

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 27 OF 2001

**The Environmental Protection and Pollution Control Act  
(Laws, Volume 12, Cap. 204)**

**The Environmental Protection and Pollution Control  
(Ozone Depleting Substances) Regulations, 2000**

IN EXERCISE of the powers contained in section *ninety-six* of the Environmental Protection and Pollution Control Act and in consultation with the Council, the following Regulations are hereby made:

## PART I

## PRELIMINARY

1. These Regulations may be cited as the Environmental Protection and Pollution Control (Ozone Depleting Substances) Regulations, 2000. Title

2. In these Regulations, unless the context otherwise requires— Interpreta-  
tion

“adverse effect” means a change in the physical environment or biota, including a change in climate, which has a significant deleterious effect on human health or on the composition, resilience and production of natural and managed ecosystems, or on materials useful to mankind;

“calculated level” in relation to—

(a) a controlled substance that is imported or exported, means the quantity of the controlled substance;

(b) a group of controlled substances set out in column I of the First Schedule, imported or exported during a given period, means the sum of the calculated levels of importation or exportation of the controlled substances within the group during that period;

determined in accordance with the formula stipulated under regulation 6;

- “ chloroflouorocarbon (CFC) ” means a fully halogenated chloroflouorocarbon set out in the First Schedule;
- “ control period ” means the period beginning on January 1st in a given year and ending on December 31st in the same year;
- “ controlled substance ” means a substance set out in Column II of the First Schedule, whether in pure form or in a mixture, and includes isomers of the substance, unless otherwise indicated;
- “ Council ” means the Environmental Council established under section *three* of the Act;
- “ date of prohibition ” means the date set out in the third column of the Second Schedule;
- “ halon ” means a brominated chemical related to a chloroflouorocarbon, used in fire fighting and has a very high ozone depleting potential;
- “ Inspectorate ” means the Environmental Inspectorate established under section *eighty-one* of the Act;
- “ law enforcement officer ” means a police officer, customs officer, forest officer or wildlife officer;
- “ ozone depleting potential ” means the ability of a controlled substance to destroy the stratospheric ozone based on atmospheric lifetime, stability and reactivity;
- “ ozone depleting substance ” means a substance listed in the First and Second Schedules;
- “ ozone layer ” means the layer of atmospheric ozone above the planetary boundary layer;
- “ person ” means an individual, partnership, corporation or association, whether corporate or incorporate;
- “ permit ” means a permit issued under regulation 14;
- “ port of entry or exit ” has the meaning assigned to it in the Customs and Excise Act;
- “ product ” means—
- (a) a vehicle air conditioning unit, whether incorporated in the vehicle or not;
  - (b) domestic or commercial refrigeration, and air conditioning or heat pump equipment, where the equipment contains a controlled substance as a refrigerant or in insulating material of the product;

- (c) any aerosol product, except medical aerosol;
- (d) any portable fire extinguisher;
- (e) any insulation board, panel or pipe cover; and
- (f) any pre-polymer;

“reclaimed” in respect of a controlled substance, means recovered, re-processed and up-graded through processes such as filtering, drying distillation or chemical treatment in order to restore the controlled substance to industrial accepted re-use standards;

“recovered” in respect of a controlled substance, means—

- (a) collected after the substance has been used; or
- (b) collected from machinery, equipment or a container during servicing or before the disposal of the machinery, equipment or container;

“recycled” in respect of a controlled substance, means re-used, recovered, cleaned by a process such as filtering, drying or re-used to re-charge equipment;

“refrigerant” means a substance, whether part or mixture, that is used as a coolant in a refrigerator, freezer, cold room, dehumidifier, heat pump or an air conditioner; and

“technician” means a person qualified to service or maintain refrigeration or air conditioning systems and certified by the Council.

3. These Regulations apply to—

Application

- (a) an importer, exporter, producer or distributor of a controlled substance whether in transit or otherwise;
- (b) an importer, exporter, producer or distributor of technology or a product which uses or contains a controlled substance;
- (c) a person who services refrigerators, air conditioners, mobile or other technology using controlled substances;
- (d) a person or an institution using or servicing fire extinguishers; and
- (e) a person, an institution, a farmer or other individual using any controlled substance.

## PART II

## CONTROL MEASURES

Prohibition  
of certain  
activities

4. A person shall not produce or conduct any activity likely to produce any controlled substance or any other substance likely to deplete the ozone layer.

Prohibition  
of pollution

5. A person shall not emit into the ambient air any controlled substance likely to result in adverse effects on human health and the environment.

Prohibition  
of import or  
export of  
controlled  
substances

6. (1) A person shall not import, export or in any manner deal with a controlled substance or a product containing a controlled substance except in accordance with these Regulations.

(2) A person shall not import or export a recovered, recycled, re-claimed or used controlled substance except with a permit issued under these Regulations.

(3) The calculated level of any imported or exported controlled substance shall be determined in accordance with the following formula:

$I \times ODP$ , where—

(i)  $I$  is the quantity imported during that period; and

(ii)  $ODP$  is the ozone-depleting potential for the controlled substance set out in column III of the First Schedule.

Sale,  
importation,  
or exporta-  
tion of  
controlled  
substance  
after date of  
prohibition

7. (1) Subject to sub-regulation (2), a person shall not use, sell, offer for sale, distribute, import, export or in any manner deal with a controlled substance or a product containing any substance within a group set out in column I of the Second Schedule on or after the date of prohibition set out in column III of the Second Schedule in respect of that substance.

(2) Sub-regulation (1) does not apply to—

(a) a controlled substance that was imported before the date of its prohibition; or

(b) a recovered, re-cycled, re-claimed or used controlled substance imported or exported pursuant to a permit issued by the Council.

Prohibition  
of importa-  
tion of  
refrigerators  
and air  
conditioners

8. A person shall not import or export any refrigerator, air conditioner or other product containing or designed to use any controlled substance.

