

LEGAL NOTICE NO. 14 OF 2003

THE SWAZILAND ENVIRONMENT AUTHORITY ACT. 1992
(Act No.15 of 1992)

THE OZONE DEPLETING SUBSTANCE REGULATIONS, 2003

In exercise of the powers conferred by section 18 of the Swaziland Environment Authority Act, 1992 the Minister for Tourism, Environment and Communications makes the following Regulations:-

Citation and Commencement

. The regulations may be cited as the Ozone Depleting Substances Regulations, 2004 and shall come into force on publication in the Gazette.

Interpretation

2. In these Regulations unless the context otherwise requires:-

“ Authority” means the Swaziland Environmental authority as established under section 4 of the Swaziland Environment Authority Act, 1992;

“CPCs” means a fully halogenated chlorofluorocarbons, as listed in Annex A. each molecule of which contains one, two or three atoms.

“Control period” means the period beginning on 1 “January in a given year and ending on 31” December in the same year.

“ Controlled product” means a product that contains is made with or is dependent on, or designed to contain a controlled substance and includes the products in the First Schedule;

“Controlled substance” means a substance specified in the Second Schedule, whether existing alone or in a mixture, and includes that substance when reclaimed, recycled or recovered unless otherwise indicated;

“End user” means any person who purchases, receives or manages a controlled substance or product;

“Entry point” includes border gates, border posts and airport;

“HCFCs” means hydro chlorofluorocarbons;

“Minister” means the Minister responsible for environmental affairs;

“ODS” means ozone-depleting substances listed in the annexure to these Regulations;

“OZONE” means the natural gas, O₃, that is found in the stratosphere;

Ozone layer” means the layer of the atmospheric zone above the plenary boundary as defined in the Vienna Convention of the Protection of the Ozone layer;

“party” means a party to the protocol , or any state not party to the Protocol if the state is determined, by a Meeting of the Parties, to be in full compliance with Article 2, 2A to 2E and 4 of the Protocol and has submitted data to that effect in accordance with Article 7 of the Protocol;

“Protocol” means the Montreal Protocol on Substances that Deplete the Ozone Layer of 1987 and as amended in London, Copenhagen, Vienna, Montreal and Beijing;

“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;

Object of regulations

3. The objects of these Regulations are to:-
 - (a) regulate the production, trade and use of controlled substances and products;
 - (b) provide a system of data collection that will facilitate compliance with relevant reporting requirements under the Protocol;
 - (c) promote the use of ozone friendly substances, products, equipment and technology; and

- (d) ensure the elimination of substances and products that deplete the ozone layer.

Restriction on trade

- 4. (1) A person shall not import, export or store a controlled substance or product listed in the First and Second Schedules without a license issued by the authority.
- (2) A person shall not import or export a controlled substance or product from or to a country that is not a party to the Protocol.
- (3) A person shall not import or export a controlled substance on or after the date specific in the Second schedule.

Import, export and storage license

- 5. (1) A person who has been granted a license to import, export or store controlled substance or product shall not import, export or store an amount of controlled substance or product that exceed that amount permitted by the authority.
- (2) a person importing, exporting or storing a controlled substance or product shall label the controlled substance or product container with the;-
 - (a) name of the manufacturer of the controlled substance or product;
 - (b) name of the country of origin of the controlled substance or product; and
 - (c) chemical abstracts registry number.
- (3) A person who supplies a controlled substance or product shall keep a record of names and addresses of the persons to whom the controlled substance or product have been supplied.
- (4) The Authority may, for good cause, suspend for a specified time or cancel a permit issued under these Regulations.

License

5. (1) A person intending to import, export or store a controlled substance or product shall apply to the authority for a license in the application set out in Form A, B, C or D respectively in the Fourth Schedule.

(2) An application for a license under sub-region (1) shall be signed –
 - (a) in the case of a corporation, by an officer of the corporation authorized to do so;
 - (b) in any other case, by the person making the application or by a person authorized to act on behalf of that person.
(3) A person who imports, export or store a controlled substance or product without a license commits an offence.

