



THE OZONE LAYER PROTECTION ORDER 1993

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 3rd day of May 1993

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 53 of the Ozone Layer Protection Act 1990, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council and on the advice of the Minister for the Environment, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Ozone Layer Protection Order 1993.

(2) This order shall come into force on the 1st day of July 1993.

2. Substitution of new Part II of First Schedule to Act—The First Schedule to the Ozone Layer Protection Act 1990 (as substituted by clause 2 of the Ozone Layer Protection Order 1991* and amended by clause 2 of the Ozone Layer Protection Order 1992†) is hereby amended by revoking Part II, and substituting the Part II set out in the First Schedule to this order.

*S.R. 1991/109
†S.R. 1992/59

3. Base year specified for additional substances—The year 1989 is, for the purposes of the Ozone Layer Protection Act 1990, hereby specified as the base year in relation to the substances specified in the Second Schedule to this order.

4. Substitution of Second Schedule to Act—The Ozone Layer Protection Act 1990 is hereby amended by revoking the Second Schedule (as substituted by clause 5 of the Ozone Layer Protection Order 1991*), and substituting the Second Schedule set out in the Third Schedule to this order.

5. Revocation—The Ozone Layer Protection Order 1992† is hereby revoked.

*S.R. 1991/109

†S.R. 1992/59

SCHEDULES

FIRST SCHEDULE

Cl. 2

NEW PART II OF FIRST SCHEDULE TO OZONE LAYER PROTECTION ACT 1990
SUBSTITUTED

PART II

Chemical Formula	Substance	Ozone Depleting Potential*
CF ₂ BrCl	halon-1211	3.0
CF ₃ Br	halon-1301	10.0
C ₂ F ₄ Br ₂	halon-2402	6.0
C ₂ FCl ₅	CFC-111	1.0
C ₂ F ₂ Cl ₄	CFC-112	1.0
C ₃ FCl ₇	CFC-211	1.0
C ₃ F ₂ Cl ₆	CFC-212	1.0
C ₃ F ₃ Cl ₅	CFC-213	1.0
C ₃ F ₄ Cl ₄	CFC-214	1.0
C ₃ F ₅ Cl ₃	CFC-215	1.0
C ₃ F ₆ Cl ₂	CFC-216	1.0
C ₃ F ₇ Cl	CFC-217	1.0
CH ₂ Br ₂		1.0
CHF ₂ Br		0.74
CH ₂ FBr		0.73
C ₂ HFBr ₄		0.3-0.8
C ₂ HF ₂ Br ₃		0.5-1.8
C ₂ HF ₃ Br ₂		0.4-1.6
C ₂ HF ₄ Br		0.7-1.2
C ₂ H ₂ FBr ₃		0.1-1.1
C ₂ H ₂ F ₂ Br ₂		0.2-1.5
C ₂ H ₂ F ₃ Br		0.7-1.6
C ₂ H ₃ FBr ₂		0.1-1.7
C ₂ H ₃ F ₂ Br		0.2-1.1
C ₂ H ₄ FBr		0.07-0.1

FIRST SCHEDULE—*continued*NEW PART II OF FIRST SCHEDULE TO OZONE LAYER PROTECTION ACT 1990
SUBSTITUTED—*continued*PART II—*continued*

Chemical Formula	Substance	Ozone Depleting Potential*
C_3HFBr_6		0.3-1.5
$C_3HF_2Br_5$		0.2-1.9
$C_3HF_3Br_4$		0.3-1.8
$C_3HF_4Br_3$		0.5-2.2
$C_3HF_5Br_2$		0.9-2.0
C_3HF_6Br		0.7-3.3
$C_3H_2FBr_5$		0.1-1.9
$C_3H_2F_2Br_4$		0.2-2.1
$C_3H_2F_3Br_3$		0.2-5.6
$C_3H_2F_4Br_2$		0.3-7.5
$C_3H_2F_5Br$		0.9-14
$C_3H_3FBr_4$		0.08-1.9
$C_3H_3F_2Br_3$		0.1-3.1
$C_3H_3F_3Br_2$		0.1-2.5
$C_3H_3F_4Br$		0.3-4.4
$C_3H_4FBr_3$		0.03-0.3
$C_3H_4F_2Br_2$		0.1-1.0
$C_3H_4F_3Br$		0.07-0.8
$C_3H_5FBr_2$		0.04-0.4
$C_3H_5F_2Br$		0.07-0.8
$C_3H_6F_3Br$		0.02-0.7

* Determined in accordance with the United Nations Environment Programme

Note: Where a range of ODPs is indicated, the highest value in that 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 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.

