The following communication under Article 5.4 of the Agreement has been received from Hong Kong.


In relation to this change, we enclose pursuant to Article 1.4, a copy each of circular letters to the trade, dated respectively 10 May 1989 from the Environmental Protection Department and 22 June 1989 from the Trade Department on the introduction of the new licensing system. Information leaflets available to the trade on details of the licensing arrangements and specific control are also enclosed.

The information relevant to this system will be incorporated into Hong Kong's Replies to the Questionnaire on Import Licensing Procedures in response to GATT/AIR/2753 and in the "Guide to Import and Export Licensing Requirements" referred to in LIC/3/Add.17/Rev.1.
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### Consequential Amendments

**Import and Export Ordinance**

18. Section added

2A. Application of this Ordinance to Ozone Layer Protection Ordinance 1989 | A262

**Customs and Excise Service Ordinance**

19. Second Schedule amended

Schedule. Scheduled substances | A264
Ordinance to give effect to Hong Kong's international obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer; to provide for the prohibition of the manufacture of, and to control the importation and exportation of, substances that deplete the ozone layer and of products containing or made with those substances; and to provide for related matters.

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

Short title and commencement

1. (1) This Ordinance may be cited as the Ozone Layer Protection Ordinance 1989.

(2) This Ordinance shall come into operation on a day to be appointed by the Governor by notice, in the Gazette and he may appoint different days for different provisions.

(3) The Governor may provide that Part 2 of the Schedule shall come into operation on different days in respect of different provisions of this Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—

"aerosol" (喷雾), "export" (出口或輸出), "import" (進口或輸入), "vehicle" (車輛) and "vessel" (船隻) have the same meanings as in the Import and Export Ordinance (Cap. 60);

"authorized officer" (特准人員) means an officer authorized under section 9;

"Director" (署長) means the Director of Environmental Protection;

"domestic premises" (住宅) means a premises or place used exclusively for residential purposes and constituting a separate household unit;

"licence" (許可證) means a licence issued under this Ordinance;

"scheduled substance" (受管制物質)—

(a) means a substance listed in the Schedule, whether existing alone or in a mixture; but

(b) in sections 4 and 6 does not include a substance listed in the Schedule that is—

(i) in a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance; or

(ii) part of a manufactured product solely because the substance was used in the process of manufacturing the product.
A252 Ord. No. 24/89 OZONE LAYER PROTECTION

Offence to manufacture scheduled substances

3. (1) A person who manufactures a scheduled substance commits an offence and is liable to—
   (a) a fine of $1,000,000 and imprisonment for 2 years; and
   (b) a fine of $100,000 for each day on which the offence continues.

(2) Subsection (1) does not apply where the scheduled substance is manufactured solely for the purpose of research or academic instruction and the person manufactures no more than 1 kg of the substance in any 12 month period.

Offence to import or export scheduled substances without a licence

4. A person who imports or exports a scheduled substance without a licence commits an offence and is liable to a fine of $1,000,000 and to imprisonment for 2 years.

Registration

5. (1) Where the Director is satisfied that a person—
   (a) was, before the commencement of this Ordinance, an importer or exporter of scheduled substances; or
   (b) bona fide intends to import or export scheduled substances if granted a licence under section 6,

the Director may, on application to him in a form specified by him and on payment of the prescribed registration fee, register the person under this section.

(2) It is a condition of continued registration that the registrant bona fide intends to import or export scheduled substances if granted a licence under section 6.

(3) The Director may, at the time of registration or at any time after giving written notice to a registrant, impose conditions of registration that are reasonably related to Hong Kong's obligations referred to in section 6(4)(c) or to the measures referred to in section 6(4)(d).

(4) Registration under this section does not entitle a person to a licence under section 6.

(5) The Director shall issue a certificate of registration in a form specified by him to a person who is registered under this section and the condition of registration under subsection (2) and any conditions of registration imposed under subsection (3) shall be set out in the certificate.

(6) Where the Director specifies an expiry date in a certificate of registration, the registration ceases to have effect after that date.

(7) If the Director refuses to register an applicant, the Director shall serve on the applicant, by personal service or by post, a notice stating the reasons for his refusal.

(8) A person registered under this section who contravenes a condition of registration relating to him commits an offence and is liable to a fine of $25,000.

Licence to import or export scheduled substances

6. (1) The Director may, on the application of a person registered under section 5 and on payment of the prescribed licence fee, issue a licence to import or to export a specified consignment of a scheduled substance subject to any conditions that the Director may impose.
LIC/1/Add.42
Page 5

A254 Ord. No. 24/89 OZONE LAYER PROTECTION

(2) The Director may, on application to him, vary the conditions of a licence.

(3) The Director may specify the forms of the applications and licence under this section.

(4) In considering whether to issue a licence or vary the conditions of a licence the Director—

(a) shall comply with Hong Kong's obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer, the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer as it may be amended from time to time and any other protocols under the Convention that apply to Hong Kong; and

(b) may impose more stringent measures than are required by the Convention and the protocols referred to in paragraph (a).

(5) If the Director refuses to issue a licence or vary the conditions of a licence as requested by the applicant in his application, the Director shall serve on the applicant, by personal service or by post, a notice stating the reasons for his refusal.

(6) A licensee who contravenes a condition of a licence commits an offence and is liable to a fine of $1,000,000 and to imprisonment for 2 years.

Cancellation of registration or licence

7. (1) The Director may at any time cancel a registration or licence where he considers that a condition of the registration or licence has been contravened or that the registration was made or licence was issued as a result of an error or an unlawful act of the applicant or a false representation of a fact made by him.

(2) The Director shall, by personal service or by post, serve on the person whose registration or licence is cancelled a notice of the cancellation stating the reasons for the cancellation.

(3) Within 10 days after being served with a notice of cancellation the person served shall deliver the relevant certificate of registration or licence to the Director.

(4) Where the person served is not given an opportunity to be heard before his registration or licence is cancelled, he may apply to the Director to review his decision and the Director may, after hearing the applicant, re-instate the registration or licence, subject to any conditions he may impose.

(5) A person who fails to deliver a cancelled certificate of registration or licence in compliance with subsection (3) commits an offence and is liable to a fine of $25,000.

Appeal to Governor

8. (1) A person who is aggrieved by a decision of the Director under section 5, 6 or 7 or under provisions of the regulations that may be specified to be subject to an appeal under this section may, within 14 days after the date when he was informed of the decision, by notice in writing addressed to the Chief Secretary, appeal to the Governor.

(2) The Governor may confirm, vary or reverse the decision appealed from or substitute any other decision that he considers appropriate and the Director shall take such action as is necessary to give effect to the Governor's decision.
A256   Ord. No. 24/89   OZONE LAYER PROTECTION

Appointment of authorized officers

9. The Director may authorize in writing any public officer to exercise any powers and perform any duties conferred or imposed on an authorized officer by this Ordinance.