Vehicle  
fitted with  
air condi-  
tioner

9. A person shall not import or use a vehicle fitted with an air conditioner or refrigeration unit unless the vehicle's cooling unit is fitted with a chloroflourocarbon - free coolant.

10. (1) Subject to sub-regulation (2), from the date of entry into force of these Regulations, a person shall not import any aerosol product which uses chlorofluorocarbon as a gas or a propellant.

Aerosol products

(2) Sub-regulation (1) does not apply to any medical aerosol.

11. (1) A person, other than a technician certified under sub-regulation (2), shall not service a product or technology that contains or uses a controlled substance.

Servicing installation, etc of air conditioner

(2) A technician shall not repair or service any product or technology that contains or uses a controlled substance unless the technician has a certificate issued by the Council.

(3) A technician shall not release into the ambient air any refrigerant that is an ozone depleting substance.

12. A person shall not retrofit refrigeration or air conditioning equipment with any hydrochlorofluorocarbon.

Retrofitting refrigeration containing controlled substances

13. (1) A person shall not use any halon in fire-fighting demonstrations.

Fire fighting services

(2) A person shall not use halons where alternative substances such as carbon dioxide, water, dry powder, foam or inert gases are available.

(3) With effect from 1st January, 2001, a person shall not refill any fire extinguishing system with any halon.

(4) With effect from 1st January, 2003, a person shall not sell any fire extinguisher containing any halon.

### PART III

#### PERMITS

14. (1) A person who intends to import or distribute a controlled substance shall submit to the Inspectorate an application for a permit in Form I set out in the Third Schedule.

Application for permit

(2) A person who intends to import a recovered, re-cycled, re-claimed or used controlled substance, shall submit an application for a permit to the Inspectorate in Form 2 set out in the Third Schedule.

(3) A person who intends to export a controlled substance shall submit to the Inspectorate an application for a permit in Form 3 set out in the Third Schedule.

(4) A person who intends to export a recovered, recycled, reclaimed or used controlled substance shall submit to the Inspectorate an application for a permit in Form 4 set out in the Third Schedule.

(5) An application for a permit shall be accompanied by a fee set out in the Fourth Schedule.

Issue of permit

15. (1) the Inspectorate shall, unless it has otherwise informed the applicant or is undertaking investigations relevant for purposes of the application, within twenty-eight days of receipt of an application for a permit under regulation 14 issue a permit subject to such conditions as the Inspectorate may determine, if—

(a) the application is in accordance with the provisions of these Regulations;

(b) the application or other matter relating to the application does not contravene any laws or regulations in force.

(2) A permit shall be in Form II set out in the Third Schedule.

(3) A permit issued under this regulation shall be valid for a period of one year starting January 1st to December 31st and shall be renewed for a like period upon payment of a fee if the applicant has been complying with the provisions of these Regulations.

Refusal to issue permit

16. (1) Where the Inspectorate is not satisfied with an application for a permit, it shall refuse to issue the permit to the applicant.

(2) A decision of the Inspectorate rejecting an application shall be accompanied by the reasons for the rejection.

Appeal from decision of Inspectorate

17. An applicant for a permit who is aggrieved with the decision of the Inspectorate may appeal to the Council, subject to a further appeal to the High Court.

Conditions of permit

18. A person issued with a permit under regulation 15 shall—

(a) operate in accordance with these Regulations and conditions determined by the Inspectorate;

(b) comply with the general directives issued by the Inspectorate in the exercise of its functions under these Regulations;

(c) keep a record of activities in Form 9 set out in the Third Schedule and submit the record to the Inspectorate six months from the commencement of the permit; and

(d) comply with any other condition which the Inspectorate shall consider relevant for the purposes of these Regulations.

Failure to use permit

19. (1) Where the holder of a permit is unable to use the permit within three months from the date of issue of the permit, the holder

shall forthwith notify the Inspectorate of the failure giving reasons thereof, and the Inspectorate shall, where satisfied with the reasons, specify the period within which the holder shall comply with the terms of the permit.

(2) Where a period of three months from the date of issue of a permit has expired without the holder of the permit performing the activities in accordance with the terms of the permit and no notification has been made in accordance with this regulation, the permit shall lapse and shall, subject to these Regulations be cancelled, and the Council shall publish the information in the *Gazette*.

20. A permit shall not be transferred to a third party.

Transfer of  
permit

21. The Inspectorate may amend a permit on the application of the holder of a permit—

Amendment  
of permit

(a) where some other person has succeeded to the interest in the business enterprise belonging to the holder of the permit, by substituting for the name of the holder, the name of the successor;

(b) where the name of the business enterprise is altered, by substituting the name so altered; or

(c) for any other reason submitted by the applicant of the permit which the Inspectorate may consider necessary.

22. (1) Where the Inspectorate is satisfied that a person is contravening or is likely to contravene any provision of these Regulations, or directive issued by the Inspectorate in the exercise of its functions or any other condition of the permit, the Inspectorate shall serve an enforcement notice on that person.

Enforcement  
notices

(2) An enforcement notice issued under sub-regulation (1) shall—

(a) state the contravention or the likely contravention of the directive or any other condition of the permit and the matters constituting the contravention or making it likely that the contravention will arise;

(b) specify the steps that have to be taken to remedy the contravention or avoid the contravention, as the case may be; and

(c) specify the effective date of the notice and the time limit within which the steps described under paragraph (b) have to be taken.

23. (1) Subject to the other provisions of these Regulations, the Inspectorate may suspend or cancel any permit if the holder of the permit—

Suspension  
or cancella-  
tion of  
permit

- (a) obtained the permit by fraud or deliberate or negligent submission of false information;
- (b) contravenes these Regulations or any terms and conditions of the permit;
- (c) fails, without reasonable cause, to comply with an enforcement notice issued under regulation 22; or
- (d) fails, without reasonable cause, to use the permit within the time stipulated under these Regulations.

