S.I. 8 of 2021

ENVIRONMENT PROTECTION ACT

(Act 18 of 2016)

Environment Protection (Ozone) (Amendment) Regulations, 2021

In exercise of the powers conferred by section 80 of the Environment Protection Act, the Minister responsible for the environment makes the following regulations —

Citation

1. These regulations may be cited as the Environment Protection (Ozone) (Amendment) Regulations, 2021.

Amendment of S.I. 64 of 2010

2. The Environment Protection (Ozone) Regulations are amended as follow —

(a) in regulation 2 by inserting in the proper alphabetical order the following definition —

""HFC" means hydrofluorocarbons;"

(b) in regulation 8 in subregulation (2) by inserting immediately after the words "a course of training approved by the Administrator" the words "and has sufficient practical experience to decommission a substance or product";

(c) in regulation 15 —

(i) in paragraph (c) by repealing the words "under 14, may appeal in writing to the Minister against the decision, within 30 days of the decision" and substituting therefor the words "under regulation 14, may appeal to the Appeals Board";

(ii) by repealing subregulation (2);

(d) in regulation 16 in subregulation (2) by repealing the words "section 22" and substituting therefor the words "section 61";

(e) in regulation 17 in subregulation (1) by repealing the words "SR 300 per kg for all import" and substituting therefor the words "SR 3, 000 per kg for all import";

(f) in regulation 18 —

(i) by renumbering the existing regulation as subregulation (1);

(ii) by inserting immediately after subregulation (1) the following as subregulation (2) —

"(2) The phase down of HFCs shall be undertaken in accordance with Schedule 3."

(g) Schedules 1 and 2 are repealed and substituted therefor the following new Schedules —

SCHEDULE 1

Part A: Prescribed Substances

This includes any substances mentioned below or a compound containing any such substance and all isomers of such substances.

Group	Substance	Ozone-Depleting Potential
CFCl3	(CFC-11)	1.0
CF2Cl2	(CFC-12)	1.0
C2F3Cl3	(CFC-113)	0.8
C2F4Cl2	(CFC-114)	1.0
C2F5C	l (CFC-115)	0.6
CF2BrCl	(halon-1211)	3.0
CF3Br	(halon-1301)	10.0
C2F4Br2	(halon-2402)	6.0
CF3Cl	(CFC-13)	1.0
C2FCl5	(CFC-111)	1.0
C2F2Cl4	(CFC-112)	1.0
C3FCl7	(CFC-211)	1.0
C3F2Cl6	(CFC-212)	1.0
C3F3Cl5	(CFC-213)	1.0
C3F4Cl4	(CFC-214)	1.0
C3F5Cl3	(CFC-215)	1.0
C3F6Cl2	(CFC-216)	1.0
C3F7Cl	(CFC-217)	1.0
CCl4	carbon tetrachloride	1.1
C2H3Cl3*	1,1,1-trichloroethane* (methyl chloroform)	0.1
CH3Br	methyl bromide	0.6

* *This formula does not refer to 1, 1, 2-trichloroethane.*

Group	Substance	Number of isomers	Ozone-Depleting Potential
CHFCl2	(HCFC-21)**	1	0.04
CHF2Cl	(HCFC-22)**	1	0.055
CH2FCl	(HCFC-31)	1	0.02
C2HFCl4	(HCFC-121)	2	0.01–0.04
C2HF2Cl3	(HCFC-122)	3	0.02–0.08
C2HF3Cl2	(HCFC-123)	3	0.02–0.06
CHCl2CF3	(HCFC-123)**	–	0.02
C2HF4Cl	(HCFC-124)	2	0.02–0.04
CHFClCF3	(HCFC-124)**	–	0.022
C2H2FCl3	(HCFC-131)	3	0.007–0.05
C2H2F2Cl2	(HCFC-132)	4	0.008–0.05
C2H2F3Cl	(HCFC-133)	3	0.02–0.06
C2H3FCl2	(HCFC-141)	3	0.005–0.07
CH3CFCl2	(HCFC-141b)**	–	0.11
C2H3F2Cl	(HCFC-142)	3	0.008–0.07
CH3CF2Cl	(HCFC-142b)**	–	0.065
C2H4FCl	(HCFC-151)	2	0.003–0.005
C3HFCl6	(HCFC-221)	5	0.015–0.07
C3HF2Cl5	(HCFC-222)	9	0.01–0.09
C3HF3Cl4	(HCFC-223)	12	0.01–0.08
C3HF4Cl3	(HCFC-224)	12	0.01–0.09
C3HF5Cl2	(HCFC-225)	9	0.02–0.07
CF3CF2CHCl2	(HCFC-225ca)**	–	0.025
CF2ClCF2CHClF	(HCFC-225cb)**	–	0.033
C3HF6Cl	(HCFC-226)	5	0.02–0.10
C3H2FCl5	(HCFC-231)	9	0.05–0.09
C3H2F2Cl4	(HCFC-232)	16	0.008–0.10
C3H2F3Cl3	(HCFC-233)	18	0.007–0.23
C3H2F4Cl2	(HCFC-234)	16	0.01–0.28
C3H2F5Cl	(HCFC-235)	9	0.03–0.52
C3H3FCl4	(HCFC-241)	12	0.004–0.09
C3H3F2Cl3	(HCFC-242)	18	0.005–0.13
C3H3F3Cl2	(HCFC-243)	18	0.007–0.12
C3H3F4Cl	(HCFC-244)	12	0.009–0.14
C3H4FCl3	(HCFC-251)	12	0.001–0.01
C3H4F2Cl2	(HCFC-252)	16	0.005–0.04
C3H4F3Cl	(HCFC-253)	12	0.003–0.03
C3H5FCl2	(HCFC-261)	9	0.002–0.02
C3H5F2Cl	(HCFC-262)	9	0.002–0.02

