

SUBSIDIARY LEGISLATION 549.06

ENVIRONMENT PROTECTION (CONTROL OF
SUBSTANCES DEPLETING THE OZONE LAYER)
REGULATIONS

29th September, 1995;
30th December, 1995

LEGAL NOTICE 133 of 1995.

1. The title of these regulations is the Environment Protection (Control of Substances Depleting the Ozone Layer) Regulations. Citation.

2. (1) It is hereby indicated that in terms of the Environment Protection Act, the controlled substance contained in Schedules A, B, C and D are potentially toxic substances. List of potential toxic substances. Cap. 549.

(2) For the purposes of these regulations, "controlled substances" means any substance whether existing alone or in a mixture and it includes the isomers of any such substance, except as specified in the relevant Schedule, but excludes any controlled substance or mixture which is in a manufactured product other than a container used for the transportation or storage of that substance.

(3) For the purposes of these regulations, "Director" means the official responsible for the Department for the Protection of the Environment as referred to in the Environment Protection Act. Cap. 549.

(4) For the purposes of these regulations, "Department" means the Department for the Protection of the Environment.

3. These regulations are intended to control the importation, exportation, use, carriage, storage, destruction or disposal of controlled substances which are considered to be potentially toxic in order to limit and phase out these substances in accordance with Malta's international obligations. Scope.

4. No person may import, export, use, carry, store, destroy or dispose of any controlled substance unless such person has the prior approval given in writing by the Minister responsible for the environment to act in any such manner. Handling of controlled substances.

5. (1) Prior to the importation of a controlled substance, the importer shall request and obtain permission from the Department. Importation of controlled substances.

(2) The following information on the controlled substances shall be required:

- (a) the country of origin;
- (b) the brand name and trade mark, if any;
- (c) the correct chemical name;
- (d) the internationally recognized chemical formula;
- (e) the net weight in kilogrammes and/or metric tonnes;
and
- (f) the name of the manufacturer and his address:

Provided that if the controlled substances form a mixture, then each substance should be identified with its chemical name and formula, and the weight of each controlled substance making up the mixture should be stated.

(3) The final destination of the controlled substances shall also be given by stating the name and address of the user, together with the weight of each controlled substance involved. If the final destination is not known at the time of application for permission, the address of the place where the controlled substance shall be stored or kept is to be provided.

(4) The end use of the listed controlled substances, such as refrigeration, flexible and rigid foams, electronics, and fire fighting (aviation), besides other end uses, shall also be stated.

(5) The importation of the controlled substances shall not be allowed unless all the information required in terms of this regulation has been given to the Department.

Departmental
controls.

6. (1) No controlled substance will be released by Customs unless a request for such release is accompanied by the approval in writing given by the Department. No controlled substance is to be released out of the place of temporary storage without the prior written approval of the Department.

(2) The place of storage, or of temporary storage, or keeping of controlled substances is to be open for inspection by the Department. The Director may also specify which records are to be kept with respect to the stocks of controlled substances at a place of storage or of temporary storage.

Importer's liability
under other laws.

7. The approval in writing given by the Department shall not release the importer from any other obligations required of him under any other law in force at the time.

Applicability of
these regulations
also to
Government
departments etc.

8. These regulations shall also be applicable to other Government departments, State or parastatal organisations, industries and corporations even if such controlled substances are directly imported by them.