General powers of authorized officers

10. (1) Without prejudice to the powers conferred by section 11, an authorized officer may, for the purposes of this Ordinance—

(a) enter at any reasonable time and search any premises (other than domestic premises) occupied by a person registered under this Ordinance or by the holder of a licence;

(b) require a person to produce for his inspection—

(i) a licence or certificate of registration;

(ii) any document which relates to the origin, destination or nature of anything in respect of which a licence could be issued under this Ordinance or which he suspects to be evidence of an offence under this Ordinance; or

(iii) any record or other document required to be kept by this Ordinance;

(c) examine and make copies of a licence, certificate of registration or of any record or document produced under paragraph (b);

(d) take possession of, without payment but subject to the issue of a receipt for it, a sample of anything in respect of which a licence could be issued under this Ordinance as may be required by the Director for the purpose of examination and investigation to determine whether an offence may have been committed under this Ordinance; or

(e) examine anything if he considers it necessary to do so to ascertain whether or not the provisions of this Ordinance are being, or have been, complied with by any person in respect of that thing.

(2) An authorized officer may require—

(a) the holder of a licence;

(b) a person registered under this Ordinance; and

(c) a servant, employee or agent of a person referred to in paragraph (a) or (b), to furnish such information or take such action as may be necessary to enable the authorized officer to exercise the powers conferred or perform the duties imposed on him under this Ordinance.

(3) Where a sample of anything is taken by an authorized officer under subsection (1)(d) the Director may, after his examination and investigation, direct that the sample be returned to the place from which it was taken, or destroyed or disposed of, as the Director thinks fit.

Special powers of authorized officers

11. (1) An authorized officer may enter and search any place or premises (other than domestic premises) if he reasonably suspects that there is in or on that place or premises anything in respect of which an offence has been committed under this Ordinance or which is, or contains, evidence of the commission of such offence.
(2) An authorized officer may seize anything, other than an aircraft, vessel or vehicle,—
   (a) in respect of which he reasonably suspects that an offence has been committed under this Ordinance; or
   (b) which he reasonably suspects to be, or to contain, evidence of the commission of such an offence.

(3) An authorized officer may enter and search any premises (other than domestic premises) or place connected with the manufacture, processing, production, storage, distribution or sale of anything in respect of which a licence has been issued under this Ordinance.

(4) An authorized officer who seizes anything under this section shall, as soon as reasonably practicable, give a receipt for it, and he may permit any person who would be entitled to have possession of it, or be entitled to inspect it but for its seizure, to inspect it at any reasonable time and to photograph or make copies of it.

Ancillary powers of investigation of suspected offence

12. An authorized officer may—
   (a) use such force as is reasonably necessary to enter any place or premises which he is empowered by section 10 or 11 to enter and search;
   (b) use such force as is reasonably necessary to remove a person or thing obstructing him in the exercise of a power conferred or the performance of a duty imposed on him by section 10 or 11;
   (c) detain a person found in any place or premises which he is empowered by section 10 or 11 to search until the premises or place has been searched; and
   (d) search the person and property and effects of a person whom he reasonably suspects of being guilty of an offence under this Ordinance, but no person shall be searched except by a person of the same sex or be searched in a public place if he objects to being so searched.

Offences in relation to enforcement

13. A person who—
   (a) wilfully resists, obstructs or delays any authorized officer in the exercise of any powers conferred on him by or under this Ordinance;
   (b) fails without reasonable excuse to comply with any requirement made by an authorized officer under section 10, 11 or 12;
   (c) in compliance or purported compliance with any such requirement produces a record or document which is incorrect or inaccurate in a material respect and which he knows to be incorrect or inaccurate or does not believe to be correct or accurate; or
   (d) wilfully or recklessly gives information which is incorrect or inaccurate in a material respect or withholds information as to any of the matters in respect of which information is required to be given under this Ordinance, commits an offence and is liable to a fine of $100,000 and to imprisonment for 6 months.
Forfeiture

(1) Anything seized under section 11(2) is liable to forfeiture, whether or not any person has been convicted of an offence in respect of the thing.

(2) Where anything is seized under section 11(2), the Director may at any time release it to the person who appears to him to be the owner of it or his authorized agent subject to any conditions that the Director may specify in writing.

(3) Where anything has not been released under subsection (2), the Director may, in proceedings where an offence is prosecuted under this Ordinance or in separate proceedings relating to the thing seized, apply to a court or magistrate for the forfeiture of the thing.

(4) If, on the hearing of an application under subsection (3), the court or magistrate is satisfied that an offence was committed in respect of the thing, the court or magistrate may order that the thing—

(a) be forfeited; or

(b) be delivered to its owner or his authorized agent subject to any conditions that the court or magistrate may specify in the order.

(5) Where under subsection (3) an application is made for forfeiture otherwise than in proceedings where an offence under this Ordinance is prosecuted, the Director shall forthwith in writing the owner of the thing or his authorized agent, unless the owner or his authorized agent has indicated in writing to the Director that notification is not required.

(6) If there is more than one owner of the thing seized, it is sufficient for the purposes of subsection (5) to give notice to one owner or his authorized agent, unless that owner or his authorized agent has indicated that notification is not required.

(7) Anything ordered to be forfeited under this section that is a scheduled substance shall be destroyed or disposed of as determined by the Director.

Prosecutions

15. (1) Prosecutions for offences under this Ordinance may be brought in the name of the Director or the Commissioner of Customs and Excise.

(2) A complaint or information in respect of an offence under this Ordinance shall be made or laid within 6 months after the time the matter of the complaint or information first came to the knowledge of the Director, the Commissioner of Customs and Excise or an authorized officer.

Regulations

16. (1) The Governor in Council may make regulations generally for the purposes of this Ordinance including regulations for all or any of the following matters—

(a) the control or prohibition of the import, export and manufacture of products containing a scheduled substance;

(b) the control or prohibition of the import, export and manufacture of products made with a scheduled substance;

(c) the prohibition of the use of a scheduled substance in any prescribed plant or process;
A262 Ord. No. 24/89  OZONE LAYER PROTECTION

(d) the issue of codes of practice relating to the use, recovery, recycling or disposal of scheduled substances for a particular process, plant or product containing or made with a scheduled substance;

(e) the prohibition of the manufacture or import of products containing or made with a scheduled substance by a person who has not complied with a code of practice relating to the use, recovery, recycling or disposal of scheduled substances used in products manufactured or imported by that person;

(f) the labelling or marking of products containing or made with a scheduled substance; and

(g) the prohibition of the distribution of products that are not labelled or marked in accordance with the regulations.

(2) Regulations made under this section may in respect of any contravention of the regulations provide for—

(a) a fine not exceeding $1,000,000 for each contravention and in addition a fine not exceeding $10,000 for each day on which a contravention continues; and

(b) imprisonment not exceeding 2 years.

