



Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 20 June 2024

David Hurley
Governor-General

By His Excellency's Command

Tanya Plibersek
Minister for the Environment and Water

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1 Name

This instrument is the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	22 June 2024
2. Schedule 1, Part 1	1 July 2024.	1 July 2024
3. Schedule 1, Part 2	1 July 2025.	1 July 2025
4. Schedule 2	1 July 2024.	1 July 2024
5. Schedule 3	1 August 2024.	1 August 2024

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments relating to restricting the import and manufacture of certain SGG equipment

Part 1—Amendments commencing 1 July 2024

Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995

1 Regulation 2

Insert:

multi-head small SGG air conditioning equipment means SGG equipment that:

- (a) is the outdoor unit of a multi-head split system air conditioning system (whether or not the air conditioning system is a variable refrigerant flow system); and
- (b) contains, or uses in its operation, an HFC that has a global warming potential of more than 750; and
- (c) is designed to be used primarily to cool or heat (or both) for human comfort a stationary space; and
- (d) has, or will have when charged, a standard refrigerant charge of 2.6 kilogram or less.

small SGG air conditioning equipment means SGG equipment that:

- (a) is any of the following:
 - (i) the outdoor unit of a single head split system air conditioning system;
 - (ii) a portable air conditioning system;
 - (iii) an air conditioning system that consists of a single unit designed to be mounted on a wall or window; and
- (b) contains, or uses in its operation, an HFC that has a global warming potential of more than 750; and
- (c) is designed to be used primarily to cool or heat (or both) for human comfort a stationary space; and
- (d) has, or will have when charged, a standard refrigerant charge of 2.6 kilogram or less; and
- (e) is not multi-head small SGG air conditioning equipment.

2 After subregulation 3(1)

Insert:

Manufacture of equipment containing a scheduled substance

- (1A) For the purposes of paragraph 13(3)(d) of the Act, small SGG air conditioning equipment is prescribed.

3 Subregulation 3(2)

Repeal the subregulation, substitute:

- (2) For the purposes of paragraph 13(5)(d) of the Act, the following are prescribed:

- (a) a scheduled substance other than an SGG;
- (b) small SGG air conditioning equipment.

4 Subregulation 3A(4)

Repeal the subregulation, substitute:

- (4) For the purposes of paragraph 13AA(5)(d) of the Act, the following are prescribed:
 - (a) a scheduled substance other than an SGG;
 - (b) small SGG air conditioning equipment.

5 After regulation 3D

Insert:

3DA Circumstances in which Minister may grant equipment licences—SGG equipment

- (1) For the purposes of subsection 16(5) of the Act, it is a requirement in relation to the SGG equipment that the Minister is satisfied that:
 - (a) the equipment is not small SGG air conditioning equipment; or
 - (b) if the equipment is small SGG air conditioning equipment—one or more of the circumstances mentioned in subregulation (2) applies in relation to the equipment.
- (2) For the purposes of paragraph (1)(b), the circumstances are as follows:
 - (a) both:
 - (i) the equipment is essential for medical, veterinary, defence, industrial safety, public safety, scientific, testing or monitoring purposes or laboratory and analytical uses; and
 - (ii) no practical alternative exists to the use of an HFC that has a global warming potential of more than 750 in the operation or manufacture, as the case requires, of the equipment if it is to continue to be effective for such a purpose;
 - (b) because of the requirements of a law concerning the manufacture or use of the equipment, there is no practical alternative to the use of an HFC that has a global warming potential of more than 750 in the operation of the equipment;
 - (c) in the case of the import of equipment—it would be impracticable to remove or retrofit the equipment because it is incidental to other equipment that is being imported;
 - (d) the equipment is for use in conjunction with the calibration of scientific, measuring or safety equipment;
 - (e) both:
 - (i) exceptional circumstances justify granting the licence in relation to the equipment; and
 - (ii) granting the licence would not be inconsistent with Australia's international obligations under the Montreal Protocol.

Part 2—Amendments commencing 1 July 2025

Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995

6 Subregulation 3(1A)

Repeal the subregulation (not including the heading), substitute:

(1A) For the purposes of paragraph 13(3)(d) of the Act, the following equipment is prescribed:

- (a) small SGG air conditioning equipment;
- (b) multi-head small SGG air conditioning equipment.

7 At the end of subregulation 3(2)

Add:

- ; (c) multi-head small SGG air conditioning equipment.

8 At the end of subregulation 3A(4)

Add:

- ; (c) multi-head small SGG air conditioning equipment.

9 Paragraph 3DA(1)(a)

After “conditioning equipment”, insert “or multi-head small SGG air conditioning equipment”.