(2) The Inspectorate shall, before suspending or cancelling a permit, give its written notice to the holder of the permit of its intention to suspend or cancel the permit and specify the grounds for the suspension or cancellation and require the person to show cause, within a period of not more than thirty days, why the permit should not be suspended or cancelled.

(3) The Inspectorate shall not suspend or cancel a permit if the holder of the permit takes remedial measures to the satisfaction of the Inspectorate, within the period of thirty days.

(4) If the holder of a permit notified under this regulation fails to show cause to the satisfaction of the Inspectorate or does not take remedial measures to the satisfaction of the Inspectorate, within the time specified in this regulation, the Inspectorate may suspend or cancel the permit.

(5) Any person who is aggrieved by any decision of the Inspectorate under this regulation may appeal to the Council, subject to a further appeal to the High Court.

Register

24. The Inspectorate shall keep a register of permits and record therein all matters relating to permits issued under this Part and shall, at least once every year, publish in the *Gazette* a list of all persons holding a permit under these Regulations.

Annual record

25. (1) A person who imports a controlled substance or a product containing a controlled substance shall submit to the Inspectorate an annual report in Form 5 set out in the Third Schedule.

(2) A person who imports a recovered, recycled, reclaimed or used controlled substance shall submit to the Inspectorate an annual report in Form 6 set out in the Third Schedule.

(3) A person who exports a controlled substance shall submit to the Inspectorate an annual report in Form 7 set out in the Third Schedule.

(4) A person who exports a recovered, recycled, reclaimed or used controlled substance shall submit to the Inspectorate an annual report in Form 8 set out in the Third Schedule.



(5) An annual report shall be submitted to the Inspectorate on or before the 15th January every year.

#### PART IV

##### GENERAL

26. (1) A person who imports or exports a controlled substance or a product containing a controlled substance shall provide a copy of the permit to an inspector at the port of entry or exit. Customs

(2) A person who imports or exports any product into Zambia shall tender the product to an inspector for certification as to whether or not the product contains or is made of any controlled substance.

(3) A customs officer shall inspect and certify whether the controlled substance imported into or exported out of Zambia is in accordance with these Regulations.

(4) Where the importation or exportation is contrary to these Regulations, an inspector or a law enforcement officer shall seize the products or substances.

(5) The seized products shall be disposed of by the inspector or law enforcement officer in accordance with the guidelines set by the Council.

27. (1) An importer of controlled substances shall cause a person who receives or buys any controlled substance from the importer to sign a declaration set out in Form 10 of the Third Schedule. Suppliers  
and  
distributors

(2) A person who supplies or distributes any controlled substance shall keep a record of names and addresses of the persons to whom the substances have been supplied or distributed and shall submit the record to the Inspectorate within fourteen days of such supply or distribution.

28. An importer, producer, distributor, seller, or exporter shall not import, export, produce, distribute, sell or in any manner deal with, a product or other material containing an ozone depleting substance unless— Labelling

(a) the product or material containing an ozone depleting substance is labelled with the words "ozone friendly", "Not ozone friendly", "ozone depleting", "No CFC", "CFC free", as the case may be; or

(b) the substance is sealed in a package or other material to avoid any leakage and labelled as required under paragraph (a).

## Storage and disposal

29. (1) An importer, exporter, seller, distributor, transporter or supplier of any controlled substance shall ensure that the controlled substance is stored in secure premises licenced or approved by the Inspectorate for the purpose of storing controlled substances.

(2) A person shall not dispose of any controlled substance without the approval and authorization of the Inspectorate.

## Transportation

30. (1) Any person who intends to transport any controlled substance or any product or equipment containing a controlled substance except that intended for personal domestic use, whether in transit or otherwise, shall apply to the Inspectorate for a permit.

(2) A person shall not, where the substance or product transported under sub-regulation (1) is in transit to another country, use, distribute, sell, dispose of or in any manner deal with the substance or product.

## Offences and penalties

31. Any person who contravenes any provision of these Regulations commits an offence and is liable, upon conviction, to the penalty provided for under section *ninety-one* of the Act.

## Publication of controlled substances

32. The Council shall, before the 31st of December of every year, publish a list of controlled substances in the *Gazette*.

## Transitional provision

33. (1) A technician or person who services or repairs any product or technology that contains or uses any controlled substance shall, within six months from the coming into force of these Regulations, apply to the Council for a certificate.

(2) An importer, exporter, transporter or distributor of controlled substances or person to whom these Regulations apply shall within three months from the coming into force of these Regulations, apply to the Inspectorate for a permit in accordance with these Regulations.

FIRST SCHEDULE  
( Regulation 2 )

INFORMATION FOR THE DETERMINATION OF ODP CALCULATED LEVELS

Item	Column I	Column II Controlled Substances	Column III ODP
1.	GROUP I		
	CFC - 11	Trichlorofluoromethane	1.0
	CFC - 12	Dichlorodifluoromethane	1.0
	CFC - 113	1, 1, 2- Trichloro-1,2,2-trifluoroethane	0.8
	CFC - 114	1,2-Dichlorotetrafluoroethane	1.0
	CFC - 115	Chloropentafluoroethane	0.6
2.	GROUP II		
	Halon 1211	Bromochlorodifluoromethane	3.0
	Halon 1301	Bromotrifluoromethane	10.0
	Halon 2402	Dibromotetrafluoroethane	6.0
3.	GROUP I	CONTROLLED SUBSTANCES	
	CFC - 13	Chlorotrifluoromethane	1.0
	CFC - 111	Pentachlorofluoroethane	1.0
	CFC - 112	Tetrachlorodifluoroethane	1.0
	CFC - 211	Heptachlorofluoropropane	1.0
	CFC - 212	Hexachlorodifluoropropane	1.0
	CFC - 213	Pentachlorotrifluoropropane	1.0
	CFC - 214	Tetrachlorotetrafluoropropane	1.0
	CFC - 215	Trichloropentafluoropropane	1.0
	CFC - 216	Dichlorohexafluoropropane	1.0
	CFC - 217	Chloroheptafluoropropane	1.0
4.	GROUP II		
	CCl <sub>4</sub>	Carbon Tetrachloride (Tetrachloromethane)	1.1
5.	Group III		
	1.1.1-Trichloroethane Methyl Chloroform (1,1,1-Trichloroethane)		0.1
6.	GROUP I		
	Partially halogenated fluorochemicals (40 compounds including HCFC-21, HCFC-22, HCFC-123, HCFC-124, HCFC-141b, HCFC-142) all with ODPs of less than 0.12, are defined as transitional substances.		