C3H6FCl	(HCFC-271)	5	0.001–0.03
CHFBr2		1	1.00
CHF2Br	(HBFC-22B1)	1	0.74
CH2FBr		1	0.73
C2HFBr4		2	0.3–0.8
C2HF2Br3		3	0.5–1.8
C2HF3Br2		3	0.4–1.6
C2HF4Br		2	0.7–1.2
C2H2FBr3		3	0.1–1.1
C2H2F2Br2		4	0.2–1.5
C2H2F3Br		3	0.7–1.6
C2H3FBr2		3	.0.1–1.7
C2H3F2Br		3	0.2–1.1
C2H4FBr		2	0.07–0.1
C3HFBr6		5	0.3–1.5
C3HF2Br5		9	0.2–1.9
C3HF3Br4		12	0.3–1.8
C3HF4Br3		12	0.5–2.2
C3HF5Br2		9	0.9–2.0
C3HF6Br		5	0.7–3.3
C3H2FBr5		9	0.1–1.9
C3H2F2Br4		16	0.2–2.1
C3H2F3Br3		18	0.2–5.6
C3H2F4Br2		16	0.3–7.5
C3H2F5Br		8	0.9–14.0
C3H3FBr4		12	0.08–1.9
C3H3F2Br3		18	0.1–3.1
C3H3F3Br2		18	0.1–2.5
C3H3F4Br		12	0.3–4.4
C3H4FBr3		12	0.03–0.3
C3H4F2Br2		16	0.1–1.0
C3H4F3Br		12	0.07–0.8
C3H5FBr2		9	0.04–0.4
C3H5F2Br		9	0.07–0.8
C3H6FBr		5	0.02–0.7
CH2BrCl	Bromochloromethane	1	0.12

Part B: Controlled Substances

This includes any substances mentioned below or a compound containing any such substance and all isomers of such substances with Global Warming Potential.

Trade Name	Chemical Name	Chemical Formula
HFC-134	1,1,2,2 Tetra flouroethane	CHF2CHF2
HFC-134a	1,1,1,2 Tetra flouroethane	CH2FCF3
HFC-143	1,1,2 Trifluoroethane	CH2FCHF2
HFC-245fa	1,1,1,3,3 Pentafluoropropane	CHF2CH2CF3
HFC-365mfc	1,1,1,3,3 Pentafluorobutane	CF3CH2CF2CH3
HFC-227ea	1,1,1,2,3,3,3 Heptafluropropane	CF3CHFCF3
HFC-236cb	1,1,1,2,2,3 Hexafluoropropane	CH2FCF2CF3
HFC-236ea	1,1,1,2,3,3 Hexafluoropropane	CHF2CHFCF3
HFC-236fa	1,1,1,3,3,3 Hexafluoropropane	CF3CH2CF3
HFC-245ca	1,1,2,2,3 Pentafluoropropane	CH2FCF2CHF2
HFC-365mfc		
HFC-43-10mee	1,1,1,2,2,3,4,5,5,5 Decafluoropentane	CF3CHFCHFCF2CF3
HFC-32	Difluoromethane	CH2F2
HFC-125	Pentafluoroethane	CHF2CF3
HFC-143	1,1,1 Trifluoroethane	CH3CF3
HFC-41	Fluoromethane (Methyl Fluoride	CH3F
HFC-152	1,2 Difluoroethane	CH2FCH2F
HFC-152a	1,1 Difluoroethane	CH3CHF2
HFC-161		