(5) The regulation does not apply to import, export or storage of controlled substances or products that are intended to be used for essential medical purposes as the Director may prescribe.

License to import, export or store

6. (1) The license referred to in section 6 shall only be issued where the Authority is satisfied that the applicant has adequate and appropriate facilities and equipment to handle the controlled substance or product without causing damage to the environment.

(2) A license may be issued subject to conditions which the Director may determine.

(3) The following conditions apply to a license;-
 - (a) the license is not transferable; and
 - (b) the license only entitles the holder to import or export a controlled substance or product through the country 's entry point.
(4) A license shall be valid for one year beginning on the day when it comes into force and may be renewed.

- (5) The authority may, when renewing the license, vary the conditions attached to the license.
- (6) The authority may, by notice in writing, vary or revoke at any time, any condition attached to the license.
- (7) A person who imports or exports a controlled substance or product shall provide a copy of the license to a customs officer at the point of entry.

Register of licenses

8. The Authority shall keep a register of all holders of licenses issued under these Regulations.

Appeal to Minister

9.
 - (1) A person aggrieved by the decision of the Authority not to grant, suspend or cancel that person's licence to import, export or store controlled substances or product may appeal to the minister against the decision of the Authority.
 - (2) A person wishing to appeal the decision of the Authority shall note the person's intention to appeal within fourteen days of the notification of the Authority's decision.

Reporting procedures

10.
 - (1) The holder of a licence under these Regulations shall submit to the Authority an annual report containing the information specified in the Third Schedule.
 - (2) Where special reporting procedures are made the condition of a licence issued under these Regulations, those procedures shall take precedence over the submission of annual reports as required by sub-regional (1).
 - (3) Where a person who submits a report requests that the information contained in the report be treated as confidential, the person shall include the reasons for that request in the report.

End-user declaration

- (1) A person who buys or receives a controlled substance or product shall sign the end-user declaration form set out in the Fifth Schedule.
 - (4) An end-user shall not sell or otherwise supply or use a controlled substance or product for a purpose other than the purpose declared in the end-user declaration, or sell or otherwise supply a controlled substance or product to any person.

Duty to maintain records

11. A person who imports, exports, stores, distributes or sell a controlled substance or product shall-
- (a) maintain records containing the applicable information in the Fourth Schedule; and
 - (b) submit the records referred to in paragraph (a) to the Director, every six months from the commencement of the licensed activity.

Customs verification

12. A person who importd or exports any goods into the country shall, on request by a customs officer, tender the goods to the officer for verification as to whether they contain or are made with or designed for controlled substances.

Inspection at entry points

14. The Department of Customs and Excise shall conduct inspections at all entry points of the country to ensure that these Regulations are complied with.

Inspectors

15. (1) Subject to the provisions of the Civil Service Order, 1973 the Minister shall appoint inspectors who shall ensure the proper carrying out of the provisions of these Regulations.
- (2) A person who is appointed as an inspector shall be issued with a certificate certifying that the person has been appointed by the Minister as an inspector.
 - (3) An inspector shall, on demand by a person affected by the inspector's exercise or performance of the power or function under these Regulations, produce the certificate issued in terms of sub regulation(2).

Duties and functions of inspectors

- 16 (1) an inspector may-
- (a) inspect any premises, place or vehicle where a controlled substance or product are stored or where there is reasonable suspicion that a controlled substance or product is stored;
 - (b) inspect any substance or mixture of substances which is suspected to contain controlled substance or product.

© seize any controlled substance or product which is imported or stored contrary to the provisions of these Regulations; and

(d) carry out any investigation, test or examination the inspector considers necessary for the furtherance of the objectives of these Regulations.

(2) any controlled substance or product seized by an inspector which is proved to have been stored or imported contrary to these Regulations shall be destroyed.