10 Paragraph 3DA(1)(b)

After “conditioning equipment”, insert “or multi-head small SGG air conditioning equipment”.

Schedule 2—Amendments relating to penalties

Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995

1 Regulation 111 (heading)

Omit “**Offence—carrying**”, substitute “**Carrying**”.

2 Subregulation 111(1)

Omit “commits an offence”, substitute “contravenes this subregulation”.

3 Subregulation 111(1) (penalty)

Repeal the penalty.

4 Subregulation 111(3)

Repeal the subregulation, substitute:

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

5 Regulation 111A (heading)

Omit “**Offence—prohibited**”, substitute “**Prohibited**”.

6 Subregulation 111A(1)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

7 Subregulation 111A(1) (penalty)

Repeal the penalty.

8 Subregulation 111A(2)

Repeal the subregulation, substitute:

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

9 Regulation 112 (heading)

Omit “**Offence—possessing**”, substitute “**Possessing**”.

10 Subregulation 112(2) (penalty)

Repeal the penalty.

11 Subregulations 112(3) and (4)

Repeal the subregulations, substitute:

- (3) Subregulation (2) does not apply to a person if the person, as soon as practicable after becoming aware that the person possessed bulk refrigerant, gave it to:
- (a) the holder of a refrigerant trading authorisation; or
 - (b) the operator of a refrigerant destruction facility; or
 - (c) the holder of a special circumstances exemption that entitles the holder to acquire, possess or dispose of bulk refrigerant.

Note 1: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

Note 2: For guidance on locating holders of refrigerant trading authorisations, see www.dcccew.gov.au/environment/protection/ozone/rac.

Strict liability offence

- (4) A person commits an offence of strict liability if the person contravenes subregulation (2).

Penalty: 50 penalty units.

Civil penalty provision

- (5) A person is liable to a civil penalty if the person contravenes subregulation (2).

Civil penalty: 60 penalty units.

12 Regulation 113 (heading)

Omit “**Offence—possessing**”, substitute “**Possessing**”.

13 Subregulation 113(1) (penalty)

Repeal the penalty.

14 Subregulations 113(2) and (3)

Repeal the subregulations, substitute:

- (2) Subregulation (1) does not apply to a person if the person:
- (a) in the case of a person who is the holder of an extinguishing agent trading authorisation—acquired the halon for transfer to an extinguishing agent destruction facility; or

-
- (b) as soon as practicable after becoming aware that the person possessed halon, gave it to:
 - (i) the operator of a refrigerant destruction facility; or
 - (ii) the holder of a special circumstances exemption that entitles the holder to possess halon.

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

15 Regulation 113A

Repeal the regulation, substitute:

113A False representations

- (1) A person contravenes this subregulation if:
 - (a) the person makes a representation that the person can provide a service that involves the acquisition, disposal, storage, use or handling of refrigerant; and
 - (b) at the time of making the representation, the person does not hold an RAC industry permit that entitles the person to provide the service; and
 - (c) at the time of making the representation, the person does not employ, or has not engaged, a person who holds a refrigerant handling licence for work of the kind that is necessary to provide the service.
- (2) Subregulation (1) does not apply to a person if:
 - (a) both of the following apply:
 - (i) at the time of making the representation, the person has entered into an agreement (however described) with someone else to provide the service;
 - (ii) the agreement contains a provision to the effect that the service must be provided by the holder of an RAC industry permit that entitles the holder to provide the service; or
 - (b) both of the following apply:
 - (i) at the time of making the representation, the person is an employee or contractor of the holder of a special circumstances exemption;
 - (ii) the representation made by the person is for an activity covered by the exemption.

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

- (3) A person contravenes this subregulation if:
- (a) the person makes a representation that the person is the holder of a kind of RAC industry permit; and
 - (b) at the time of making the representation, the person is not the holder of an RAC industry permit of that kind.
- (4) A person contravenes this subregulation if:
- (a) the person is employed to work on an AMSA vessel; and
 - (b) the person makes a representation that the person holds an AMSA certificate; and
 - (c) at the time of making the representation, the person does not hold an AMSA certificate.

Strict liability offence

- (5) A person commits an offence of strict liability if the person contravenes subregulation (1), (3) or (4).

Penalty: 50 penalty units.

Civil penalty provision

- (6) A person is liable to a civil penalty if the person contravenes subregulation (1), (3) or (4).

Civil penalty: 60 penalty units.

16 Regulation 136

Repeal the regulation, substitute:

136 Contravention of licence condition

- (1) A person contravenes this subregulation if:
- (a) the person holds a licence granted under this Subdivision; and
 - (b) the person contravenes a condition of the licence.

