

OZONE LAYER PROTECTION ACT 1996

New Zealand is committed to an international effort to reduce, and eventually eliminate, the use of ozone-depleting substances, as a signatory to the Montreal Protocol on Substances that Deplete the Ozone Layer. The Ozone Layer Protection Act 1996 and Ozone Layer Protection Regulations 1996 place restrictions on:

- The importation, use, and manufacture of a range of ozone depleting substances and goods which contain, or are designed to use, or have been manufactured from these substances
- The exportation of a range of ozone-depleting substances.

WHAT IMPORTS ARE PROHIBITED?

See the list starting in column 3.

WHAT EXPORTS ARE PROHIBITED?

Approval is required to export CFCs, HCFCs, HBFCs, halons, methyl chloroform, carbon tetrachloride, and methyl bromide.

IS IMPORTATION OF RECYCLED CONTROLLED SUBSTANCES PERMITTED?

Bulk importations of the recycled CFCs, HCFCs, HBFCs, halons, methyl chloroform, methyl bromide and carbon tetrachloride may be permitted **without a permit to import** where the importer provides the following:

- » A document from the company that recovered, cleaned, or reclaimed the substance, stating that it is a bulk recycled substance.
- » A statutory declaration signed by the importer declaring that the substance is a bulk recycled substance.
- » A copy of the advice from the importer to the Environmental Protection Authority that the substance has been imported, and the date and amount that was imported.

Such other documentation as an officer may reasonably require in order to ascertain that the substance is a bulk recycled substance.

ARE THERE ANY EXEMPTIONS UNDER THE ACT?

The following are exempted from the above import prohibitions:

- » **Packaging** such as polystyrene used as packaging for imported goods.
- » **Personal effects** which are for the importers own use and not for resale.
- » Goods and substances on board, or part of, **foreign ships or aircraft**, unless they are removed from the ship or aircraft.

HOW DO I APPLY TO IMPORT OR EXPORT CONTROLLED SUBSTANCES OR GOODS?

Applications to import or export the substances or goods stated should be made to the Environmental Protection Authority telephone 0800 376234 e-mail hsinfo@epa.govt.nz website www.epa.govt.nz.

THE FOLLOWING SUBSTANCES AND GOODS ARE SUBJECT TO IMPORT CONTROLS

1. Virgin ozone depleting substances (on their own or as a mixture).

(a) CFCs

- › Trichlorofluoromethane (CFC 11)
- › Dichlorodifluoromethane (CFC 12)
- › Chlorotrifluoromethane (CFC 13)
- › 1, 1, 2-Trichloro-1, 2, 2-trifluoroethane (CFC 113)
- › 1, 2-Dichlorotetrafluoroethane (CFC 114)
- › Chloropentafluoroethane (CFC 115)
- › Fluoropentachloroethane (CFC 111)
- › 1, 1-difluoro 1, 2, 2, 2-tetrachloroethane (CFC 112)
- › 1-fluoro heptachloropropane (CFC 211)
- › 1, 3-difluorohexa-chloropropane (CFC212)
- › 1, 1, 2, 3, 3-pentachloro-1, 2, 3, trifluoropropane (CFC 213)



- › 1, 2, 2, 3-tetrachloro-1, 1, 3, 3-tetrafluoropropane (CFC 214)
 - › 1, 1, 2, 3, 3-pentafluoro-1, 2, 3-trichloropropane (CFC 215)
 - › 2, 2-dichloro-1, 1, 1, 3, 3, 3 hexafluoropropane (CFC 216)
 - › 1-chloro heptafluoropropane (CFC 217)
 - › Common trade names include Arklone, Arcton, Freon, Forane, Isotron, Racdan, Frigen, Genetron, Isceon Kaltron.
- (b) **A range of HCFCs** including HCFC 22.
- (c) **HBCFs.**
- (d) **Halons**
- › Bromochlorodifluoromethane (also known as BCF) (Halon1211)
 - › Bromotrifluoromethane (also known as BTM) (Halon 1301)
 - › Dibromotetrafluoroethane (Halon 2402).
- (e) **Methyl chloroform**
Trade names include Genklene, Propaklone Chlorothene, Dowclene, Aerothene, and Solvethane.
- (f) **Carbon tetrachloride**
- (g) **Methyl bromide**
- (h) **Bromochloromethan**
- 2. Goods**
- (a) Aerosol sprays which contain any of the above substances other than methyl bromide.
- (b) **Fire extinguishers** containing or designed to use any ozone-depleting substances. **Note:** This includes a permanently installed drench system in a ship, aircraft, or motor vehicle.
Approval is not required for extinguishers containing carbon dioxide, water, or dry chemicals.
- (c) The following **plastic foams** manufactured using CFCs:
- (i) Extruded polystyrene foam
 - (ii) Polystyrene boardstock
 - (iii) Thermoformed plastic packaging, including, without limiting the generality of that term:
 - › disposable cups
 - › disposable plates
 - › egg cartons
 - › fast-food containers
 - › horticultural packaging trays, packaging netting
 - › supermarket meat/produce trays.
- (d) **Dry-cleaning machines** that contain or are designed to use any ozone-depleting substances as a solvent.
- (e) The following goods that contain any ozone-depleting substances (other than HCFCs or methyl bromide) when imported from countries that are not members of the Montreal Protocol or a complying country (see full list of members at www.ozone.unep.org/ratification_status):
- › aerosol products (other than medical aerosols)
 - › air conditioning and heat pump units
 - › automobile and truck air conditioning units (whether incorporated in vehicles or not)
 - › dehumidifiers
 - › freezers
 - › ice machines
 - › insulation boards, panels, and pipe covers
 - › other domestic and commercial refrigeration and air conditioning or heat pump equipment
 - › portable fire extinguishers
 - › pre-polymers (a reactive mixture of isocyanate and polyoll to which CFCs are added to manufacture rigid plastic foams)
 - › refrigerators
 - › water coolers.
- (f) **Dehumidifiers, refrigerators, freezers, air conditioners, supermarket display cases, heat pumps, and water coolers that contain any CFCs.**
The import prohibition only applies to dehumidifiers, refrigerators, freezers, air conditioners, supermarket display cases, heat pumps, and water coolers in stand alone form and not when they are incorporated into another item. For example, the import prohibition **does not apply to the following:**
- › Air conditioners incorporated into motor vehicles
 - › Heat pumps or coolers which are part of specialist engineering machinery
 - › Refrigerators or other items which are fixtures in boats or other vessels.

FOR FURTHER INFORMATION

Contact your nearest office of the New Zealand Customs Service, visit the Customs website www.customs.govt.nz or call Customs on 0800 428 786 (0800 4 CUSTOMS).