Taxation

17. (1) The Minister may recommend to the Minister responsible for finance that tax exemptions be granted to importers for ozone friendly substances or products specified by the Minister.
- (2) The Minister may recommend to the Minister responsible for finance that a pollution tax be levied on importers of controlled substances or products specified by the Minister.

Penalty

18. (1) A person who contravenes a provision of regulations 4, 5, 6, 7, 11, 12 and 13 commits an offence and shall be liable, on conviction, to a fine not exceeding E5,000.00 or a term of imprisonment not exceeding ten years

- (2) A person who contravenes any provision not expressly mentioned in sub-regulation (1) commits an offence and shall, on conviction, be liable to a fine not exceeding E5,000.00.
- (3) The Minister may, by notice in the gazette, alter the penalties prescribed under these regulations.

FIRST SCHEDULE

CONTROLLED SUBSTANCES

Products
code number

Customs

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

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2. Domestic and commercial refrigeration and air conditioning/heat pump equipment when containing controlled substances as a refrigerant and/or in insulating material of the product e.g. Refrigerators

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Freezers

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Dehumidifiers

.....

Water Coolers

.....

Ice machines

.....

Air conditioning and heat pump units

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3. aerosol products, except medical aerosols

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4. Portable fire extinguisher

.....

5. Insulation boards, and pip covers

.....

7. Pre-polymers

.....

NS)									
Halon-1211	Bromo-chloro-difluoromethane	CF2BrCl	R12b1	353-59-3	1974	2903.46			3.0
Halon-1301	Bromotrifluoromethane	CF3Br	R-13B1	75-63-8	1009	-2903.46			10.0
Halon-2402	Dibromotrifluoroethane	C2F4Br2	R-114B2	124-73-2		-2903.46			6.0

<i>NAME</i>	CHEMICAL NAME	FORMULA	ASHRAE	CASE	UN	HS CODE	ARI COLOUR ASSIGNMENTS FOR REFRIGERANT CONTAINERS	ASHRAE SAFETY GROUP	OZONE DEPLETING POTENTIAL
CPC-13	Chlorotrifluoromethane	CF3Cl	R-13	75-72-9		-2903.45	Sky-blue	A1	1.0
CPC-111	Pentachlorodifluoroethane	C2FC15	R-111	354-56-3		-2903.45			1.0

NAME	CHEMICAL NAME	FORMULA	ASHRAE	CASE	UN	HS CODE	ARI COLOUR ASSIGNMENTS FOR REFRIGERANT CONTAINERS	ASHRAE SAFETY GROUP	OZONE DEPLETING POTENTIAL
CPC-217	Chloroheprafluoropane	C3F/CL		422-86-6		- 2903.45			1.0
<i>GROUP II</i>									
Tetrachloro Methane or Carbon tetrachloride		CCL4		56-23-5	1864	2903.14		B1	1.1
<i>GROUP III</i>									
I,I,I Trichloromethane Or methyl chloroform		C2H3CL3	R-140a	71-55-6	2831	- 2903.19			0.1

ANNEX C SUBSTANCES

NAME	CHEMICAL NAME	FORMULA	ASHRAE	CASE	UN	HS CODE	ARI COLOUR ASSIGNMENTS FOR	ASHRAE SAFETY	OZONE DEPLETING
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							REFRIGERANT CONTAINERS	Y GROUP	POTENTIAL
<i>GROUP I</i>									
HCFC -21		CHFCL2	R - 21			- 2903.4 9			0.04

NAM E	CHEMICAL NAME	FORMUL A	ASHR AE	CASE	UN	HS CODE	ARI COLOUR ASSIGNME NTS FOR REFRIGERA NT CONTAINERS	ASHR AE SAFETY GROUP P	OZONE DEPLETI NG POTENTI AL
HCF C - 22		CHF2CL	R-22	75-45-6	101 8	- 2903.4 9	Light green		0.055
HCF C - 31		CH2FCL	R-31			- 2903.4 9			0.02
HCF C - 121		C2HF2CL 4				- 2903.4 9			0.01-0.04
HCF C - 122		C2HF2CL 3				- 2903.4 9			0.02-0.08