Group	Controlled Substance	# of isomers	ODP*
Group I			
	CHFC12	1	0.04
	CHF <sub>2</sub> Cl	1	0.055
	CH <sub>2</sub> FC1	1	0.02
	C <sub>2</sub> HFC1 <sub>2</sub>	2	0.01-0.04
	C <sub>2</sub> HF <sub>2</sub> Cl	3	0.02-0.08
	C <sub>2</sub> HFC1 <sub>2</sub>	3	0.02-0.06
	CHCl <sub>2</sub> CF <sub>2</sub>	-	0.02
	C <sub>2</sub> HF <sub>2</sub> Cl	2	0.02-0.04
	CHFC1CF <sub>2</sub>	-	0.022
	C <sub>2</sub> H <sub>2</sub> FC1 <sub>2</sub>	3	0.007-0.05
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub>	4	0.008-0.05
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Cl	3	0.02-0.06

Group	Controlled Substance	# of isomers	ODP*
<i>Group I</i>			
	C <sub>2</sub> H <sub>2</sub> FCI <sub>2</sub>	3	0.005-0.07
	CH <sub>3</sub> CFCl <sub>2</sub>	-	0.11
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> CI	3	0.008-0.07
	CH <sub>3</sub> CF <sub>2</sub> CI	-	0.065
	C <sub>2</sub> H <sub>2</sub> FCI	2	0.003-0.005
	C <sub>2</sub> HFCl <sub>2</sub>	5	0.015-0.07
	C <sub>2</sub> HF <sub>2</sub> CI	9	0.01-0.09
	C <sub>2</sub> HF <sub>3</sub> CI	12	0.01-0.08
	C <sub>2</sub> HF <sub>4</sub> CI	12	0.01-0.09
	C <sub>2</sub> HF <sub>5</sub> CI	9	0.02-0.07
	CF <sub>2</sub> CF <sub>2</sub> CHCl <sub>2</sub>	-	0.025
	CF <sub>2</sub> ClCF <sub>2</sub> CHClF	-	0.035
	C <sub>2</sub> HF <sub>6</sub> CI	5	0.02-0-0.10
	C <sub>2</sub> H <sub>2</sub> FCI <sub>3</sub>	9	0.05-0.09
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> CI <sub>2</sub>	16	0.008-0.10
	C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> CI	18	0.007-0.23
	C <sub>2</sub> H <sub>2</sub> F <sub>4</sub> CI	16	0.01-0.28
	C <sub>2</sub> H <sub>2</sub> F <sub>5</sub> CI	9	0.03-0.52
	C <sub>2</sub> H <sub>2</sub> FCI <sub>4</sub>	12	0.004-0.09
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> CI <sub>3</sub>	18	0.005-0.13
	C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> CI <sub>2</sub>	18	0.007-0.12
	C <sub>2</sub> H <sub>2</sub> F <sub>4</sub> CI	12	0.009-0.14
	C <sub>2</sub> H <sub>2</sub> FCI <sub>3</sub>	12	0.001-0.01
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> CI <sub>2</sub>	16	0.005-0.04
	C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> CI	12	0.003-0.03
	C <sub>2</sub> H <sub>2</sub> FCI <sub>2</sub>	9	0.002-0.02
	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> CI	9	0.002-0.02
	C <sub>2</sub> H <sub>2</sub> FCI	5	0.001-0.03

\*Where a range of ODPs is indicated, the highest value in the range shall be used for the purposes of these Regulations. The ODPs 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 ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

\*\*Identifies the most commercially viable substances with ODP values listed against them to be used for the purposes of these Regulations.

#### 7. Group II

Hydrobromofluorocarbons (34 compounds with ODPs estimated to vary from around 0.1 up to 1.00)

Group II	Controlled Substance	# of isomers	ODP*
	CH <sub>2</sub> Br <sub>2</sub>	1	1.0
	CHF <sub>2</sub> Br	1	0.74
	CH <sub>2</sub> FBr	1	0.73
	C <sub>2</sub> HFBr <sub>2</sub>	2	0.3-0.8
	C <sub>2</sub> HF <sub>2</sub> Br	3	0.5-1.8
	C <sub>2</sub> HF <sub>3</sub> Br	3	0.4-1.6
	C <sub>2</sub> HF <sub>4</sub> Br	2	0.7-1.2
	C <sub>2</sub> H <sub>2</sub> FBr <sub>2</sub>	3	0.1-1.1

Group II	Controlled Substance	# of isomers	ODP*
	$C_2H_2F_2Br_2$	4	0.2-1.5
	$C_2H_2F_2Br$	3	0.7-1.6
	$C_2H_3FBr_2$	3	0.1-1.7
	$C_2H_3F_2Br$	3	0.2-1.1
	$C_2H_4FBr$	2	0.07-0.1
	$C_2HFBr_6$	5	0.31-5
	$C_2HF_2Br_3$	9	0.2-1.9
	$C_2HF_3Br_2$	12	0.3-1.8
	$C_2HF_4Br$	12	0.5-2.2
	$C_2HF_5Br_2$	9	0.9-2.0
	$C_2HF_6Br$	5	0.7-3.3
	$C_2H_2F_3Br_2$	9	0.1-1.9
	$C_2H_2F_4Br$	16	0.2-2.1
	$C_2H_2F_5Br_2$	18	0.2-5.6
	$C_2H_2F_6Br$	16	0.3-7.5
	$C_2H_3F_3Br_2$	8	0.9-1.4
	$C_2H_3F_4Br$	12	0.08-1.9
	$C_2H_3F_5Br_2$	18	0.1-3.1
	$C_2H_3F_6Br$	18	0.1-2.5
	$C_2H_4F_3Br_2$	12	0.3-4.4
	$C_2H_4F_4Br$	12	0.03-0.3
	$C_2H_4F_5Br_2$	16	0.1-1.0
	$C_2H_4F_6Br$	12	0.07-0.8
	$C_2H_5F_3Br_2$	9	0.04-0.4
	$C_2H_5F_4Br$	9	0.07-0.8
	$C_2H_6F_5Br$	5	0.02-0.7