(3) Regulations made under this section, other than regulations that only prescribe fees, are subject to the approval of the Legislative Council.

Governor may amend Schedule

17. The Governor may, by order published in the Gazette, amend the Schedule.

Consequential Amendments

Import and Export Ordinance

Section added

18. The Import and Export Ordinance (Cap. 60) is amended by adding after section 2—

"Application of this Ordinance to Ozone Layer Protection Ordinance 1989

2A. (1) In applying the following provisions of this Ordinance to anything in respect of which a licence may be issued under the Ozone Layer Protection Ordinance 1989 (24 of 1989)—

(a) in sections 8, 9, 11, 20, 21, 33, 34 and 36 a reference to "licence" is a reference to a licence issued under the Ozone Layer Protection Ordinance 1989 (24 of 1989);

(b) in sections 8, 9, 11 and 36(1)(b) a reference to "Ordinance" is a reference to the Ozone Layer Protection Ordinance 1989 (24 of 1989); and

(c) in sections 5, 20 (except the first reference in subsection (1)(a), 20A, 21, 23 to 28, 33, 34, 36(1)(c) and 37 a reference to "Ordinance" includes a reference to the Ozone Layer Protection Ordinance 1989 (24 of 1989)."

Customs and Excise Service Ordinance

Second Schedule amended

19. The Second Schedule to the Customs and Excise Service Ordinance (Cap. 342) is amended by adding "Ozone Layer Protection Ordinance 1989 (24 of 1989)" at the end.
OZONE LAYER PROTECTION

SCHEDULE

SCHEDULED SUBSTANCES

PART 1

Chlorofluorocarbons (CFC)

<table>
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<tr>
<th>Chemical Name</th>
<th>Common Name</th>
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<td>CF2Cl2—Dichlorodifluoromethane</td>
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<td>C2F2Cl2—Trichlorotrifluoroethane</td>
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<td>C2F3Cl2—Dichlorotetrafluoroethane</td>
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PART 2

Halon

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<tr>
<td>CF3Br—Bromotrifluoromethane</td>
<td>halon 1301</td>
</tr>
<tr>
<td>C2F5Br2—Dibromotetrafluoroethane</td>
<td>halon 2402</td>
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</table>

Passed by the Hong Kong Legislative Council this 21st day of June 1989.

LAW Kam-sang,
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

LAW Kam-sang,
Clerk to the Legislative Council.
L.N. 204 of 1989

OZONE LAYER PROTECTION ORDINANCE 1989
(No. 24 of 1989)

OZONE LAYER PROTECTION ORDINANCE 1989
(COMMENCEMENT) NOTICE 1989

Under section 1 of the Ozone Layer Protection Ordinance 1989, the Governor appoints—

(a) 1 July 1989 as the day on which the Ordinance, except Part 2 of the Schedule, shall come into operation; and

(b) 1 July 1989 as the day on which Part 2 of the Schedule shall come into operation in respect of section 3 of the Ordinance.

By Command,

M. J. LEWIS,
Deputy Secretary for Lands and Works (Environment).

APPLICATION FOR QUOTA ALLOCATION FOR RETAINED IMPORTS OF CHLOROFLUOROCARBNDS

It is hereby notified that upon the enactment of the Ozone Layer Protection Bill 1989 any person who imports or exports a scheduled substance as described in the Schedule below will be required to be registered and to obtain a licence for each such import or export.

To facilitate registration and licensing, a quota allocation system will be implemented administratively whereby quotas for retained imports of the scheduled substances will be allocated to persons with recognized past performance in this area. Applications for quota allocations for the period between 1 July 1989 and 30 June 1990 are hereby invited.

Applications must be submitted in person on or before 5 p.m. on 9 June 1989 to the Director of Environmental Protection at 26th Floor, Southern Centre, 130 Hennessy Road, Wan Chai, Hong Kong. Late applications will not be accepted.

Application forms and further particulars may be obtained from the Environmental Protection Department at 26th Floor, Southern Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Tel. No. 5-8351089). Applications not on the official form specified by the Environmental Protection Department will not be considered.

The Government is not bound to allocate any quota to any applicant who has submitted an application in response to this notice.

G. N. 1698

SCHEDULE

'Scheduled substance' means a substance listed below, whether existing alone or in a mixture, but does not include a substance that is—

(i) in a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance; or

(ii) part of a manufactured product solely because the substance was used in the process of manufacturing the product.

Chlorofluorocarbons (CFC)

<table>
<thead>
<tr>
<th>Chemical Name</th>
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<tr>
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</tr>
<tr>
<td>C\textsubscript{2}F\textsubscript{3}Cl\textsubscript{1}</td>
<td>Chloropentafluoroethane</td>
</tr>
</tbody>
</table>

19 May 1989

S. D. REED Director of Environmental Protection
Dear Sir,

Ozone Layer Protection Bill 1989

This letter is to draw your attention to the Ozone Layer Protection Bill 1989 which will soon be put forward to the Executive and Legislative Councils. Upon enactment of the Bill, import and export of certain chlorofluorocarbons (CFCs) (see details in attached tables) and halons will be controlled. It is scheduled that the licensing control of CFCs will commence on 1.7.89 and control of halons will be implemented at a later stage.

The proposed new regulations will, among other things, require any person who imports or exports CFCs to register with the Director of Environmental Protection and to obtain a licence for each import or export. A quota system will be implemented administratively to control the imports of CFCs whereas quotas are not required for exports. Details of the control will be published in the gazette very soon, probably later this month.

The purpose of this letter is to inform you in advance of the gazette notification that past performance records on retained imports will be required later in support of your application for quota allocation. If you are interested to register for importation or exportation of CFCs, you are advised to begin compiling your company’s import and export statistics for 1986, 1987 and 1988 in the form of the tables attached.

Response to this letter is not necessary at present. Instead you should response to the gazette notification which will be published very soon. If you have any queries, please feel free to contact Mr. M.H. Yeung at 5-8351087.

Yours sincerely,

[V. S. TSUI]

Senior Environmental Protection Officer
for Director of Environmental Protection

I.D. No. AP(C) (AP 12)
Dear Sirs,

Import & Export Licensing Requirements for Certain Depleting Substances Controlled Under the Ozone Layer Protection Bill

This is to inform you that, subject to the regulations of the Ozone Layer Protection Bill, imports and exports of certain ozone-depleting substances are subject to licensing control by the Trade Department through delegated authority from the Director of Environmental Protection.