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

17 Regulation 142

Repeal the regulation, substitute:

142 Contravention of condition on authorisation

- (1) A person contravenes this subregulation if:
- (a) the person holds an authorisation granted under this Subdivision; and
 - (b) the person contravenes a condition of the authorisation.

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

18 Regulation 150 (heading)

Omit “**Application for halon**”, substitute “**Halon**”.

19 Subregulation 150(1)

Omit “to a person a permit, in writing, entitling him or her”, substitute “a written permit (a *halon special permit*) to a person, entitling the person”.

20 At the end of regulation 150

Add:

- (4) The Minister may impose a condition on a halon special permit.

Example 1: A condition about the purpose for which the halon is to be used.

Example 2: A condition about the people who are allowed to deal with the halon when it is in the permit-holder’s possession.

- (5) A person contravenes this subregulation if:
- (a) the person holds a halon special permit; and
 - (b) the person contravenes a condition of the permit.

Strict liability offence

- (6) A person commits an offence of strict liability if the person contravenes subregulation (5).

Penalty: 50 penalty units.

Civil penalty provision

- (7) A person is liable to a civil penalty if the person contravenes subregulation (5).

Civil penalty: 60 penalty units.

21 Subregulation 155(1)

Omit “commits an offence”, substitute “contravenes this subregulation”.

22 Subregulation 155(1) (penalty)

Repeal the penalty.

23 Subregulation 155(2)

Repeal the subregulation, substitute:

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

Note: Regulation numbers 156 to 199 (inclusive) are reserved for future use.

24 Regulation 212 (heading)

Omit “**Offence—using**”, substitute “**Using**”.

25 Subregulation 212(1)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

26 Subregulation 212(1) (penalty)

Repeal the penalty.

27 Subregulation 212(2)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

28 Subregulation 212(2) (penalty)

Repeal the penalty.

29 At the end of regulation 212

Add:

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1) or (2).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1) or (2).

Civil penalty: 60 penalty units.

30 Regulation 213 (heading)

Omit “**Offence—supplying**”, substitute “**Supplying**”.

31 Subregulation 213(1)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

32 Subregulation 213(1) (penalty)

Repeal the penalty.

33 At the end of regulation 213

Add:

Strict liability offence

- (7) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (8) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

34 Regulation 214 (heading)

Omit “**Offence—using**”, substitute “**Using**”.

35 Subregulation 214(1)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

36 Subregulation 214(1) (penalty)

Repeal the penalty.

37 Subregulation 214(2)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

38 Subregulation 214(2) (penalty)

Repeal the penalty.

39 At the end of regulation 214

Add:

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1) or (2).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1) or (2).

Civil penalty: 60 penalty units.

40 Regulation 215 (heading)

Omit “**Offence—supplying**”, substitute “**Supplying**”.

41 Subregulation 215(1)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

42 Subregulation 215(1) (penalty)

Repeal the penalty.

43 At the end of regulation 215

Add:

Strict liability offence

- (4) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (5) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

44 Subregulations 220(1), (2) and (4) (penalty)

Repeal the penalty.

45 Subregulation 220(5)

Repeal the subregulation, substitute:

Strict liability offence

- (5) A person commits an offence of strict liability if the person contravenes subregulation (1), (2) or (4).

Penalty: 50 penalty units.

Civil penalty provision

- (6) A person is liable to a civil penalty if the person contravenes subregulation (1), (2) or (4).

Civil penalty: 60 penalty units.

46 Subregulations 221(1), (3) and (5) (penalty)

Repeal the penalty.

47 Subregulation 221(6)

Repeal the subregulation, substitute:

Strict liability offence

- (6) A person commits an offence of strict liability if the person contravenes subregulation (1), (3) or (5).

Penalty: 50 penalty units.

Civil penalty provision

- (7) A person is liable to a civil penalty if the person contravenes subregulation (1), (3) or (5).

Civil penalty: 60 penalty units.

48 Subregulations 223(1), (2) and (4) (penalty)

Repeal the penalty.

49 Subregulation 223(5)

Repeal the subregulation, substitute:

Strict liability offence

- (5) A person commits an offence of strict liability if the person contravenes subregulation (1), (2) or (4).

Penalty: 50 penalty units.

Civil penalty provision

- (6) A person is liable to a civil penalty if the person contravenes subregulation (1), (2) or (4).

Civil penalty: 60 penalty units.

50 Subregulation 230(1) (penalty)

Repeal the penalty.

51 At the end of subregulation 230(1A)

Add:

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the *Regulatory Powers Act*.