\* Where a range of ODPs is indicated, the highest value in the range shall be used for the purposes of the Protocol. The ODPs listed as a single value have been determined from calculations based on laboratory measurements. Those listed as a range are based on the estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of the ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

\*\* Identifies the most commercially viable substances with ODP values listed against them to be used for the purposes of these Regulations.

8.	Group I Controlled substance	ODP
	MeBr Methyl Bromide	0.6

\* ODP values are estimates based on the information available when these chemicals were added to the Protocol and they were used to calculate compliance quotas.

### SECOND SCHEDULE (Regulation 7)

Item	Column I Group of controlled Substance	Column II Controlled Substance	Column III Date of Prohibition
1.	Group I CFC1 CFC2 CFC113 CFC114 CFC115	CFC 11 (Trichlorofluoromethane) CFC 12 (Dichlorofluoromethane) CFC 113 (1,1,2-trichloro-1,1,2 trifluoromethane) CFC 114 (1,1,2-Dichlorotetrafluoroethane) CFC 115 (Chloropentafluoroethane)	Jan 1, 2010

<i>Item</i>	<i>Column I Group of controlled Substance</i>	<i>Column II Controlled Substance</i>	<i>Column III Date of Prohibition</i>
2.	Group II CF <sub>2</sub> BrCl	Halon 1211 (Bromochlorodifluoromethane) Halon 1301 (Bromotrifluoromethane) Halon 2402 (Dibromotetrafluoromethane)	Jan 1, 2010
3.	Group I CF <sub>2</sub> Cl C <sub>2</sub> FCl <sub>3</sub> C <sub>2</sub> F <sub>2</sub> Cl <sub>4</sub> C <sub>3</sub> FCl <sub>7</sub> C <sub>3</sub> F <sub>2</sub> Cl <sub>6</sub> C <sub>3</sub> F <sub>3</sub> Cl <sub>5</sub> C <sub>3</sub> F <sub>4</sub> Cl <sub>4</sub> C <sub>3</sub> F <sub>5</sub> Cl <sub>3</sub> C <sub>3</sub> F <sub>6</sub> Cl <sub>2</sub> C <sub>3</sub> F <sub>7</sub> Cl	CFC 13 (Chlorofluoromethane) CFC 111 (Pentachlorofluoroethane) CFC 112 (Tetrachlorodifluoroethane) CFC 211 (Heptachlorofluoropropane) CFC 212 (Hexachlorodifluoropropane) CFC 213 (Pentachlorotrifluoropropane) CFC 214 (Tetrachlorotetrafluoropropane) CFC 215 (Trichloropentafluoropropane) CFC 216 (Dichlorohexafluoropropane) CFC 217 (Chloroheptafluoropropane)	Jan 1, 2010
4.	Group II CCl <sub>4</sub>	Carbon tetrachloride (Tetrachloromethane)	Jan 1, 2015
5.	Group III C <sub>2</sub> H <sub>3</sub> Cl <sub>3</sub>	1,1,1-Trichloroethane (Methyl Chloroform)	
6.	Group I CHFCl	HCFC <sub>3</sub>	Jan 1, 2040
7.	Group II CHFBr	HBFC <sub>3</sub>	Jan 1, 1996
8.	Group I CH <sub>3</sub> Br	Methyl bromide	Jan 1, 2015

THIRD SCHEDULE  
(Regulation 15 (1))

PRESCRIBED FORMS



FORM I

The Environmental Council of Zambia  
The Environmental Protection and Pollution Control (Ozone Depleting  
Substances) Regulations, 2000

APPLICATION FOR A PERMIT TO IMPORT A CONTROLLED SUBSTANCE  
(One application for each group of controlled substance)

Information concerning the applicant

Date:.....

Name of Applicant:.....  
NRC/Passport No:.....  
Address: (business) ..... Residential:.....  
Company Name:..... Physical/Address:.....  
Business Activity:..... Tel./Fax:.....  
Registration Certificate No:.....

Work Permit No:.....  
Investment Permit No:.....

Name of person authorised to act on behalf of applicant (where applicable)

Title: .....  
Fax No: .....  
E-mail No: .....  
Telephone No: .....  
Address: .....

Request for confidentiality of information (tick)

Yes  No

Reasons:.....

Information concerning the controlled substances (tick) group of controlled substances

Item I..... Item IV.....  
Item II..... Item V.....  
Item III..... Item VI.....  
Item IV..... Item VII.....

Control period .....

Information concerning the controlled substance for which a permit to import is requested.

Controlled Substance	Country of origin	Quantity to be Imported	ODP	Calculated level
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg

Controlled Substance	Name and Address
.....	.....
.....	.....
.....	.....

I declare that the information provided in this application is correct and that the applicant is willing and able to use the controlled substance in compliance with all the laws for the time being in force.

.....	.....	.....
Date	Name	Signature

Witness:.....	Designation:.....
Address:.....	Company:.....
Occupation:.....	Address:.....
Official Use Only:	
Date Received:.....	Licence No:.....
Amount Paid:.....	Signature:.....
Receipt No:.....	Official Stamp:.....
Accepted/Rejected:.....	