SCHEDULE A
CONTROLLED SUBSTANCES

Group	Substance
Group I	
CFC1 ₃	(CFC-11)
CF ₂ C1 ₂	(CFC-12)
C ₂ F ₃ C1 ₃	(CFC-113)
C ₂ F ₄ C1 ₂	(CFC-114)
C ₂ F ₅ C1	(CFC-115)
Group II	
CF ₂ BrC1	(halon-1211)
CF ₃ Br	(halon-1301)
C ₂ F ₄ Br ₂	(halon-2402)

SCHEDULE B
CONTROLLED SUBSTANCES

Group	Substance
Group I	
CF ₃ C1	(CFC-13)
C ₂ FC1 ₅	(CFC-111)
C ₂ F ₂ C1 ₄	(CFC-112)
C ₃ FC1 ₇	(CFC-211)
C ₃ F ₂ C1 ₆	(CFC-212)
C ₃ F ₃ C1 ₅	(CFC-213)
C ₃ F ₄ C1 ₄	(CFC-214)
C ₃ F ₅ C1 ₃	(CFC-215)
C ₃ F ₆ C1 ₂	(CFC-216)
C ₃ F ₇ C1	(CFC-217)
Group II	
CC1 ₄	carbon tetrachloride
Group III	
C ₂ H ₃ C1 ₃ *	1,1,1-trichloroethane (methyl chloroform)

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

SCHEDULE C
CONTROLLED SUBSTANCES

Group I	
CHFCl ₂	(HCFC-21)**
CHF ₂ Cl	(HCFC-22)**
CH ₂ FCl	(HCFC-31)
C ₂ HFC ₄	(HCFC-121)
C ₂ HF ₂ Cl ₃	(HCFC-122)
C ₂ HF ₃ Cl ₂	(HCFC-123)
CHCl ₂ CF ₃	(HCFC-123)**
C ₂ HF ₄ Cl	(HCFC-124)
CHFC ₁ CF ₃	(HCFC-124)**
C ₂ H ₂ FC ₁ ₃	(HCFC-131)
C ₂ H ₂ F ₂ Cl ₂	(HCFC-132)
C ₂ H ₂ F ₃ Cl	(HCFC-133)
C ₂ H ₃ FC ₁ ₂	(HCFC-141)
CH ₃ CFC ₁ ₂	(HCFC-141b)**
C ₂ H ₃ F ₂ Cl	(HCFC-142)
CH ₃ CF ₂ Cl	(HCFC-142b)**
C ₂ H ₄ FC ₁	(HCFC-151)
C ₃ HFC ₁ ₆	(HCFC-221)
C ₃ HF ₂ Cl ₅	(HCFC-222)
C ₃ HF ₃ Cl ₄	(HCFC-223)
C ₃ HF ₄ Cl ₃	(HCFC-224)
C ₃ HF ₅ Cl ₂	(HCFC-225)
CF ₃ CF ₂ CHCl ₂	(HCFC-225ca)**
CF ₂ ClCF ₂ CHClF	(HCFC-225cb)**
C ₃ HF ₆ Cl	(HCFC-226)
C ₃ H ₂ FC ₁ ₅	(HCFC-231)
C ₃ H ₂ F ₂ Cl ₄	(HCFC-232)
C ₃ H ₂ F ₃ Cl ₃	(HCFC-233)
C ₃ H ₂ F ₄ Cl ₂	(HCFC-234)
C ₃ H ₂ F ₅ Cl	(HCFC-235)
C ₃ H ₃ FC ₁ ₄	(HCFC-241)
C ₃ H ₃ F ₂ Cl ₃	(HCFC-242)
C ₃ H ₃ F ₃ Cl ₂	(HCFC-243)
C ₃ H ₃ F ₄ Cl	(HCFC-244)
C ₃ H ₄ FC ₁ ₃	(HCFC-251)
C ₃ H ₄ F ₂ Cl ₂	(HCFC-252)
C ₃ H ₄ F ₃ Cl	(HCFC-253)
C ₃ H ₅ FC ₁ ₂	(HCFC-261)
C ₃ H ₅ F ₂ Cl	(HCFC-262)

C₃H₆FC1 (HCFC-271)

** Identifies the most commercially viable substances.

Group II
CHFBr₂
CHF₂Br (HBFC-22B1)
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

SCHEDULE D
CONTROLLED SUBSTANCES

Group	Substance
CH ₃ Br	Methyl Bromide.