SECOND SCHEDULE

Cl. 3

CONTROLLED SUBSTANCES IN RESPECT OF WHICH 1989 SPECIFIED
AS BASE YEAR*Substances with any of the following chemical formulas*

CH₂FBr₂
CHF₂Br
CH₂FBr
C₂HFBr₄
C₂HF₂Br₃
C₂HF₃Br₂
C₂HF₄Br
C₂H₂FBr₃
C₂H₂F₂Br₂
C₂H₂F₃Br
C₂H₃FBr₂
C₂H₃F₂Br
C₂H₄FBr
C₃HFBr₆
C₃HF₂Br₅
C₃HF₃Br₄
C₃HF₄Br₃
C₃HF₅Br₂
C₃HF₆Br
C₃H₂FBr₅
C₃H₂F₂Br₄
C₃H₂F₃Br₃
C₃H₂F₄Br₂
C₃H₂F₅Br
C₃H₃FBr₄
C₃H₃F₂Br₃
C₃H₃F₃Br₂
C₃H₃F₄Br
C₃H₄FBr₃
C₃H₄F₂Br₂
C₃H₄F₃Br
C₃H₅FBr₂
C₃H₅F₂Br
C₃H₆FBr

Cl. 4

THIRD SCHEDULE

NEW SECOND SCHEDULE TO OZONE LAYER PROTECTION ACT 1990
SUBSTITUTED

Sections 2, 10

"SECOND SCHEDULE

REDUCTION TIMETABLES BY INDUSTRY GROUP

PART I

REDUCTION TIMETABLES IN RESPECT OF CONTROLLED SUBSTANCES SPECIFIED
IN PART I OF THE FIRST SCHEDULE

REFRIGERATION/AIR CONDITIONING

Timetable for reduction of consumption of controlled substances in the refrigeration/airconditioning industry.

Period	Reduction (%)
1 July 1993 to 31 December 1993	55
1 January 1994 to 31 December 1994	70
1 January 1995 to 31 December 1995	90
1 January 1996 to 31 December 1996	100

PLASTIC FOAMS

Timetable for reduction of consumption of controlled substances in the manufacture of Group A plastic foams.

Period	Reduction (%)
1 July 1993 to 31 December 1993	55
1 January 1994 to 31 December 1994	55
1 January 1995 to 31 December 1995	55
1 January 1996 to 31 December 1996	100

SOLVENTS

1. Timetable for reduction of consumption of controlled substances in the drycleaning industry.

Period	Reduction (%)
1 July 1993 to 31 December 1993	20
1 January 1994 to 31 December 1994	20
1 January 1995 to 31 December 1995	20
1 January 1996 to 31 December 1996	100

THIRD SCHEDULE—*continued*NEW SECOND SCHEDULE TO OZONE LAYER PROTECTION ACT 1990
SUBSTITUTED—*continued*“SECOND SCHEDULE—*continued*”REDUCTION TIMETABLES BY INDUSTRY GROUP—*continued*PART I—*continued*

2. Timetable for reduction of consumption of controlled substances as solvents in industries other than drycleaning.

Period	Reduction (%)
1 July 1993 to 31 December 1993	50
1 January 1994 to 31 December 1994	60
1 January 1995 to 31 December 1995	90
1 January 1996 to 31 December 1996	100

PART II

REDUCTION TIMETABLE IN RESPECT OF METHYL CHLOROFORM FOR ALL
INDUSTRY GROUPS

Period	Reduction (%)
1 July 1993 to 31 December 1993	10
1 January 1994 to 31 December 1994	50
1 January 1995 to 31 December 1995	50
1 January 1996 to 31 December 1996	100

PART III

REDUCTION TIMETABLE IN RESPECT OF CARBON TETRACHLORIDE FOR ALL
INDUSTRY GROUPS

Period	Reduction (%)
1 July 1993 to 31 December 1993	0
1 January 1994 to 31 December 1994	85
1 January 1995 to 31 December 1995	85
1 January 1996 to 31 December 1996	100”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 July 1993, amends the First and Second Schedules to the Ozone Layer Protection Act 1990 to ensure that New Zealand continues to comply with its responsibilities under the Montreal Protocol to the Vienna Convention on the Protection of the Ozone Layer.

Clause 2 revokes Part II to the First Schedule to the Act, and substitutes a new Part II. Additional substances thus become, on 1 July 1993, controlled substances.

Clause 3 specifies 1989 as the "base year" in relation to the additional controlled substances.

Clause 4 revokes the Second Schedule to the Act, and substitutes a new Second Schedule. The new Second Schedule alters the timetables for the reduction of consumption of substances.

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

Date of notification in *Gazette*: 6 May 1993.

This order is administered in the Ministry for the Environment.