(Regulation 15 (2))



FORM 2

**The Environmental Council of Zambia  
The Environmental Protection and Pollution Control (Ozone Depleting Substances)  
Regulations, 2000**

**APPLICATION FOR A PERMIT TO IMPORT A RECOVERED, RECYCLED,  
RECLAIMED OR USED CONTROLLED SUBSTANCE  
(One application for each group of controlled substance)**

Information concerning the applicant

Name of Applicant:.....

Physical Address:.....

.....

Registration Certificate No.....

Work Permit No:.....

Investment Permit No:.....

Name of person authorised to act on behalf of applicant (where applicable)

Title:.....

Fax No.:.....

E-mail No.:.....

Telephone No:.....

Address:.....

Request for confidentiality



Yes  No

Reasons:.....

Information concerning the controlled substances (tick)

Group of controlled substances

Item I..... Item II.....  
Item III..... Item IV.....  
Item V..... Item VI.....  
Item VII..... Item VIII.....

Type of controlled substances (tick)

Recovered  Reclaimed  
 Recycled  Used

Control period .....

Party from which the controlled substance is being imported

Name and address of the person who recovered, recycled or reclaimed the controlled substance.

Controlled Substance Name and Address  
.....  
.....  
.....

Quantity of the controlled substance to be imported:

Controlled Substance	Country of Origin	Quantity to be imported	ODP	Calculated level
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg

For each controlled substance, name and address of sender

Controlled Substance Name and Address  
.....  
.....  
.....

I declare that the information provided in this request (application) is correct and that the applicant is able to import the controlled substance in compliance with all the relevant laws for the time being in force.

Date Name Signature  
Designation:..... Witness:.....  
Company:..... Address:.....  
Address:..... Occupation:.....

Official Use Only:

Date Received:..... Licence No.:.....  
Amount Paid:..... Signature:.....  
Receipt No:..... Official Stamp:.....  
Accepted/Rejected:.....

(Regulation 15 (3))



FORM 3

The Environment Council of Zambia
The Environmental Protection and Pollution Control (Ozone Depleting Substances) Regulations, 2000

APPLICATION FOR A PERMIT TO EXPORT A CONTROLLED SUBSTANCE OTHER THAN A RECOVERED, RECLAIMED OR USED CONTROLLED SUBSTANCE (one request for each group of controlled substance)

Information concerning the applicant

Name of Applicant:
NRC/Passport No:
Address:

Company Name: Physical Address:
Business Activity: Tel/Fax:
Registration Certificate No.
Work Permit No.
Investment Permit No.

Name of person authorised to act on behalf of applicant

Title:
Fax No:
E-mail No:
Telephone No:
Address:

Request for confidentiality (tick)
Yes No

Reasons:

Information concerning the controlled substances (tick one)

Group of controlled substances

Item I Item II
Item III Item IV
Item V Item VI
Item VII Item VIII

Control period:

Party to which the controlled substance is being exported:

Type of control LED substance (tick)

Group of controlled substance

Item I Item II
Item III Item IV
Item V Item VI
Item VII Item VIII

Type of controlled substances (tick)

Recovered Reclaimed
Recycled Used

Control period:

Party from which the controlled substance is being exported.

Name and address of recipient of each shipment

Controlled Substance	Date of Export	Quantity to be Exported	ODP	Calculated level of Export
.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	KgX..... =	.....Kg

Source of the controlled substance being exported

I hereby consent that the names of the recipient may be released to the party of import.

I declare that the information provided in this application is correct and that I am able to export the controlled substance in compliance with all the relevant laws for the time being in force.

.....	.....	.....
Date	Name	Signature
Designation:.....	Witness:.....	
Company:.....	Address:.....	
Address:.....	Occupation:.....	

Official Use Only:

Date Received:.....	Licence No.:.....
Amount Paid:.....	Signature:.....
Receipt No.:.....	Official Stamp:.....
Accepted/Rejected:.....	

(Regulation 15 (4))



FORM 4

**The Environmental Council of Zambia**  
**The Environmental Protection and Pollution Control**  
**(Ozone Depleting Substances) Regulations, 2000**

**APPLICATION FOR A PERMIT TO EXPORT A RECOVERED, RECYCLED, RE-CLAIMED OR USED CONTROLLED SUBSTANCE**  
 (one request for each group of controlled substances)

Information concerning the applicant

Name of Applicant:.....

NRC/Passport No:.....

Address (Business):..... Residential:.....

.....

.....

Company Name:..... Physical Address:.....

Business Activity:..... Tel/Fax:.....

Registration Certificate No:.....

Work Permit No:.....

Investment Permit No:.....

Name of person authorised to act on behalf of applicant

Title:.....

Fax No.: .....

E-mail No.: .....

Telephone No.: .....

Address: .....

Request for confidentiality (tick)

Yes  No

Reasons: .....

Information concerning the controlled substances (tick one)

Group of controlled substances

Item I..... Item II.....

Item III..... Item IV.....

Item V..... Item VI.....

Item VII..... Item VIII.....

Type of controlled substances (tick).....

Recovered  Reclaimed  
 Recycled  Already used

Control period:.....

Party to which the controlled substance is being exported:.....

Type of controlled substances (tick).....

Item I..... Item II.....

Item III..... Item IV.....

Item V..... Item VI.....

Item VII..... Item VIII.....

Type of controlled substances (tick)

Recovered  Reclaimed  
 Recycled  Already used

Control period:.....

Party to which the controlled substance is being exported:.....

Name and address of the person who recovered, recycled or reclaimed the controlled substance.

Controlled substance Name and Address

.....

.....

.....

If the controlled substance is being exported for destruction, the name and address of the facility where the controlled substance will be destroyed:

.....

.....

Quantity of the controlled substance to be exported:

Controlled Substance	Date of Export	Quantity to be Exported	ODP	Calculated level of Export
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg
.....	.....	.....	KgX.....	= .....Kg

For each controlled substance, name and address of recipient:

Controlled Substance Name and Address

.....

I hereby consent that the names of the recipients be released to the Party of import.