HCF C - 123	Dichlorotrifluoro ethane	C2HF3CL 2	R-123	306-83- 2		- 2903.4 9	Light-blue grey		0.02-0.06
HCF C - 123	2,2-dichloro- 1,1,1- trifluoroethane	CHCL2CF 3				- 2903.4 9			0.02
HCF C - 124	Chlorotetrafluoro ethanes	C2HF4CL				- 2903.4 9			0.02- 0.04
HCF C - 124	2-chloro- 1,1,1,2- tetrafluoroethane	CHFCLC F3	R-124	2837.89 .0		- 2903.4 9	Deep green (dotgreen)		0.022
HCF C - 131	Trichloroethane	C2H2FCL 3				- 2903.4 9			0.007-0.05
HCF C - 132	Dichlorodifluoro ethane	C2H2F2C L2				- 2903.4 9			0.003-0.05
HCF C - 133	Chlorotrifluoro ethanes	C2H2F3C L				- 2903.4 9			0.02-0.06
HCF C - 141	Dichlorofluoro ethanes	C2HH3PC L2		1717- 00-6		- 2903.4 9			0.005-0.07
HCF C - 141b	1,1-dichloro-1-fluoroethane	CH3CFC2	R-141B			- 2903.4 9			0.011
HCF C - 142	Chlorodifluoro ethanes	C2H3F2C L				- 2903. 49			0.008-0.07

NAME	CHEMICAL NAME	FORMULA	ASHRAE	CASE	UN	HS CODE	ARI COLOUR ASSIGNMENTS FOR REFRIGERANT CONTAINERS	ASHRAE SAFETY GROUP	OZONE DEPLETING POTENTIAL
HCFC-142b	1-Chloro-1,1-difluoroethanes	C2H2F2CL	R-142B			- 2903.49		A2	0.065
HCFC-151	Chlorofluoroethanes	C2H2FC1				2903.49			0.003-0.005
HCFC-221	Hexachlorofluoropropane	C3HPC16				2903.49			0.015-0.07
HCFC-222	Pennechlorodifluoropropane	C3HHI2CC15				2903.49			0.01-0.09
HCFC-223	Tetrachlorotrifluoropropane	C3HI3C14				2903.49			0.01-0.08
HCFC-224	Trichlorotetrafluoropropanes	C3HF4C13				2903.49			0.01-0.09
HCFC-225	Dicchloropppentafluoropropane	C3HF5CC12				2903.49			0.02-0.07
HCFC-225 ca	1,1-dichloro-2,2,3,3,3-Pentafluoropropane	CF3CF2CHC12	R-225CA			2903.49			0.025
	1,3-dichloro-1,2,2,3,3,3-Pentafluoropropane	CF2CICF2							

HCCF C-225 cb	Pentafluoropropane	CHClF	R- 225CB			2903. 49			0.033
HCFC- 226	Chlorohexafluoropropanes	C3HP6Cl				2903. 49			0.02-0.10
HCFC- 231	Pentachlorofluoropropanes	C3H2PCl5				2903. 49			0.05-0.09
HCFC- 232	Tetrachlorodifluoropropanes	C3H2F2Cl4				2903. 49			0.008- 0.10
HCFC- 233	Trichlorootrifluoropropanes	CC3H2F3Cl3				2903. 49			0.007- 0.23
HCFC- 234	Dichlorotetrafluoropropanes	C3H2F4Cl2				2903. 49			0.01--- 0.28
HCFC- 235	Chloropentafluoropropanes	C3H2F5Cl				2903. 49			0.03-0.52