2. With effect from 1 July 1994, imports and exports of those chlorofluorocarbons (CFCs) listed in Part I of the Schedule to the Ozone Layer Protection Bill will require a licence issued by the Trade Department. The scheduled substances are:

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFC111</td>
<td>Trichlorofluoromethane</td>
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<tr>
<td>CFC12</td>
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<td>CFC13</td>
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<tr>
<td>CFC14</td>
<td>Dichlorotetrafluoromethane</td>
</tr>
<tr>
<td>CFC15</td>
<td>Chloropentafluoroethane</td>
</tr>
</tbody>
</table>

A scheduled substance is subject to control whether existing alone or in a mixture but does not include a substance that is:

1. In a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance;

2. Part of a manufactured product solely because the substance was used in the process of manufacturing the product.

3. If you wish to seek clarification on whether certain products are subject to control, you may contact the Environmental Protection Department which is the authority on these matters. Their address and telephone numbers are:

   Environmental Protection Department,
   Air Policy Group,
   2/F, Southern Centre,
   130 Harcourt Road,
   Wan Chai,
   Hong Kong

   Mr M M Young : 5-8931509
   Mr A Chu : 5-8931523

4. A pamphlet on the licensing arrangements is also obtainable at the Trade Department Room 135B, Ocean Centre, Canton Road, Kowloon. If you have any queries relating to licensing requirements, please contact the following officers:

   \[\text{Name} \quad \text{Tel No} \quad \text{Ext No} \quad \text{Auth} \quad \text{Ext No}\]
   \[\text{Mr K Y Chan} \quad 3-9577804 \quad 3-9577804 \quad \text{Director of Trade} \quad \text{Auth} \quad \text{Ext No} \quad \text{Auth} \quad \text{Ext No} \quad \text{Auth} \quad \text{Ext No} \]

Oceano Centre, Canton Road, Kowloon, Hong Kong; Cable: CANDHONG; Telex: 45126 CANDI HK Facsimile: 3-7356135; 3-7356134; 3-7356135.
Information Leaflet on 
CFC Control under the 
Ozone Layer Protection Bill

Introduction

1. To fulfill Hong Kong's international obligations under the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the Ozone Layer Protection Bill will be enacted to provide a statutory framework for the control of substances that deplete the ozone layer.

2. The main control requirement of the Montreal Protocol is to freeze the consumption of ozone depleting substances, viz. chlorofluorocarbons (CFCs) and halons at 1986 level with effect from 1 July 1989 and 1 January 1992 respectively. In the case for Hong Kong which does not have production, consumption means import less export of these substances.

3. The Ozone Layer Protection Bill provides to prohibit the manufacture of CFCs and halons and impose controls on the import and export of these substances through registration and licensing provisions. Other provisions include penalties for non-compliance, powers of investigation by the enforcement authority, appeals against the Authority's decisions regarding registration and issue of licences and powers to make regulation for control or prohibition of manufacture, import or export of products containing or made with CFCs and halons.

CFC Import and Export Control

4. The 2 groups of substances which have ozone depletion potential and will be under control are referred to as "scheduled substances" in the Bill. The list of scheduled substances is reproduced in Annex A. Import and export of the Part 1 scheduled substances, i.e. chlorofluorocarbons (CFCs), is to be controlled from 1 July 1989; whereas the control on Part 2 scheduled substances, i.e. halons, will be implemented within two and a half years.

5. Under the provisions of the Bill, any person who imports or exports a scheduled substance under control will be required to be registered and to obtain a licence for each shipment of import or export. Any person who imports or exports such scheduled substance without a licence commits an offence and is liable to a fine of $1,000,000 or imprisonment for 2 years or both.

6. Application for registration should be made to the Environmental Protection Department on an application form specified by the Director of Environmental Protection. Successful applicants will be issued with a Certificate of Registration which will specify a validity period. Registration fee is $1,000.
Quota Allocation System

7. To facilitate the issue of licences, a quota allocation system is to be implemented administratively whereby retained import quotas for the scheduled substances will be allocated to registered persons with recognized past performance of retained imports. A committee under the chairmanship of the Director of Environmental Protection has been set up to advise, among other things, the quota allocation.

8. Quotas will be allocated to registered persons on a yearly basis for the period between 1 July and 30 June the following year. For the first year of quota allocation, notification is to be published in the gazette to invite application to the Director of Environmental Protection before a specified date for quota allocations. Late applications will not be accepted. However, the Government is not bound to allocate any quota to any applicant responding to the gazette notification. The applicants will be informed in writing of the results of the quota allocation and will be requested to indicate their acceptance of the quota allocated in whole or in part. Quotas in subsequent years will be allocated based on performance in the past year.

9. In order to provide the greatest flexibility for the industry, quotas will not be given to an individual type of scheduled substance but will be issued to all scheduled substances under the category of CFCs or halons respectively. An importer is free to import any type of, or combination of the types of, scheduled substances as long as the total quantity weighted according to the respective ozone depleting potentials does not exceed the quota limit. The ozone depleting potentials of the scheduled substances are indicated in Annex A.

10. Quotas may be transferred from one person to another so that an importer who has no or insufficient quota may obtain the necessary quota from his counterparts in the market for the purpose of importing a scheduled substance. Application forms for transfer of quota are available from Environmental Protection Department.

Import and Export Licences

11. A valid licence is required for each shipment of import or export of the scheduled substances.

12. Provided a registered importer has the appropriate quota, an import licence may be issued for each consignment of the scheduled substance upon his application. The licence issued will be normally valid for a period of 28 days from the date of issue and subject to conditions that the Director of Environmental Protection may specify. Application for licences are to be lodged with the Trade Department which has delegated authority for the issue of licences. Licence fee for each licence is $500.

13. Quota will not be required and, hence, will not be debited from the quota of an importer for the export of a scheduled substance. Similarly, quota will not be required for imports which will be re-exported within the validity period of the import licence, which is normally 28 days, subject to observing the relevant conditions of the import licence for such imports for re-export. These conditions are detailed in the import or export licence forms.
14. A person who contravenes a condition of a licence commits an offence and is liable to a fine of $1,000,000 or imprisonment for 2 years or both. In addition, a licence may be cancelled if a condition of the licence has been contravened or the licence was issued as a result of an unlawful act or a false representation by the applicant.