I declare that the information provided in this application is correct and that the applicant is able to export the controlled substance in compliance with the laws in force.

Date	Name	Signature
Designation: .....	Witness:.....	
Company:.....	Address: .....	
Address:.....	Occupation:.....	
Official Use Only:		
Date Received:.....	Licence No: .....	
Amount Paid: .....	Signature: .....	
Receipt No: .....	Official Stamp: .....	
Accepted/Rejected: .....		

(Regulation 26 (1))

FORM 5



The Environmental Council of Zambia  
 The Environmental Protection and Pollution control (Ozone Depleting Substances)  
 Regulations, 2000

ANNUAL REPORT ON IMPORTS OF CONTROLLED SUBSTANCE  
 (Information concerning the person submitting this report)

Name.....  
 NRC/Passport No. ....Residential .....  
 Address Business:.....  
 Company Name:..... Physical Address:.....  
 Business Activity:..... Tel/Fax:.....  
 Registration Certificate No.....  
 Work Permit No: .....

Investment Permit No: .....

Name of person authorised to act on behalf of person submitting this report  
 Title: .....

Fax No.:.....  
 E-mail No.:.....  
 Telephone No.: .....

Address: .....

Request for confidentiality (tick)

Yes

No.

Reasons: .....

Information concerning the controlled substances (tick)

Group of controlled substances

Item I..... Item II.....  
 Item III..... Item IV.....  
 Item V..... Item VI.....  
 Item VII..... Item VIII.....

Control period: .....

Quantity of the controlled substance to be imported

Controlled Substance	Date of Import	Country of Origin	Quantity to be Imported	ODP	Calculated level of Import
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg

Name and address of persons to whom the controlled substances were sold or supplied.

.....  
.....

I declare that the information provided in this report is correct to the best of my knowledge and belief.

.....	.....	.....
Date	Name	Signature

Designation: ..... Witness: .....  
 Company: ..... Address: .....  
 Address: ..... Occupation: .....

Official Use Only:

Date Received: ..... Licence No.: .....  
 Amount Paid: ..... Signature: .....  
 Receipt No. .... Official Stamp: .....  
 Accepted/Rejected: .....

(Regulation 26 (2))

FORM 6



The Environmental Council of Zambia
The Environmental Protection and Pollution Control (Ozone Depleting Substances) Regulations, 2000

ANNUAL REPORT ON IMPORT OF RECOVERED, RECLAIMED, OR USED CONTROLLED SUBSTANCES
(Information concerning the person submitting this report)

Name:
NRC/Passport No. Tel:
Address:

Company Name: Physical Address:
Business Activity: Tel/Fax:

Registration Certificate No.:
Work Permit No:

Investment Permit No.:
Name of person authorised to act on behalf of person submitting this report.

Title:
Fax No.:

E-mail No.:
Telephone No.:

Address:
Request for confidentiality (tick)
Yes No

Information concerning the recovered, recycled, reclaimed or used controlled substances imported (tick)

Group of controlled substances
Item I Item II
Item III Item IV
Item V Item VI
Item VII Item VIII

Control period:

Table with 5 columns: Controlled Substance, Date of Import, Country of Origin, Quantity to be Imported, ODP, Calculated level of Import. Rows show KgX = Kg.

Names and Address of recipients of controlled substances

I declare that the information provided in this report is correct to the best of my knowledge and belief.

Date Name Signature

Designation: ..... Witness: .....  
 Company: ..... Address: .....  
 Address: ..... Occupation: .....  
 Official Use Only:  
 Date Received: ..... Licence No.: .....  
 Amount Paid: ..... Signature: .....  
 Receipt No.: ..... Official Stamp: .....  
 Accepted/Rejected: .....

(Regulation 26 (3))

FORM 7



The Environmental Council of Zambia  
 The Environmental Protection and Pollution Control (Ozone Depleting Substances)  
 Regulations, 2000

ANNUAL REPORT ON EXPORT OF CONTROLLED SUBSTANCES  
 (Information concerning the person submitting this report)

Name: .....  
 NRC/Passprt No. .... Tel: .....  
 Address: .....  
 .....

Company Name: ..... Physical Address: .....  
 Business Activity: ..... Tel/Fax: .....  
 Registration Certificate No.: .....  
 Work Permit No.: .....  
 Investment Permit No.: .....

Name of person authorised to act on behalf of person submitting this report.  
 Title: .....  
 Fax No.: .....  
 E-mail No.: .....  
 Telephone No.: .....  
 Address: .....

Request for confidentiality (tick)  
 Yes  No

Reasons: .....  
 .....

Information concerning the controlled substances (tick)  
 Item I ..... Item II .....  
 Item III ..... Item IV .....  
 Item V ..... Item VI .....  
 Item VII ..... Item VIII .....



Quantity of controlled substance exported

Controlled Substance	Date of Export	Country of Origin	Quantity to be Exported	ODP	Calculated level of Import
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg

Name and address of recipient

.....

.....

I declare that the information provided in this report is correct to the best of my knowledge and belief.

Date	Name	Signature
Designation: .....	Witness: .....	.....
Company: .....	Address: .....	.....
Address: .....	Occupation: .....	.....

Official Use Only:

Date Received: ..... Licence No.: .....

Amount Paid: ..... Signature:.....

Receipt No.: ..... Official Stamp: .....

Accepted/Rejected: .....

(Regulation 26 (4))

FORM 8



The Environmental Council of Zambia  
 The Environmental Protection and Pollution Control (Ozone Depleting  
 Substances) Regulations, 2000

ANNUAL REPORT ON EXPORT OF RECOVERED, RECYCLED, RECLAIMED OR USED  
 SUBSTANCES

(Information concerning the person submitting this report)

Name: .....

NRC/Passport No. : ..... Tel: .....

Address: .....

Company Name: ..... Physical Address: .....

Business Activity: ..... Tel/Fax: .....

Registration Certificate No.: .....

