



**OZONE LAYER PROTECTION AMENDMENT REGULATIONS
(NO. 2) 1999**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of October 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to Part III of the Ozone Layer Protection Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister for the Environment whose recommendation has been made—

- (a) After consultation by the Minister in accordance with section 17 of that Act; and
 - (b) After being satisfied that, after making the regulations, New Zealand will be able to give effect to its obligations under the Convention and the Protocol,—
- makes the following regulations.

ANALYSIS

1. Title and commencement

2. Restriction on other exports of bulk controlled substances

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Ozone Layer Protection Amendment Regulations (No. 2) 1999, and are part of the Ozone Layer Protection Regulations 1996* (“the principal regulations”).

*S.R. 1996/222
Amendment No. 1: S.R. 1996/345
Amendment 1997: S.R. 1997/804
Amendment 1999: S.R. 1999/32

(2) These regulations come into force on 10 February 2000.

2. Restriction on other exports of bulk controlled substances—

The principal regulations are amended by revoking regulation 23, and substituting the following regulation:

“23. (1) The exportation of any bulk controlled substance is prohibited except under the authority of an export permit.

“(2) No export permit may be granted for an export that is prohibited under regulation 22.

“(3) Any person may apply in writing to the Minister for an export permit for the exportation of a bulk controlled substance.

“(4) The application must specify—

“(a) The name and address of the exporter:

“(b) The substance to be exported:

“(c) The quantity to be exported:

“(d) The purpose of exportation:

“(e) The date and destination of the export.

“(5) An export permit may be granted by the Minister or by an officer upon receiving an application.

“(6) An application for an export permit may be declined only if—

“(a) The Minister or the officer is not satisfied as to the completeness or truthfulness of the information required to be specified in the application; or

“(b) The application relates to an export that is prohibited under regulation 22.

“(7) Regulation 13 (2), (3), and (4) (a) applies to export permits granted under this regulation; regulations 13 (1), 13 (4) (b), and 14 to 18 do not apply.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 10 February 2000, establish a permit system for the export of some bulk controlled substances.

The existing prohibition in respect of exports of bulk CFC, halon, carbon tetrachloride, methyl chloroform, or HBFC to non-complying countries is unaffected by these regulations.

However, the exportation of other bulk controlled substances to a non-complying country, and the exportation of any bulk controlled substance to a complying country, will now require a permit.

The export permit system is a requirement of the 1997 amendment to the Montreal Protocol.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 14 October 1999.

These regulations are administered in the Ministry for the Environment.