Enquiries

15. Enquiries concerning the Bill and any other general information on the registration and licensing provisions may be made to the Air Policy Group of Environmental Protection Department at the following address:

<table>
<thead>
<tr>
<th>Address</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>26/F., Southorn Centre,</td>
<td>5-8351089</td>
</tr>
<tr>
<td>130 Hennessy Road,</td>
<td></td>
</tr>
<tr>
<td>Wan Chai,</td>
<td></td>
</tr>
<tr>
<td>Hong Kong.</td>
<td></td>
</tr>
</tbody>
</table>

16. Enquiries regarding the application for import or export licences should be made to the Trade Licensing (Non-textiles) Branch of Trade Department at the following address:

<table>
<thead>
<tr>
<th>Address</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>13/F., Ocean Centre,</td>
<td>3-7372504</td>
</tr>
<tr>
<td>5 Canton Road,</td>
<td>3-7372385</td>
</tr>
<tr>
<td>Kowloon</td>
<td></td>
</tr>
</tbody>
</table>
### SCHEDULED SUBSTANCE

#### Part 1

**Chlorofluorocarbons (CFC)**

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Common Name</th>
<th>Ozone depleting potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFCI$_3$ - Trichlorofluoromethane</td>
<td>CFC11</td>
<td>1.0</td>
</tr>
<tr>
<td>CF$_2$Cl$_2$ - Dichlorodifluoromethane</td>
<td>CFC12</td>
<td>1.0</td>
</tr>
<tr>
<td>C$_2$F$_3$Cl$_3$ - Trichlorotrifluoroethane</td>
<td>CFC113</td>
<td>0.8</td>
</tr>
<tr>
<td>C$_2$F$_4$Cl$_2$ - Dichlorotetrafluoroethane</td>
<td>CFC114</td>
<td>1.0</td>
</tr>
<tr>
<td>C$_2$F$_5$Cl - Chloropentafluoroethane</td>
<td>CFC115</td>
<td>0.6</td>
</tr>
</tbody>
</table>

#### Part 2

**Halon**

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Common Name</th>
<th>Ozone depleting potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>CF$_2$BrCl - Bromochlorodifluoromethene</td>
<td>halon 1211</td>
<td>3.0</td>
</tr>
<tr>
<td>CF$_3$Br - Bromotrifluoromethane</td>
<td>halon 1301</td>
<td>10.0</td>
</tr>
<tr>
<td>C$_2$F$_4$Br$_2$ - Dibromotetrafluoroethane</td>
<td>halon 2402</td>
<td>to be determined</td>
</tr>
</tbody>
</table>
How to apply for Import and Export Licences for Ozone Depleting Substances controlled under the Ozone Layer Protection Bill

Under the provisions of the Ozone Layer Protection Bill certain Ozone depleting substances are subject to licensing control. Through delegated authority from the Director of Environmental Protection, the Trade Department will issue licences to cover imports and exports of these substances.

Product Coverage

With effect from 1 July 1989, imports and exports of those chlorofluorocarbons (CFCs) listed in Part I of the Schedule to the Ozone Layer Protection Bill will require a licence issued by the Trade Department. The scheduled substances are:

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFC13 - Trichlorofluoromethane</td>
<td>CFC11</td>
</tr>
<tr>
<td>CF2Cl2 - Dichlorodifluoromethane</td>
<td>CFC12</td>
</tr>
<tr>
<td>CF3Cl - Trichlorotrifluoroethane</td>
<td>CFC113</td>
</tr>
<tr>
<td>CF3CCl2 - Dichlorotetrafluoroethane</td>
<td>CFC114</td>
</tr>
<tr>
<td>CF2Cl - Chloropentafluoroethane</td>
<td>CFC115</td>
</tr>
</tbody>
</table>

A scheduled substance is subject to control whether existing alone or in a mixture but does not include a substance that is:

1) In a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance; or

2) Part of a manufactured product solely because the substance was used in the process of manufacturing the product.

Please refer to a guidance note prepared by the Environmental Protection Department at Annex I on details of product coverage. Enquiries relating to products under control should be directed to the Environmental Protection Department at the following address and telephone numbers:

Environmental Protection Department,
Air Policy Group,
26/F, Southern Centre,
130 Hennessy Road,
Wanchai,
Hong Kong

Tel No: 5-8351089
5-8351332

Imports for Local Consumption

No scheduled substances may be imported into HK unless covered by a valid Import licence issued by the Trade Department. All imports of the scheduled substances for local consumption will be debited against valid import quotas held by importers. Import licences will not be issued if the importer does not have sufficient quotas to cover the entire licensed quantity. The importer must also indicate very clearly in the Importer's Declaration at the lower left hand corner of the import licence that the quantity is for local consumption and not for subsequent re-exportation. Detailed conditions governing the utilisation of import quotas are set out in quota allocation letters to quota holders.

Imports for Re-exports

Import of scheduled substances on or after 1 July 1989 for re-export will not be debited against import quotas on condition that the importer meets the following requirements:

(a) Declare on the import licence application that the shipment is for re-export; and

(b) Submit export licence application(s) together with the import licence application to re-export the imported quantity in full within the validity period of the export licence; and

(c) Produce a through bill of lading or other shipping documents to prove that consignments are intended for re-exportation in full within the validity period of the export licence; and

(d) Each export licence must relate to one import licence only.

The importer must also indicate very clearly in the Importer's Declaration at the lower left hand corner of the import licence that the quantity is for re-export and not for local consumption.

Failure to re-export the scheduled substances in full within the validity period of the export licence is an offence liable to prosecution action and/or administrative action including but not limited to the suspension of registration, denial of future licensing facilities, withdrawal of unused quotas, and so forth.
Exports

7. No scheduled substances may be exported or re-exported from HK unless covered by a valid export licence issued by the Trade Department.

Import and Export Notification

8. In accordance with the conditions for the issue of a licence, all importers and exporters must notify the Director of Trade, in specified format, details of the import or export within 14 days after the importation or exportation of the scheduled substances.

9. Notifications are required to be supported by shipping documents like Bills of Lading, packing lists, invoices and other documents specified by the Director of Trade.

10. Specimen copies of these import and export notifications are at Annexes II and III respectively. Extra copies of these forms are available at Trade Department. Companies may also reproduce these forms for submission of notifications.

Validity Period of a licence

11. The import and export licences are valid for twenty-eight days from the date of issue, unless otherwise stated.

Application Form

12. Import and Export licence forms are available for sale at the following addresses:

- Trade Department
  - Collection Office
  - Room 822A, 8/F
  - Ocean Centre
  - Canton Road
  - Kowloon

- Government Publications Centre
  - G/F, General Post Office Building
  - Connaught Place
  - Central
  - Hong Kong

How to Complete the Application Forms

13. Specimen copies of completed import licence application and export licence application are at Annexes IV and VI respectively. Detailed guidelines on how to complete these licence applications are set out in Annexes V and VII.

Application Procedure

14. Applications for licence should be submitted to designated Receipt Counters at Trade Department, G/F, Ocean Centre, Canton Road. A fee of $500 is payable on the issue of licence. Please do not submit payment at the time of application. Payment should be made when collecting the approved licences and should only be made at Trade Department's Collection Office.

Commencement of Licensing

15. In order to enable those companies that wish to import or export scheduled substances on or after 1 July 1989 to have the necessary licences for delivery to carrier companies, the Department will commence licensing on 26 June 1989.

16. Barring any unforeseen circumstances and provided there are no complications, licences are normally ready for collection in 2 clear working days.

17. Companies are requested to note that all licences are valid from the date of issue which would not be earlier than 1 July 1989 when licensing control on scheduled substances comes into place subject to the enactment of the Ozone Layer Protection Bill.