Work Permit No. : .....

Investment Permit No.: .....

Name of person authorised to act on behalf of person submitting this report

Title: .....

Fax No.: .....

E-mail No.: .....

Telephone No.: .....

Address: .....

Request for confidentiality (tick)

Yes

No

Reasons: .....

Information concerning the controlled substances (tick)

Group of controlled substances

Item I ..... Item II .....

Item III ..... Item IV .....

Item V ..... Item VI .....

Item VII ..... Item VIII .....

Control Period: .....

Calculated level of exports or recovered, recycled, reclaimed or used substances:

Controlled Substance	Date of Export	Country of Origin	Quantity to be Exported	ODP	Calculated level of Import
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg
.....	.....	.....	.....	KgX..... =	.....Kg

Name and address of recipients

.....  
.....  
.....

I declare that the information provided in this report is correct to the best of my knowledge and belief.

.....  
Date Name Signature

Designation: ..... Witness: .....

Company: ..... Address: .....

Address: ..... Occupation: .....

Official Use Only:

Date Received: ..... Licence No. : .....

Amount Paid: ..... Signature: .....

Receipt No.: ..... Official Stamp: .....

Accepted/Rejected: .....

(Regulation 29)

FORM 9



**The Environmental Council of Zambia  
The Environmental Protection and Pollution Control (Ozone Depleting  
Substances) Regulations, 2000**

**INFORMATION TO BE MAINTAINED**

**1. INFORMATION RELATING TO DISTRIBUTION, USE AND OFFER FOR SALE**

*Dated records of:*

- (a) the actual quantity of each controlled substance purchased from a supplier, wholesaler or distributor;
- (b) the actual quantity of each controlled substance used and the use;
- (c) the actual quantity of each controlled substance sold, names and addresses of the customers and declaration set out in Form X signed by the Customer.

**2. INFORMATION RELATING TO IMPORT**

*Dated records of:*

- (a) the actual quantity of each controlled substance imported in each shipment.
- (b) the port through which the controlled substance was imported.
- (c) the port from which the controlled substance was imported and the name and address of the sender.
- (d) the import number for the shipment of the controlled substance imported.

Copies of the bill of lading, the invoice and documents submitted to the Zambia Revenue Authority for each shipment of a controlled substance.

**3. INFORMATION RELATING TO EXPORT**

*Dated records of:*

- (a) the actual quantity of each controlled substance exported in each shipment;
- (b) the port through which the controlled substance was exported;
- (c) the port through which the controlled substance was exported and the name and address of the recipient.

(Regulation 27)

FORM 10



The Environmental Council of Zambia
The Environmental Protection and Pollution Control (Ozone Depleting Substances) Regulations, 2000

DECLARATION BY THE RECEIPT/BUYER OF CONTROLLED SUBSTANCES
(Information concerning the vendor/supplier)

Name of Vendor/Supplier:
NRC/Passport No. : Tel:
Address: (Business)..... (Residential).....
Information concerning the recipient/buyer
Name of Recipient/Buyer.....
NRC/Passport No. ....
Address: .....

Company Name: ..... Physical Address: .....
Business Activity: ..... Tel/Fax: .....
Name of person authorised to act on behalf of recipient/buyer
Title: .....
Fax No.: .....
E-mail No.: .....
Telephone No.: .....
Address: .....

Request for confidentiality (tick)
[ ] Yes [ ] No

Reasons: .....

Information concerning the controlled substances (tick)

Group of controlled substances
Item I ..... Item II .....
Item III ..... Item IV .....
Item V ..... Item VI .....
Item VII ..... Item VIII .....

Control period: .....

Information concerning controlled substances for which this form is prepared

Table with 6 columns: Controlled Substance, Date of Import, Country of Origin, Quantity to be Exported, ODP, Calculated level of Import. Rows show KgX = Kg.

I undertake not to sell or otherwise supply any of the quantity of the controlled substances received to any person who has not signed a declaration in this form.

I also undertake not to use any of the controlled substances received for a purpose set out in this declaration for any thing other than that purpose.

I declare that the information provided in this report is correct to the best of my knowledge and belief.

Date	Name	Signature
Designation: .....	Witness: .....	
Company: .....	Address: .....	
Address: .....	Occupation: .....	
Official Use Only:		
Date Received: .....	Licence No. : .....	
Amount Paid: .....	Signature: .....	
Receipt No.: .....	Official Stamp: .....	
Accepted/Rejected: .....		

THIRD SCHEDULE  
(Regulation 16 (2))

FORM 11



The Environmental Council of Zambia  
The Environmental Protection and Pollution Control (Ozone Depleting  
Substances) Regulations, 2000

PERMIT TO IMPORT/EXPORT/PRODUCE/USE/SALE/HANDLE CONTROLLED/OZONE  
DEPLETING SUBSTANCES

Name: .....

Physical Address: .....

Tel.No.: .....

Fax.No.: .....

PermitNo.: .....

You are hereby permitted to Import/Export/Produce/Sale/Use/Handle Controlled Substance, according to the Environmental Protection and Pollution Control (Ozone Depleting Substances) Regulations, 2000.

The permit is valid from: ..... to: December 31st .....

The permit is subject to the conditions of the Environmental Protection and Pollution Control (Ozone Depleting Substances) Regulations.

Date: ..... Chief Inspector (Pollution Control)  
Environmental Council of Zambia

## FOURTH SCHEDULE

*(Regulation 16 (5))*

## FEES FOR PERMITS

<i>Item</i>	<i>Fee Units</i>	<i>ODP</i>	
1	25,000	1-10	Non-Ozone Friendly
2	20,000	0.8-0.9	
3	17,050	0.6-0.7	
4	14,000	0.4-0.5	
5	12,000	0.1-0.3	
6	9,000	0.001<	Less Ozone friendly

LUSAKA  
13th February, 2001  
[MENR.64/9/5]

S. MIYANDA,  
*Minister of Environment  
and Natural Resources*