

GUYANA

No. 19 of 2007

## ORDER

Made Under

## THE TRADE ACT

(Cap: 91:01)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 5 OF THE TRADE ACT, CAP. 91:01, I HEREBY MAKE THE FOLLOWING ORDER:-

Citation.

1. This Order may be cited as the Trade (Restrictions on Import of Ozone Depleting Substances) Order 2007.

## CHAPTER I

Interpretation.

2. (1) In this Order -

Cap. 91:01

(a) "Act" means the Trade Act;

(b) "approved medical purposes" means the medical purposes approved by the Conference of Parties pursuant to the Protocol;

(c) "ASHRAE number" means American Society for Heating, Refrigeration and Air conditioning Engineers number;

(d) "CAS Registry number" means Chemical Abstract Services number;

Cap. 79:04

(e) "Commissioner- General" means the Commissioner General appointed under the Revenue Authority Act;

(f) "Fund" means the Ozone Fund established pursuant to clause 10;

(g) "Guyana Standard GYS 9-10: 2002" means the Guyana Standard GYS9-10: 2002 prepared by the Guyana National Bureau of Standards;

(h) "HS Code" means the Harmonised Commodity Description and Coding System or the Harmonised System;

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(h) "HS Code" means the Harmonised Commodity Description and Coding System or the Harmonised System;

(i) "Minister" means the Minister for the time being responsible for Trade;

(j) "National Ozone Action Unit" means the National Ozone Action Unit attached to the Ministry of Agriculture.

First Schedule

(k) "ozone depleting substance" means a substance listed in the First Schedule and includes any equipment containing ozone depleting substance for the purposes of this Order;

(l) "ozone depleting potential units" means the relative ozone depleting potential of a substance as determined by the Conference of Parties to the Protocol;

(m) "permit" means a permit for importing ozone depleting substance issued by the National Ozone Action Unit;

(n) "Protocol" means the Montreal Protocol On Substances That Deplete The Ozone Layer;

(o) "retrofitter licence" means a retrofitter licence issued pursuant to clause 6;

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(2) Words and expressions not defined in this Order but defined in the Trade Act and the Protocol shall have the respective meanings assigned to them in that Act and in the Protocol.

## CHAPTER II

### Restrictions on Import of Ozone Depleting Substances

No importation  
of ozone depleting  
substance without  
permit  
First Schedule  
Second Schedule

3. (1) Notwithstanding anything contained in clause 2 of the Trade (Control of Import and Export) Order, on and after the commencement of this Order, no ozone depleting substance listed in the First Schedule shall be imported by an importer unless otherwise registered with the National Ozone Action Unit and that importer obtained a permit from it in respect of that substance in the form as per the Second Schedule on payment a fee of one thousand dollars.

(2) An importer who contravenes paragraph (1) shall be punished in accordance with sub-section (4) of section 5 of the Act.

Quota

4. (1) Subject to paragraphs (3) and (4), the National Ozone Action Unit shall on or before 15<sup>th</sup> January each year, fix the total quota for import of ozone depleting substances in ozone depleting potential units which may be imported.