NAME	CHEMICAL NAME	FORMULA	ASHRAE	CASE	UN	HS CODE	ARI COLOUR ASSIGNMENTS OF REFRIGERANT CONTAINERS	ASHRAE SAFETY GROUP	OZONE DEPLETING POTENTIAL
HCFC- 241	Tetrachlorofluoropropanes	C3H3FCl4				- 2903. 49			0.004- 0.09
HCFC- 242	Trichlorodifluoropropanes	C3H3F2Cl3				- 2903- 49			0.005- 0.13
HCFC- 243	Dichlorotrifluoropropanes	C3H3FCl2				- 2903. 49			0.007- 0.12

HCFC-244	Chlorotetrafluoropropanes	C3H3F4 C1				- 2903. 49			0.009— 0.014
HCF-251	Trichlorotetrafluoropropanes	C3H4FC 13				- 2903. 49			0.001- 0.01
HCF-252	Dichlorodifluoropropanes	C3H4F2 C12				- 2903. 49			0.005- 0.04
HCF-253	Chlorotrifluoropropanes	C3H4F3 C1				- 2903. 49			0.003- 0.03
HCF-261	Dichlorofluoropropane	C3H5FC 12				- 2903. 49			0.002- 0.02
HCFC-262	Chlorodifluoropropane	C3H5F2 C1				- 2903. 49			0.002- 0.02
HCFC-271	Chlorofluoropropanes	C3H6FC 1				- 2903. 49			0.001- 0.03
<i>GROU P II (HBF Cs)</i>									
HHBF C-22BI	Bromodifluoromethane	CHFBr				- 2903. 49			1.0
		CHHHF2 Br	R- 22B1			- 2903. 49			0.74
		CH2FBr				- 2903.			0.73

						49			
		C2HFF2 Br4				- 2903. 49			0.3-0.8
		C2HF2Br 3				- 2903. 49			0.5-1.8

NAM E	CHEMICAL NAME	FORMUL A	ASHRA E	CAS E	U N	HIS CODE	ARI COLOUR ASSIGNMENT S FOR REFRIGERAN T CONTAINERS	ASHRA E SAFETY GROUP	OZONE DEPLETIN G POTENTIAL
		C2HF33Br 2				- 2903.4 9			0.4-1.6 0.7-12
		C2HFF4Br				- 2903.4 9			0.1-1.1
		C2H2FBr3				- 2903.4 9			0.2-1.5
		C2H2F2Br 2				- 2903.4 9			0.1-1.6
		C2H2F3Br				- 2903.4 9			0.1-1.7
		C2H2FBr2				- 2903.4 9			0.22-1.1
		C2H33FBr				-			0.22-1.1

		2				2903.4 9			
		C2H3FF2 Br				- 2903.4 9			0.07-0.1
		C3HFBr6				- 2903.4 9			0.3-1.5
		C3HF2Br5				- 2903.4 9			0.2-1.9
		C3hf3Br4				- 2903.4 9			0.3-1.8
		C3HF4Br3				- 2903.4 9			0.5-2.2
		C3HF5Br2				2903.4 9			0.9-2.0
		C3HF6Br				- 2903.4 9			0.7-3.3
		C3H2FBr5				- 2903.4 9			0.1-1.9
		C3H2F3Br				- 2903.4 9			30.2-5.6

NAME	CHEMICAL NAME	FORMULA	ASHRAE	CAS E	U N	HS CODE	ARI COLOUR ASSIGNMENTS	ASHRAE SAFETY	OZONE DEPLETING
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							FOR REFRIGERA NT CONTAINER S	Y GROUP	POTENTI AL
		C3H2F4Br2				- 2903.4 9			
		C3H2F5Br				- 2903.4 9			
		C3H3FBr4				- 2903.4 9			
		C3H3F2Br3				- 2903.4 9			
		C3HH3F3Br2				- 2903.4 9			
		C3H3F4Br				- 2903.4 9			
		C3H4FBr3				- 2903.4 9			
		C3H4F2				- 2903.6 9			
		C3H4F3Br				- 2903.4 9			
		C3H5FBr2				-			

						2903.49			
		C3H5F2Br				- 2903.49			
		C3H6FBr				- 2903.49			
<i>GROU P III</i>									
	Bromochloro methane	CH2BrCL				2903.49			