52 Subregulation 230(2)

Repeal the subregulation, substitute:

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

53 Subregulation 231(1) (penalty)

Repeal the penalty.

54 Subregulation 231(4)

Repeal the subregulation, substitute:

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

55 Subregulation 232(1) (penalty)

Repeal the penalty.

56 Subregulation 232(3)

Repeal the subregulation, substitute:

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

57 Subregulation 233(1) (penalty)

Repeal the penalty.

58 Subregulation 233(2)

Repeal the subregulation, substitute:

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

59 Regulation 302 (heading)

Omit “**Offence—handling**”, substitute “**Handling**”.

60 Subregulation 302(1)

Omit “commits an offence”, substitute “contravenes this subregulation”.

61 Subregulation 302(1) (penalty)

Repeal the penalty.

62 Subregulation 302(1A) (note)

Repeal the note, substitute:

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

63 Subregulation 302(3)

Repeal the subregulation, substitute:

Strict liability offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (4) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

64 Regulation 303 (heading)

Omit “**Offence—possessing**”, substitute “**Possessing**”.

65 Subregulation 303(2) (penalty)

Repeal the penalty.

66 Subregulation 303(3)

Omit all the words before paragraph (a), substitute:

- (3) Subregulation (2) does not apply to a person if, as soon as practicable after becoming aware that the person possessed bulk extinguishing agent, the person gave it to:

67 At the end of subregulation 303(3)

Add:

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

68 Subregulation 303(4)

Repeal the subregulation, substitute:

Strict liability offence

- (4) A person commits an offence of strict liability if the person contravenes subregulation (2).

Penalty: 50 penalty units.

Civil penalty provision

- (5) A person is liable to a civil penalty if the person contravenes subregulation (2).

Civil penalty: 60 penalty units.

69 Regulation 303A

Repeal the regulation, substitute:

303A Prohibited extinguishing agent charging

- (1) A person contravenes this subregulation if the person engages in prohibited extinguishing agent charging.

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

70 Regulation 304 (heading)

Omit “**Offence—possessing**”, substitute “**Possessing**”.

71 Subregulation 304(1) (penalty)

Repeal the penalty.

72 Subregulation 304(2)

Omit “It is a defence to a charge of contravening subregulation (1) that the defendant”, substitute “Subregulation (1) does not apply to a person if the person”.

73 Paragraph 304(2)(a)

Omit “a defendant”, substitute “a person”.

74 Paragraph 304(2)(b)

Omit “he or she”, substitute “the person”.

75 At the end of subregulation 304(2)

Add:

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

76 Subregulation 304(3)

Repeal the subregulation.

77 At the end of regulation 304

Add:

Strict liability offence

- (5) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (6) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

78 Regulation 304A (heading)

Omit “**Offence—false**”, substitute “**False**”.

79 Subregulation 304A(1)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

80 Subregulation 304A(1) (penalty)

Repeal the penalty.

81 Subregulations 304A(2) and (2A) (note)

Repeal the note, substitute:

Note: A person who wishes to rely on this subregulation bears an evidential burden in relation to the matter in this subregulation. See subsection 13.3(3) of the *Criminal Code* and section 96 of the Regulatory Powers Act.

82 Subregulation 304A(3)

Omit “commits an offence of strict liability”, substitute “contravenes this subregulation”.

83 Subregulation 304A(3) (penalty)

Repeal the penalty.

84 At the end of regulation 304A

Add:

Strict liability offence

- (4) A person commits an offence of strict liability if the person contravenes subregulation (1) or (3).

Penalty: 50 penalty units.

Civil penalty provision

- (5) A person is liable to a civil penalty if the person contravenes subregulation (1) or (3).

Civil penalty: 60 penalty units.

85 Regulation 327

Repeal the regulation, substitute:

327 Contravention of licence condition

- (1) A person contravenes this subregulation if:
- (a) the person holds an extinguishing agent handling licence; and
 - (b) the person contravenes a condition of the licence.

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

86 Regulation 333

Repeal the regulation, substitute:

333 Contravention of condition of authorisation

- (1) A person contravenes this subregulation if:
- (a) the person holds an extinguishing agent trading authorisation; and
 - (b) the person contravenes a condition of the authorisation.

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

- (3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

87 Subregulations 341(6) and (7)

Repeal the subregulations, substitute:

- (6) A person contravenes this subregulation if:
- (a) the person holds a halon special permit; and
 - (b) the person contravenes a condition of the permit.

Strict liability offence

- (7) A person commits an offence of strict liability if the person contravenes subregulation (6).

Penalty: 50 penalty units.

