



THE OZONE LAYER PROTECTION ORDER 1991

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 17th day of June 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 53 and 54 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 1991.

(2) Except as provided in subclause (3) of this clause, this order shall come into force on the 1st day of October 1991.

(3) Clauses 4 and 5 of this order shall come into force on the 1st day of July 1991.

2. Substitution of First Schedule—The First Schedule to the Act is hereby revoked, and the First Schedule set out in the First Schedule to this order is hereby substituted.

3. Base year specified for additional substances—1986 is hereby specified as the base year for the purposes of the Act in relation to the substances specified in the Second Schedule to this order.

4. Base year specified for methyl chloroform and carbon tetrachloride—1989 is hereby specified as the base year for the purposes of the Act in relation to methyl chloroform and carbon tetrachloride.

5. Substitution of Second Schedule—The Second Schedule to the Act is hereby revoked, and the Second Schedule set out in the Third Schedule to this order is hereby substituted.

SCHEDULES

Cl. 2

FIRST SCHEDULE

NEW FIRST SCHEDULE TO ACT SUBSTITUTED

Section 2

"FIRST SCHEDULE

CONTROLLED SUBSTANCES

PART I

GROUP I CONTROLLED SUBSTANCES

Chemical Formula	Substance	Ozone Depleting Potential*
CFC1 ₃	CFC-11	1.0
CF ₂ Cl ₂	CFC-12	1.0
CF ₃ Cl	CFC-13	1.0
C ₂ F ₃ Cl ₃	CFC-113	0.8
C ₂ F ₄ Cl ₂	CFC-114	1.0
C ₂ F ₅ Cl	CFC-115	0.6

* Determined in accordance with the United Nations Environment Programme.

FIRST SCHEDULE—*continued*NEW FIRST SCHEDULE TO ACT SUBSTITUTED—*continued*“FIRST SCHEDULE—*continued*”CONTROLLED SUBSTANCES—*continued*

PART II

GROUP II CONTROLLED SUBSTANCES

Chemical Formula	Substance	Ozone Depleting Potential ^a
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

PART III

METHYL CHLOROFORM

Chemical Formula	Substance	Ozone Depleting Potential ^a
C ₂ H ₃ Cl ₃	1,1,1-trichloroethane (methyl chloroform)	0.1

* Determined in accordance with the United Nations Environment Programme.

FIRST SCHEDULE—*continued*
 NEW FIRST SCHEDULE TO ACT SUBSTITUTED—*continued*
 “FIRST SCHEDULE—*continued*
 CONTROLLED SUBSTANCES—*continued*
 PART IV
 CARBON TETRACHLORIDE

Chemical Formula	Substance	Ozone Depleting Potential ^b
CCl ₄	Carbon tetrachloride	1.1”

* Determined in accordance with the United Nations Environment Programme.

Cl. 3

SECOND SCHEDULE
 ADDITIONAL CONTROLLED SUBSTANCES IN RESPECT OF WHICH 1986
 SPECIFIED AS BASE YEAR

Chemical Formula	Substance
CF ₃ Cl	CFC-13
C ₂ FCl ₃	CFC-111
C ₂ F ₂ Cl ₄	CFC-112
C ₃ FC1 ₇	CFC-211
C ₃ F ₂ Cl ₆	CFC-212
C ₃ F ₃ Cl ₅	CFC-213
C ₃ F ₄ Cl ₄	CFC-214
C ₃ F ₅ Cl ₃	CFC-215
C ₃ F ₆ Cl ₂	CFC-216
C ₃ F ₇ Cl	CFC-217

THIRD SCHEDULE
NEW SECOND SCHEDULE TO ACT SUBSTITUTED
"SECOND SCHEDULE
REDUCTION TIMETABLES BY INDUSTRY GROUP

C1. 5

Sections 2, 10

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/air conditioning industry.

Year	Reduction (%)
1990-91	0
1991-92	0
1992-93	20
1993-94	20
1994-95	20
1995-96	90
1996-97	90
1997-98	90
1998-99	100

PLASTIC FOAMS

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

Year	Reduction (%)
1990-91	10
1991-92	10
1992-93	55
1993-94	55
1994-95	55
1995-96	100

THIRD SCHEDULE—*continued*

NEW SECOND SCHEDULE TO ACT SUBSTITUTED—*continued*

“SECOND SCHEDULE—*continued*”

REDUCTION TIMETABLES BY INDUSTRY GROUP—*continued*

SOLVENTS

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

Year	Reduction (%)
1990-91	20
1991-92	20
1992-93	20
1993-94	20
1994-95	20
1995-96	20
1996-97	20
1997-98	20
1998-99	100

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

Year	Reduction (%)
1990-91	20
1991-92	20
1992-93	20
1993-94	20
1994-95	20
1995-96	100

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THIRD SCHEDULE—*continued*NEW SECOND SCHEDULE TO ACT SUBSTITUTED—*continued*“SECOND SCHEDULE—*continued*”REDUCTION TIMETABLES BY INDUSTRY GROUP—*continued*

PART II

REDUCTION TIMETABLE IN RESPECT OF METHYL CHLOROFORM FOR ALL
INDUSTRY GROUPS

Year	Reduction (%)
1990-91	0
1991-92	0
1992-93	10
1993-94	10
1994-95	40
1995-96	40
1996-97	40
1997-98	75
1998-99	75
1999-00	75
2000-01	100

PART III

REDUCTION TIMETABLE IN RESPECT OF CARBON TETRACHLORIDE FOR ALL
INDUSTRY GROUPS

Year	Reduction (%)
1990-91	0
1991-92	0
1992-93	0
1993-94	0
1994-95	85
1995-96	85
1996-97	85
1997-98	85
1998-99	85
1999-00	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 has 3 principal effects.

First, with effect on 1 October 1991, the order specifies 10 additional controlled substances for the purposes of the Ozone Layer Protection Act 1990. The additional substances are CFC-13, CFC-111, CFC-112, CFC-211, CFC-212, CFC-213, CFC-214, CFC-215, CFC-216, and CFC-217. As a result of the order, no person may import any of those substances (other than CFC-13) in a non-processed form after 1 October 1991, and no person may import CFC-13 in a non-processed form after that date without an import permit.

Secondly, the order specifies that 1986 is the "base year" in relation to those 10 additional controlled substances. Consumption of bulk controlled substances during 1986 is therefore retained as the starting point for calculating future import quotas. The exception is in respect of methyl chloroform and carbon tetrachloride. The order specifies that 1989 is the "base year" in relation to those 2 substances.

Thirdly, the order specifies full reduction timetables in respect of methyl chloroform and carbon tetrachloride for all industry groups, for the purpose of the phasing out in New Zealand of the uses of those substances. The 1990 Act did not contain full reduction timetables in this respect. This part of the order comes into force on 1 July 1991.

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

Date of notification in *Gazette*: 20 June 1991.

This order is administered in the Ministry for the Environment.