ANNEX E SUBSTANCES

<i>NAM E</i>	CHEMICAL NAME	FORMUL A	ASHRA E	CAS E	UN	HS CODE	ARI COLOUR ASSIGNMEN TS FOR REFRIGERA NT CONTAINER S	ASHRA E SAFETY GROUP	OZONE DEPLETIN G POTENTIA L
MB	Methylbromide	CH3Br		74-83-0	1062	- 2903.49			0.06

SECOND SCHEDULE

CONTROLLED SUBSTANCE AND PROHIBITION DATES

Item	Controlled Substance	Date of Prohibition Of Import/Export
1.	Hydrobromofluorocarbons (HBFCs)	Jan 1, 2010
2.	Chlorofluorocarbons (CFCs) CFC-11 CFC-113 CFC-12 CFC-114 CFC-115	
3.	Halons Halon 1211 halon 1301 halon 2402	Jan 1, 2010
4.	Other fully halogenated Chlorofluorocarbons (CFCs) CFC-13 CFC-211 CFC-212 CFC-111 CFC-213 CFC-214 CFC-112 CFC-215 CFC-216 CFC-217	Jan 1, 2010
5.	Carbon tetrachloride	Jan 1, 2010
6.	1,1,1- trichloroethane (methyl chloroform)	Jan 1, 2015
7.	Hydrochlorofluorocarbons (HCFCs)	Jan 1, 2040
8.	Methyl bromide	Jan 1, 2015

THIRD SCHEDULE

DECLARATION BY END-USER OF CONTROLLED SUBSTANCES/PRODUCTS

1. Information concerning the vendor/supplier

Name of vendor/supplier

Address

II. Information concerning end-user

Address

Name of controlled substance/product

End-user category/purpose

III. Declaration

I undertake not to sell or otherwise supply any quantity of the controlled substance/product received by me to any person.

I further undertake not to use any quantity of the controlled substance/product received for a purpose not set out in the declaration.

I declare that the information stated in this declaration form is correct.

.....

Date

.....

Signature

**FOURTH SCHEDULE
(Regulation 6)**

Form A

THE OZONE DEPLETING SUBSTANCES REGULATIONS, 2003

Application for a license to import a Controlled Substance/Product

A: Information concerning the importer

1. Name or trade of importer:

2. (a) Address:

(b) Telephone No:

(c) Fax No:

(d) E-mail address:

3. Number of import trade license and date obtained:.....

4. Name of person authorised to act on behalf of importer (where applicable).....

.....

- (a) Designation:
 - (b) Telephone No:
 - (c) Fax No.....
 - (d) E-mail address:
 - 5. Controlled substance/product to be imported:.....
.....
 - 6. Customs tariff number and trade name of controlled substance/product:.....
.....
 - 7. Condition of controlled substance/product (tick whichever is applicable)
 - (a) new/virgin (b) already used/reconditioned (c) recycled/reclaimed
 - 8. Quality to be imported:
 - 9. Request for confidentiality of information (tick)
 - Yes..... No.....
 - Reason
 - 10. Purpose and use of controlled substance/product to be imported:.....
.....
.....
 - 11. Handling procedures and storage plans including safety precautions to be observed by the importer:
.....
.....
.....
 - 12. Point of entry:.....
 - 13. Mode of transport and intended carrier:.....
- B:Information concerning the supplier**
- 1. Name or trade name of the supplier:.....
 - 2. Full address of supplier:.....

3. Country from which substances/product is consigned:.....

4. Holder of the product trademark:.....

5. Name and address of manufacturer:.....

.....

I declare that the information stated in this application is correct.

I undertake to observe the conditions under which this license is issued.

.....

Date

.....

Signature

C: FOR OFFICIAL USE ONLY

1. Application received on:.....

2. Application approved/rejected:.....

3. Conditions of approval/reasons for rejection:.....

.....

.....

.....

.....

Date

.....