Civil penalty provision

- (8) A person is liable to a civil penalty if the person contravenes subregulation (6).

Civil penalty: 60 penalty units.

88 Subregulations 342D(1) and (2)

Repeal the subregulations, substitute:

- (1) A person contravenes this subregulation if:
- (a) the person is the holder of a special circumstances exemption granted under regulation 342; and
 - (b) the exemption is subject to a condition to be complied with by the person; and
 - (c) the person contravenes the condition.

Strict liability offence

- (2) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Civil penalty provision

(3) A person is liable to a civil penalty if the person contravenes subregulation (1).

Civil penalty: 60 penalty units.

89 In the appropriate position in Part 10

Insert:

Division 10—Amendments made by the Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024

985 Application of amendments made by Schedule 2

The amendments of this instrument made by Schedule 2 to the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024* apply in relation to conduct engaged in on or after 1 July 2024.

Schedule 3—Amendments relating to licence qualifications and standards

Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995

1 Regulation 2 (definition of *registered qualification*)

Repeal the definition.

2 Regulation 2 (definition of *registered unit of competency*)

Repeal the definition.

3 Paragraph 131(2)(a)

Repeal the paragraph, substitute:

(a) holds a qualification that:

- (i) is mentioned for the licence in a determination made by the Minister under subregulation (3); and
- (ii) is entered on the National Register (within the meaning of the *National Vocational Education and Training Regulator Act 2011*) at the time the requirements of the qualification are first satisfied by the applicant;

4 Subparagraphs 131(2)(b)(i) and (ii)

Omit “relevant qualification”, substitute “qualification mentioned for the licence in a determination made by the Minister under subregulation (3)”.

5 Subregulation 131(3)

Repeal the subregulation, substitute:

- (3) The Minister must, by legislative instrument, determine qualifications required for a licence mentioned in column 1 of an item in Table 131.

6 Regulation 131 (table, column 3)

Repeal the column.

7 Paragraph 134(1)(a)

Omit “registered qualification mentioned in column 3 of an item in Table 131”, substitute “qualification determined by the Minister under subregulation 131(3)”.

8 Paragraphs 135(1)(a) and (aa)

Omit “mentioned in an item in Table 135”, substitute “determined by the Minister under subregulation (5)”.

9 Subregulation 135(5)

Repeal the subregulation, substitute:

- (5) The Minister may, by legislative instrument, determine standards that apply in relation to work carried out under a licence granted under this Subdivision.

10 Regulation 135 (table)

Repeal the table.

11 Subregulations 322(2) and (3)

Repeal the subregulations, substitute:

- (2) The relevant authority may grant the licence only if the relevant authority is satisfied that:
 - (a) the person has satisfied the requirements of all of the units of competency determined by the Minister under subregulation (3) for the licence; and
 - (b) at the time the requirements of each unit of competency are first satisfied by the person, both:
 - (i) the unit of competency is entered on the National Register (within the meaning of the *National Vocational Education and Training Regulator Act 2011*); and
 - (ii) the registration of the unit of competency on the National Register has not been cancelled.
- (3) The Minister must, by legislative instrument, determine units of competency required for a licence mentioned in column 1 of an item in Table 322.

12 Regulation 322 (table, column 3)

Repeal the column.

13 Paragraph 326(1)(a)

Omit “mentioned in an item in Table 326”, substitute “determined by the Minister under subregulation (5)”.

14 Paragraph 326(1)(e)

Omit “mentioned in Table 326”, substitute “determined by the Minister under subregulation (5)”.

15 Subregulation 326(5)

Repeal the subregulation, substitute:

- (5) The Minister may, by legislative instrument, determine standards that apply in relation to work carried out under an extinguishing agent handling licence.

16 Regulation 326 (table)

Repeal the table.

17 Regulation 345 (heading)

Repeal the heading, substitute:

345 Application fees in relation to other Part 6A applications

18 Regulation 345

Omit “other fire protection”, substitute “other Part 6A”.

19 Paragraph 345(b)

Omit “342—\$200”, substitute “151 or 342—\$786”.

20 At the end of Division 10 of Part 10

Add:

986 Application of amendments made by Schedule 3

- (1) The amendments of regulations 131, 134 and 322 made by Schedule 3 to the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024* apply in relation to applications for a licence made on or after 1 August 2024.
- (2) The amendments of regulations 135 and 326 made by Schedule 3 to the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024* apply in relation to work carried out under a licence on or after 1 August 2024 whether the licence was granted before, on or after that day.
- (3) The amendments of regulation 345 made by Schedule 3 to the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment (2024 Measures No. 1) Regulations 2024* apply in relation to an application made on or after 1 August 2024.