Important Warning

18. Conditions of issue of licence are provided in the reverse of the import and export licences. Breach of any of the conditions renders the licence null and void and any person guilty of such a breach is liable to prosecution and heavy penalties up to a maximum of $1,000,000 and imprisonment for 2 years under the Ozone Layer Protection Bill and Import & Export Ordinance. In addition, the Director of Environmental Protection reserves the right to take administrative action against the defaulting person including but not limited to the cancellation of licence.

19. Furthermore, all alterations must be carried out by authorised officers. Heavy penalties are provided for false declaration and information, unauthorized alterations and misuse of this licence.

Enquiries

20. Should you require further information, please contact our Licensing Officers of Trade Licensing (Non-textiles) Section in person at Room 1330 Ocean Centre or call the following numbers.

Telephone Numbers

- 3-7377255
- 3-7373004
- 3-7372045

Trade Department
June 1989
Annex 1

Guidance Notes on Substances that are under Control of the Ozone Layer Protection Bill.

1. Substances that are under control of the Ozone Layer Protection Bill are referred to as "scheduled substances" in the Bill. They consist mainly of two categories of chemicals, viz. chlorofluorocarbons (CFCs) and halons. Controls on the import and export of CFCs will be implemented on 1 July 1989; whereas the controls on halons are to be brought in later (on or before 1.1.92) by notice in the Gazette.

2. Under Section 2 of the Bill, "scheduled substance" -
   (a) means a substance listed in the Schedule, whether existing alone or in a mixture; but
   (b) in sections 4 and 6 does not include a substance listed in the Schedule that is-

   (i) in a manufactured product (other than one used solely for the transportation or storage of the substance) and the substance is used in the operation of the product or the mere dispensing of the contents of the product constitutes the intended use of the substance;

   or (ii) part of a manufactured product solely because the substance was used in the process of manufacturing the product.

The list of scheduled substances is given at the end of this Annex.

3. The above definition excludes from consideration as a scheduled substance any substance listed in the Schedule, whether alone or in a mixture, which is in a manufactured product other than a container used for transportation or storage.

4. If a substance or mixture must first be transferred from a bulk container to another container, vessel or piece of equipment in order to realize its intended use, the first container is in fact utilized only for storage and/or transport, and the substance or mixture so packaged is covered by the definition of scheduled substance.

5. If, on the other hand, the mere dispensing of the product from a container constitutes the intended use of the substance, then that container is itself part of a use system and the substance contained in it is therefore excluded from the definition.

6. Examples of use systems to be considered as products are:
   (i) an aerosol can;
   (ii) a refrigerator or refrigerating plant, air conditioner or air conditioning plant, heat pump, etc;
   (iii) a polyurethane prepolymer or any foam containing, or manufactured with, a controlled substance;
   (iv) a fire extinguisher (wheeled or hand-operated) or an installed container incorporating a release device (automatic or hand-operated).
7. Any amount of a scheduled substance or a mixture of scheduled substances which is not part of a use system containing the substance is a scheduled substance for the purpose of the Bill (i.e. a bulk chemical). Hence, the size of the container or whether the container is rechargeable is immaterial to determine whether the substance is excluded from the definition.

8. Bulk containers for shipment of scheduled substances and mixtures containing scheduled substances to users include but not limit to (numbers being illustrative):

(i) tanks installed on board ships;
(ii) rail tank cars (10-40 tonnes);
(iii) road transfers (up to 20 tonnes);
(iv) cylinders from 0.4 kg to one tonne;
(v) drums (5-300 kg).

---

**SCHEDULED SUBSTANCE**

**Part 1**

Chlorofluorocarbons (CFC)

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFCl3 - Trichlorofluoromethane</td>
<td>CFC11</td>
</tr>
<tr>
<td>CF2Cl2 - Dichlorodifluoromethane</td>
<td>CFC12</td>
</tr>
<tr>
<td>CF3Cl - Trichlorotrifluoroethane</td>
<td>CFC113</td>
</tr>
<tr>
<td>C2F5Cl - Dichlorotetrafluoroethane</td>
<td>CFC114</td>
</tr>
<tr>
<td>C2F5Cl - Chloropentafluoroethane</td>
<td>CFC115</td>
</tr>
</tbody>
</table>

**Part 2**

Halons

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>CF2BrCl - Bromochlorodifluoromethene</td>
<td>halon 1211</td>
</tr>
<tr>
<td>CF2Br - Bromotrifluoromethane</td>
<td>halon 1301</td>
</tr>
<tr>
<td>C2F4Br2 - Dibromotetrafluoroethane</td>
<td>halon 2402</td>
</tr>
</tbody>
</table>
Ozone Layer Protection Ordinance

Important Note

1. In accordance with the conditions for this issue of licences covering substances specified in Part I of the Schedule to the Ozone Layer Protection Ordinance, importers are required to notify the Director of Trade details of imports as specified overleaf within 14 days after the importation of the scheduled substances.

2. All notifications are required to be supported by shipping documents like Through Bills of Lading, Bills of Lading, packing lists, invoices and other documents specified by the Director of Trade.

3. Failure to lodge a notification on importation of the scheduled substances constitutes an offence under the law and is punishable by a fine of $1,000,000 and imprisonment for 2 years.

Explanatory Note

1. Net weight (ie column 7 overleaf) refers to the weight of the gas, liquid or mixture containing any of the scheduled substances but excluding the weight of the container or any packaging material.

2. The Ozone Depleting Potential (ODP) (ie column 10 overleaf) for each chlorofluorocarbon (CFC) subject to control under the Ozone Layer Protection Ordinance is as follows:

<table>
<thead>
<tr>
<th>Common Name (ie column 8 overleaf)</th>
<th>Nomenclature</th>
<th>Chemical Formula</th>
<th>Ozone Depleting Potential (ODP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFC 11</td>
<td>Trichlorofluoromethane</td>
<td>CFC1\textsubscript{3}</td>
<td>1.0</td>
</tr>
<tr>
<td>CFC 12</td>
<td>Dichlorodifluoromethane</td>
<td>CF\textsubscript{2}C\textsubscript{1}</td>
<td>1.0</td>
</tr>
<tr>
<td>CFC 113</td>
<td>Trichlorotrifluoroethane</td>
<td>C\textsubscript{2}F\textsubscript{3}C\textsubscript{1}\textsubscript{3}</td>
<td>0.8</td>
</tr>
<tr>
<td>CFC 114</td>
<td>Dichlorotetrafluoroethane</td>
<td>C\textsubscript{2}F\textsubscript{4}C\textsubscript{1}\textsubscript{2}</td>
<td>1.0</td>
</tr>
<tr>
<td>CFC 115</td>
<td>Chloropentafluoroethane</td>
<td>C\textsubscript{2}F\textsubscript{5}C\textsubscript{1}</td>
<td>0.6</td>
</tr>
</tbody>
</table>
**Annex II**

**Ozone Layer Protection Orderance**

**Import Notification**

<table>
<thead>
<tr>
<th>Registration No.</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Import Licence No. (Date of Issue)</th>
<th>Date of Arrival</th>
<th>Name of Vessel/Flight/Vehicle No.</th>
<th>Reference no. of shipping documents eg Through Bill of Lading, Bill of Lading/Air Waybill, Cargo Receipt</th>
<th>Country of Origin</th>
<th>Full Description of Goods Including Brand Names</th>
<th>Net Weight of Goods in Kg (see overleaf)</th>
<th>Percentage by weight</th>
<th>Weighted Quantity in Kg</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(7)</td>
<td>(8)</td>
<td>(9)</td>
</tr>
</tbody>
</table>

1. ____________________________________________, Principal Official of ____________________________ hereby declare that the information given herein are true to the best of my knowledge.