Executive Director

FORM B

**THE OZONE
DEPLETING SUBSTANCES REGULATIONS
2003.**

Application for a License to Export a Controlled Substance/Product

A: Information concerning the exporter

1. Name or trade name of the exporter:.....

.....

2. Address:.....

- (a) Telephone No:.....
- (b) Fax No:.....
- (c) E-mail address:.....

3. Name of exporter trade license and date obtained:.....
.....

4. Name of person authorized to act on behalf of exporter :.....

- (a) Designation:.....
- (b) Telephone No;.....
- (c) Fax No:.....
- (d) E-mail address:.....

5. Controlled substance/product to be exported:.....
.....

6. Customs tariff number and trade name of controlled substance/product
.....

7. Country of origin of controlled substance/product:.....
.....

8. Name and address of manufacture:.....
.....

9. Condition of controlled substance/product (tick whichever is applicable)
(a) new/virgin (b) already used/reconditioned (c) recycled/reclaimed

10. Quantity to be exported:.....

11. Request for confidentiality of information (tick)
Yes..... No.....
Reason:.....
.....

12. Purpose and use of controlled substance/product to be exported:

.....
.....

13. Handling procedures and type of packaging including safety precautions to be observed by the exporter:

.....
.....

14. Point of exit:.....

15. Mode of transport and intended carrier:.....

B: Information concerning the recipient

1. Name or trade name of the recipient:.....

2. Full address of the recipient:.....

3. Country to which substance/product is to be exported:.....

4. Country (ies) of transit (applicable):

5. Facility where controlled substance/product is to be used/recycled/destroyed

.....
.....

I declare that the information stated in this application is correct. I undertake to observe the conditions under which this license is issued

.....
Date

.....
Signature

C:FOR OFFICIAL USE ONLY

1. Application received on:.....

2. Application approved/rejected:.....

3. Conditions of approval/reasons for rejection:.....

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

.....

.....

.....

Date

.....

Signature

FORM C

THE OZONE DEPLETING SUBSTANCES REGULATIONS
2003

License to Export or Import a controlled Substance/Product

License No:

License No:

Name:

Address:

You are hereby licensed to export from/import:
.....

(country)

To/from:

The following controlled substances/products:-

1.
2.
3.
4.

.....
Date

.....
Executive Director
FORM D

THE OZONE

DEPLETING SUBSTANCES REGULATIONS
2003

1. name or trade of the person who stores:
.....

2. (a) Address:

(b) telephone no:

© Fax No.

(d)E-Mail address:

3. Number of storage license and date obtained:

4. Name of person authorized to act on behalf of store (where applicable)

.....

(a) Designation:

(b) Telephone No:

© Fax No:

(d)E-Mail address:

5. Controlled substance/product to be stored:

.....

.....

6. Customs tariff number and trade name of controlled substance/product

.....

.....

7. Condition of controlled substance/product (tick whichever is applicable)

(a) new/virgin (b) already used/reconditioned (c) recycled/reclaimed

8. Quantity to be stored:

9. request for confidentiality of information (tick)

Yes No.....

Reasons:

10. Purpose and use of controlled substance/product to be stored

.....

.....
11. Handling procedures and storage plans including safety precautions to be observed by the person who stores:

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

12. Point of entry:

13. Mode of transport and intended carrier:

B: Information concerning the supplier

1. Name or trade name of the supplier:

.....

2. Full address of supplier:

.....

3. Country from which substance/product is consigned:
.....

4. Holder of the product trademark:
.....

5. Name and address of manufacturer:
.....
.....

I declare that the information stated in this application is correct.

I undertake to observe the conditions under which this license is issued.

.....
Date

.....
Signature

C: FOR OFFICIAL USE ONLY

1. Application received on :

2. Application approved/rejected:

3. Conditions of approval/reasons for rejection:

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

.....
Date

.....
Executive Director

(to be filled in triplicate)

FIFTH SCHEDULE

RECORDS TO BE MAINTAINED FOR CONTROLLED
SUBSTANCES AND PRODUCTS

1. information relating to distribution, sale and use.

