and Territories

JOHN FAULKNER

Citation

1. These Regulations may be cited as the Ozone Protection Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

Interpretation

2. In these Regulations:
“Act” means the *Ozone Protection Act 1989*.

Fee for grant of licence

3. (1) Subject to subregulation (2), for the purposes of paragraph 16 (2) (a) of the Act, the following fees are prescribed:

- (a) for a controlled substances licence—\$10,000;
- (b) for a used substances licence—\$10,000;
- (c) for an essential uses licence—\$2,000.

(2) If:

- (a) a controlled substances licence or a used substances licence is applied for to allow the manufacture, import or export of less than half a tonne of scheduled substances; and
- (b) the Minister is satisfied that the import, export or manufacture is for test purposes;

the Minister may waive the payment of a fee for the grant of the licence.

Form of application for licence

4. For the purposes of subsection 40 (2) of the Act, Form 1 is prescribed.

Records to be kept by licensees

5. (1) A person who is, at any time in a month, a licensee must keep a record in writing of:

- (a) the quantities of each scheduled substance manufactured, imported and exported by the person in the month; and
- (b) in respect of each quantity of a scheduled substance that has been imported by the person in the month:
 - (i) the date of importation; and
 - (ii) the country of origin of the scheduled substance; and

- (iii) the full name and address of the person from whom the scheduled substance was imported; and
 - (iv) the place at which the scheduled substance was discharged from the ship or aircraft on which the scheduled substance was carried; and
 - (v) if the scheduled substance was imported on a ship—the name of the ship; and
 - (vi) if the scheduled substance was imported on an aircraft—the flight number of the aircraft on which the scheduled substance was carried; and
 - (vii) whether the scheduled substance was imported for use as feedstock; and
- (c) in respect of each quantity of a scheduled substance that has been exported by the person in the month:
- (i) the date of exportation; and
 - (ii) the country of destination of the scheduled substance; and
 - (iii) the full name and address of the person to whom the scheduled substance was exported; and
 - (iv) the place at which the scheduled substance was loaded on the ship or aircraft on which the scheduled substance was carried; and
 - (v) if the scheduled substance was exported on a ship—the name of the ship; and
 - (vi) if the scheduled substance was exported on an aircraft—the flight number of the flight on which the scheduled substance was carried; and
- (d) in respect of each quantity of a scheduled substance that has been manufactured by the person in the month—whether the scheduled substance was manufactured for use as feedstock; and
- (e) the quantity of each scheduled substance destroyed by the person in the month.

Penalty: 10 penalty units.

(2) Records must be retained for 5 years from the last day of the month to which the records relate.

Penalty: 10 penalty units.

Licence numbers to be shown on records

6. A record kept by a licensee must:
- (a) show the licence number of the licensee; and
 - (b) if the record consists of more than 1 page:
 - (i) be numbered in a regular arithmetic series beginning with the number 1; and
 - (ii) show the licence number of the licensee on each page.

Repeal

7. Statutory Rules 1989 No. 70 and 1992 No. 348 are repealed.

SCHEDULE

Regulation 4

COMMONWEALTH OF AUSTRALIA*Ozone Protection Act 1989***Form 1****APPLICATION FOR EXEMPTION UNDER SECTION 40**

1. Name of applicant:
2. Address of applicant, if applicant is not a company:
3. Address of Registered Office, if applicant is a company:
4. If applicant is a company—State, Territory or place outside Australia where the company is incorporated:
5. If the applicant is a company—the Australian Company Number of the company:
6. Address of applicant for correspondence:
7. Name of contact person (if applicable):

SCHEDULE—continued

8. Telephone and facsimile numbers (if any) of applicant or (if applicable) of contact person—
 telephone:
 facsimile:
9. Details of the exemption sought including:
 (a) product or scheduled substance involved:
 (b) quantity involved:
 (c) provision of Act or Regulations from which exemption is sought:
10. Period for which exemption is sought:
11. If the exemption is essential for medical, veterinary, defence, industrial safety or public safety purposes, give relevant details:
12. If the exemption is sought because of the provisions of a law concerning the manufacture or use of the product in relation to which exemption is sought, give relevant details:
13. If the exemption is sought in relation to the calibration of scientific, measuring or safety apparatus, give the relevant details:
14. If there is an alternative to the use of a scheduled substance known to the applicant in the operation or manufacture of a product in relation to which exemption is sought, give relevant details including investigations undertaken.

Dated the day of 19 .

.....
 (signature)

Name of signatory*:

* If the applicant is a body corporate specify the relationship of signatory to the body corporate:

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on *L* 1995. *12 December*