Refrigerant Blends
Zeotropes

HFC-404	pentafluoroethane/ trifluoroethane/ tetrafluoroethane
HFC-407a	Difluoromethane/ pentafluoroethane/ tetrafluoroethane
HFC-407c	Difluoromethane/ pentafluoroethane/ tetrafluoroethane
HFC-407f	R-32/125/134a (30.0/30.0/40.0)
HFC-410a	Difluoromethane/ pentafluoroethane
HFC-417a	R-125/134a/600 (46.6/50.0/3.4)
HFC-422A	R-125/134a/600a (85.1/11.5/3.4)
HFC-438a	R-32/125/134a/600/601a (8.5/45.0/44.2/1.7/0.6)
HFC-444b	R-32/152a/1234ze(E) (12.0/5.0/83.0)
HFC-446a	
HFC-449c	R-32/125/1234yf/134a (20.0/20.0/31.0/29.0)
HFC-452c	R-32/125/1234yf (12.5/61.0/26.5)
HFC-507a	Pentafluoroethane/ trifluoroethane
HFC-508b	
HFC-513a	

Annex F Group II		
HFC-23	Trifluoromethane	CHF3

HFC-23 UNDER THE Montreal Protocol is classified as Annex-F Group II

Part C: Products containing, made with or designed for prescribed or controlled substances

1. Automobile and truck air conditioning units (whether incorporated in vehicles or not).

2. Domestic and commercial refrigeration and air conditioning/heat pump equipment, including Refrigerators; Freezers; Dehumidifiers; Water coolers; Ice machines; Air conditioning and heat pump units.

3. Aerosol products, except medical aerosols

4. Portable fire extinguishers.

5. Insulation boards, panels and pipe covers.

6. Pre-polymers.

SCHEDULE 2

Form 1

APPLICATION FORM FOR REGISTRATION AS IMPORTER, EXPORTER OR SELLER OF NON OZONE DEPLETING SUBSTANCES (ODS)

Name of Applicant:.....

Licensed Importer (Name & Address):	**Validity of Permit (OFFICIAL USE)**
Address:.....	**From: .....**
.....	**To: .....**
Tel:	
Email:.....	

Applicant's Name:..... hereby applies for an allowance to import the following rrefrigerant

gas ..... from

(Supplier Name): .....

Exporting Country:.....

List of controlled substances & products to be imported, exported or sold:

Controlled Substances	Requested Quantities	Size of Cylinders	% of Env Levy	VAT	Total	Intended use

Expected Date of Arrival: .....

Port of Entry:.....

Carrier's Name:.....

Confirmed by Verification Officer:

Controlled Substances	Requested Quantities(size & Number of Cylinders)	Cas Number	UN Number	Ari Colour

Approval is subject to the following conditions:

Imports shall only be from the countries that are party to the Montreal Protocol.

Imported cylinders shall be labelled with the UN & CAS Number.

Additional information to be attached to this application:

License Number of the Applicant issued by the Seychelles Licensing Authority.

Copies of any certificates of the Refrigerant Technician(s) dealing with controlled substances and products of the applicant.

Please note:

It is an offence to import, export, sell, purchase & use prescribed substances i.e. CFCs, HCFCs or compound of CFC, HCFC, halon Methyl Bromide, Tetrachloride, and Methyl chloroform.

QUOTA BE APPLICABLE AS OF 1 JANUARY 2025

Official Stamp of Ozone Unit

Approved for Importation by:

Name: .....

Senior Ozone Officer

Date: .....

Signature: .....

Form 2

APPLICATION FORM TO IMPORT REFRIGERANT EQUIPMENT

Name of Applicant:.....

Importer Name:	**Suppliers Name:**
.....	**.....**
.....	**.....**

Applicant's Name: .....

Postal Address: .....

Tel No: .....

Email Address:.....

Contact Person: .....

Type of Equipment being imported	Total	Refrigerant (gas)	Environmental levy in regards to GWP	VAT	Date of Arrival
Refrigerators (Mini Bars)					
Air condition Units					
Freezers					
Chillers					
Cold Storage					
Chest Freezers					
Refrigerant compressor					
Water Dispenser					
Ice/Ice cream Maker					

I, ..., authorised to act on behalf of ..... ; certify that the information given in this application and its annexes is correct.

Date:.....

Approved for Importation

Name: .....

Ozone Officer

Date: .....

Signature: .....

(i) by inserting immediately after Schedule 2 the following new Schedule —

SCHEDULE 3

Phase down of HFCs

Baseline Years	2020, 2021, 2022
Baseline Calculation	Average Production/Consumption of **HFCs** in 2020,2021, 2022 plus 65% of **HCFCs** baseline production/Consumption
Reduction Steps	
Freeze	2024
Step 1	2029 10%
Step 2	2035 30%
Step 3	2040 50%
Step 4	2045 80%

MADE this 25th day of January, 2021.

FLAVIEN JOUBERT
MINISTER OF AGRICULTURE,
CLIMATE CHANGE AND ENVIRONMENT