Dated records of –

- (a) the actual quantity of each controlled substance/product purchased from a Swaziland supplier, wholesaler or distributor:
- (b) the actual quantity of each controlled substance/product used and the end-use category or purpose:
- (c) the actual quantity of each controlled substance/product sold and the names and addresses of the end-users as set out in the declaration form in the fourth schedule and duly signed by the end-user.

II. Information relating to imports

1. Dated records of:-

- (a) the actual quantity of each controlled substance/product was imported in each shipment;
- (b) the entry point through which the controlled substance/product was imported;
- (c) the party from which the controlled substance/product was imported and the name and address of the supplier, and
- (d) the import number for the consignment of the controlled substance/product imported

2. Copies of the bill of lading, the invoice and documents submitted to the revenue office for each consignment

III>Information relating to exports

Dated records of –

- (a) the actual quantity of each controlled substance/product exported in each shipment;
- (b) the point of entry through which the controlled substance/product was exported;
- (c) the party through which the controlled substance/product was exported and the name and address of the recipient;
- (d) the purpose for which the controlled substance/product was exported.

DEFINITION OF SOME IMPORTANT TERMS

Annex A substances: These are Ozone Depleting Substances listed in Annex A of the Montreal Protocol: they are grouped into two groups;

GROUP I: These are Chlorofluorocarbons (CFCs) 11, 12, 114 and 115

GROUP II: These are Halons 1211, 1301 and 2402.

Annex B Substances: These are Ozone depleting Substances listed in annex B of the Montreal Protocol: they are grouped into 3 groups:

GROUP I: This consists of the so-called “ other CPCs most of which are not in commercial use.

GROUP II: This consists only of the substance Carbon tetrachloride

GROUP III: I, I, I-trichlorethane (Methylchloroform)

Annex C substances: these are Ozone depleting substances listed in annex C of the Montreal

Protocol. These have been grouped into 3 groups.

GROUP I: This Group Consist Of Some 40 Hydro chlorofluorocarbons (HCCFCs) of which up to 10 are in commercial use.

GROUP II: this group consists of 33 Hydro bromofloorocarbons (HCCs) most of are not in commercial use.

GROUP III: This group consists of the substance Bromochloromethane a substance added by the Beijing amendment in 1999.

Annex C substance: This is Methyl bromide.

Harmonised System (HS) Customs Codes: this is the most common way of identifying goods for customs officers. This system provides uniform codes that are used around the world to facilitate trade.

CAS numbers : the CAS registry number (CAS number) is a number assigned by the United States Chemical Abstracts Service to identify a chemical. The CAS number is specific for single chemicals and for some mixtures. The CAS number contains 5-9 digits

Separated by hyphens into three groups. The first group, starting from the left has up to 6 digits, the second group always has 2 digits, the third group always has 1 digit, the second group always has 2 digits, the third group always has 1 digit.

UN Numbers: The United Nations substance Identification Number (UN SIN or UN Number) is a 4 digit international standard number, which identifies a particular chemical or group of chemical substance.

ASHRAE Numbers: the American Society of Heating Refrigerating and Air-conditioning Engineers (ASHRAE) number is a numerical designation for refrigerants based on their chemical structures. This is the most commonly used ODS identification by Refrigeration and air-conditioning technicians.

ARI Colour Codes: ARI Guideline N is a voluntary US industry guideline for the uniform assignment of colours for containers used for refrigerants that meet ARI Standard 700 specifications.

ASHRAE Safety Groups: the ASHRAE Safety Groups for refrigerants standard classifies commonly used refrigerants (such as Annex a CFCs) depending on their toxicity and flammability. The standard defines 6 safety groups – A1, A2, A3, B1, B2, and B3 where “A” signifies lower toxicity. “B” higher toxicity, “1” signifies no flame propagation, “2” lower flammability and “3” higher flammability.