Signature ____________________________

Company Chop ____________________________

Date ____________________________
Ozone Layer Protection Ordinance

Export Notification

<table>
<thead>
<tr>
<th>Registration No. 1</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Licence No.</th>
<th>Date of Issue</th>
<th>Date of Departure</th>
<th>Country of Final Destination</th>
<th>Name of Vessel/Flight/Vehicle No.</th>
<th>Reference no. of shipping documents</th>
<th>Country of Origin</th>
<th>Full Description of Goods Including Brand Names</th>
<th>Net Weight of Goods in Kg (See overleaf)</th>
<th>Scheduled substances contained in the goods</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
<td>(6)</td>
<td>(7)</td>
<td>(8)</td>
<td>(9)</td>
<td>(10)</td>
</tr>
</tbody>
</table>

I, ____________________________, Principal Official of ____________________________, hereby declare that the information given herein are true to the best of my knowledge.

Signature ____________________________ Company Chop ____________________________ Date ____________________________

Annex III
Ozone Layer Protection Ordinance

Important Note

1. In accordance with the conditions for this issue of licences covering substances specified in Part I of the Schedule to the Ozone Layer Protection Ordinance, exporters are required to notify the Director of Trade details of exports as specified overleaf within 14 days after the exportation of the scheduled substances.

2. All notifications are required to be supported by shipping documents like Through Bills of Lading, Bills of Lading, packing lists, invoices and other documents specified by the Director of Trade.

3. Failure to lodge a notification on exportation of the scheduled substances constitutes an offence under the law and is punishable by a fine of $1,000,000 and imprisonment for 2 years.

Explanatory Note

1. Net weight (ie column 8 overleaf) refers to the weight of the gas, liquid or mixture containing any of the scheduled substances but excluding the weight of the container or any packaging material.

2. The Ozone Depleting Potential (ODP) (ie column 11 overleaf) for each chlorofluorocarbon (CFC) subject to control under the Ozone Layer Protection Ordinance is as follows:

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Nomenclature</th>
<th>Chemical Formula</th>
<th>Ozone Depleting Potential (OPD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFC 11</td>
<td>Trichlorofluoromethane</td>
<td>CFC1_3</td>
<td>1.0</td>
</tr>
<tr>
<td>CFC 12</td>
<td>Dichlorodifluoromethane</td>
<td>CF2Cl2</td>
<td>1.0</td>
</tr>
<tr>
<td>CFC 113</td>
<td>Trichlorotrifluoroethane</td>
<td>C2F3Cl3</td>
<td>0.8</td>
</tr>
<tr>
<td>CFC 114</td>
<td>Dichlorotetrafluoroethane</td>
<td>C2F4Cl2</td>
<td>1.0</td>
</tr>
<tr>
<td>CFC 115</td>
<td>Chloropentafluoroethane</td>
<td>C2F5Cl</td>
<td>0.6</td>
</tr>
</tbody>
</table>
**IMPORT LICENCE FORM**

<table>
<thead>
<tr>
<th>Foreign Exporter (Name &amp; Address)</th>
<th>Licence No.</th>
<th>Date of Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>XTZ Co Ltd, 1234 Massachusetts Ave, NW, Washington DC 20016, USA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Importer (Name and Address)</th>
<th>Registration No. under the Ozone Layer Protection Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC Co Ltd, 13/F, Ocean Centre, 5 Canton Road, Kowloon</td>
<td>O123</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Intended Date of Arrival</th>
<th>Tel. No.</th>
<th>Intended Date of Arrival</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 July 1989</td>
<td>3-765432</td>
<td></td>
</tr>
</tbody>
</table>

**FOR CONDITIONS OF ISSUE PLEASE SEE OVERLEAF**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Marks &amp; Number</th>
<th>No. &amp; Kinds of Packages</th>
<th>Country of Origin</th>
<th>Full Description of Goods including Brand Names</th>
<th>Net Weight of Goods in Kg (See overleaf)</th>
<th>Scheduled Substances contained in the goods</th>
<th>CIF Value HK$</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ABC C/No 1-10</td>
<td>Ten(10) USA 'XTZ' CFC 11 Drums Blowing agent</td>
<td>USA</td>
<td>*5000kg CFC11</td>
<td>100%</td>
<td>*5000kg</td>
<td>$50,00C</td>
</tr>
<tr>
<td>2</td>
<td>ABC C/No 1-8</td>
<td>Eight(8) USA R12, Dichlorodifluoromethane Cartons</td>
<td>USA</td>
<td>*4000kg CFC12</td>
<td>100%</td>
<td>*4000kg</td>
<td>$40,00C</td>
</tr>
<tr>
<td>3</td>
<td>XA C/No 1-6</td>
<td>Six(6) UK 'LMN' Electronic cleaning solvent Cans</td>
<td>UK</td>
<td>*1000kg CFC113</td>
<td>99%</td>
<td>*760kg</td>
<td>$7,60C</td>
</tr>
</tbody>
</table>

**IMPORTER'S DECLARATION**

**Date: 5 July 1989**

**Issued by:** ABC Co Ltd

**Signature:** Chan Tai Man

**Issue of this licence is approved.**
How to complete Import Licence Form for Ozone Depleting Substances

When completing the licence application, please follow the guidelines below. The numbers given against each of these guidelines correspond to the numbers in circles in the specimen import licence application at Annex IV.

1. Name and address of foreign exporter
   Please give the name and full address. The country must be clearly specified and correspond to the information given in 'Exporting Country' box below.

2. Name and address of Hong Kong Importer
   Please give the name and full address. P.O. Box number or 'Company A on behalf of Company B' will not be accepted.

3. Registration No. under the Ozone Layer Protection Ordinance
   Please quote the registration number assigned to your company on the Registration Certificate.

4. Exporting Country
   The exporting country and not the city should be given. This should tally with the address of the foreign exporter above.

5. Intended date of arrival
   Please give the expected arrival date (eg. on or about date) if the exact date is unknown. Licence application should be submitted well before the intended date of arrival to allow sufficient time for the application to be processed and approved.

6. Vessel/Flight/Vehicle No
   Please state the mode of transport (by air, by sea or by lorry, etc) and give the vessel, flight or vehicle number, if available.

7. Marks and numbers
   The shipping marks and the numbers should be given. If there are no shipping marks and numbers the words 'no marks' should be stated.

8. Number and Kinds of Packages
   Please indicate the number of packages in both words and numerals and specify the type/mode/form of packages. Goods may be packed in the form of cartons, drums, cylinders, cans, bottles etc.

9. Country of Origin
   The country of origin of each item must be given. This is the country where the goods are manufactured and is not necessarily the exporting country.

10. Full Description of Goods
    Please give a full description of the goods including the brand name.

11. Quantity of the goods
    Net weight of goods and weighted quantity should be expressed in kg. Please put an asterisk immediately in front of the first numeral and leave no space between the last numeral and 'kg'.

12. Blank space must be crossed out.

13. Signatory's name
    Please give the signatory's name in block letters.

14. Name of Importer
    The name of Importer must be the same as the importer declared above. Declaration cannot be made on behalf of another company.

15. Importer's declaration
    Please indicate whether the goods are for local consumption or for re-export. Please delete for 'local consumption' or 're-export' where not applicable.

16. Signature and Company Chop
    The declaration must be signed by an authorized official of the company whose name and specimen signature have been registered with the Environmental Protection Department. Declaration cannot be made on behalf of another company. The company chop should be clear and legible.

/.../
(17) Storage Address

Please give the full address of the storage place if it is different from the importer's address. If it is the same, please indicate 'Same as importer's address'.

(18) Common Name

Please fill in the common name of the scheduled substance present in the goods. For reference of common names, please refer to the back of the licence.

(19) Percentage by weight

Please give the content of the scheduled substance. If it is a pure scheduled substance, please write 100%. If it is a mixture, please give the percentage by weight.

(20) Weighted Quantity in kg

Please calculate according to the formula and give the weighted quantity of the scheduled substance present. The total weighted quantity is the amount of import quotas required to cover the consignment.

(21) CIF Value

Please give the CIF value of goods to the nearest HKD.

2. No erasure or correcting fluid should be used on licence form. Errors should be clearly and tidily crossed out. Please initial, date and apply your company's amendment chop against all amendments, defacement, addition or deletion made. No more than 3 amendment chops are allowed for each application. Any amendments of the licence after issue could only be made by the Department upon receipt of written applications for amendments by the companies concerned.

3. The importer must comply with the conditions specified at the back of the licence and should read the explanatory notes before completing the licence.
**EXTRA LICENCE FORM**

**ORIGINAL**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Marks &amp; Number</th>
<th>No. &amp; Kinds of Packages</th>
<th>Country of Origin</th>
<th>Full Description of Goods including Brand Names</th>
<th>Net Weight of Goods in Kg</th>
<th>Scheduled Substances contained in the goods</th>
<th>FOB Value HK$</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>XYZ Co Ltd</td>
<td>Two Hundred C/No 1-250</td>
<td>Japan</td>
<td>Brand 'AAA' Electronic Solvents</td>
<td>5000kg</td>
<td>CFC113: 70%</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

**EXPORTER'S DECLARATION**

Date: 9 July 1989

I, **CHAN TAI MAN**, ABC Co Ltd, hereby declare that I am the exporter of the goods in respect of which this declaration is made and that the particulars given herein are true.

**FOR CONDITIONS OF ISSUE**

Warning: All alterations must be carried out by authorized officers. Heavy penalties are provided for false declaration and information, unauthorized alterations and misuse of this licence.

For Official Use Only

Issue of this licence is approved
How to complete Export Licence Form for Ozone Depleting Substances

When completing the licence applications, please follow the guidelines below. The numbers given below against each of these guidelines correspond to the numbers in circles in the specimen export licence application at Annex VI.

1. Name and address of Hong Kong exporter
   Please give the name and full address of the Hong Kong exporter. P.O. Box number or 'Company A on behalf of Company B' will not be accepted.

2. Name and address of Consignee
   Please give the name and full address of the consignee. The address must specify the country and should correspond with the country of final destination below. In case the goods are to be shipped to the country of destination to order of a party with an address not in that country, the full name and address of this party should appear in this box with the words 'to order of' etc.

3. Registration No under the ozone Layer Protection Ordinance
   Please quote the registration number assigned to your company on the Registration Certificate.

4. Country of final Destination
   The country, not the name of a city, of the final destination should be given. This should tally with the address of the consignee above.

5. Intended Date of Departure
   Please give the expected departure date (eg on or about date) if exact date is unknown. Licence application should be submitted well before the intended date of departure to allow sufficient time for the application to be processed and approved.

6. Vessel/Flight/Vehicle No
   Please state the mode of transport (by air, by sea or by lorry, etc) and give the vessel, flight or vehicle number, if available.

7. Marks and numbers
   The shipping marks and the numbers should be given. If there are no shipping marks and numbers the words 'no marks' should be stated.

8. Number and Kinds of Packages
   Please indicate the number of packages in both words and numerals and specify the type/size/form of packages. Goods may be packed in the form of cartons, drums, cylinders, cases, bottles etc.

9. Country of Origin
   The country of origin of each item must be given. This is the country where the goods are manufactured and is not necessarily the exporting country.

10. Full Description of Goods
    Please give a full description of the goods including the brand name.

11. Quantity of the goods
    Net weight of goods and weighted quantity should be expressed in kg. Please put an asterisk immediately in front of the first numeral and leave no space between the last numeral and 'kg'.

12. Blank space must be crossed out.

13. Signatory's name
    Please give the signatory's name in block letters.

14. Name of Exporter
    The name of exporter must be the same as the exporter declared above. Declaration cannot be made on behalf of another company.

15. Signature and Company Chop
    The declaration must be signed by an authorised official of the company whose name and specimen signature have been registered with the Environmental Protection Department. Declaration cannot be made on behalf of another company. The company chop should be clear and legible.
(16) **Common Name**

Please fill in the common name of the scheduled substance present in the goods. For reference of common names, please refer to the back of the licence.

(17) **Percentage by weight**

Please give the content of the scheduled substance. If it is a pure scheduled substance, please write 100%. If it is a mixture, please give the percentage by weight.

(18) **Weighted Quantity in kg**

Please calculate according to the formula and give the weighted quantity of the scheduled substance present.

(19) **FOB Value**

Please give the FOB value of goods to the nearest HKD.

1. No erasure or correcting fluid should be used on the licence form. Errors should be clearly and tidily crossed out. Please initial, date and apply your company's amendment chop against all amendments, defacement, addition or deletion made. No more than 3 amendment chops are allowed for each application. Any amendments of the licence after issue could only be made by the Department upon receipt of written applications for amendments by the companies concerned.

2. The exporter must comply with the conditions specified at the back of the licence and should read the explanatory notes before completing the licence.