



# **Ozone Protection and Synthetic Greenhouse Gas Management Amendment Regulations 2011 (No. 1)<sup>1</sup>**

**Select Legislative Instrument 2011 No.64**

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I, PROFESSOR MARIE BASHIR, AC, CVO, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

Dated 12 May 2011

MARIE BASHIR  
Administrator

By Her Excellency's Command

DON FARRELL  
Parliamentary Secretary for Sustainability and Urban Water

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**1 Name of Regulations**

These Regulations are the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment Regulations 2011 (No. 1)*.

**2 Commencement**

These Regulations commence on the commencement of Schedule 2 to the *Ozone Protection and Synthetic Greenhouse Gas Management Amendment Act 2010*.

**3 Amendment of *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995***

Schedule 1 amends the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Part 5, note 2**

*omit*

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*insert*

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**[2] Part 5, before regulation 80**

*insert*

**70 Exemption for refrigeration and air conditioning equipment**

(1) This regulation applies until the end of 30 June 2015.

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- (2) For paragraph 10 (1) (a) of Schedule 4 to the Act, the following kinds of equipment are specified:
- (a) HCFC pre-charged refrigeration equipment;
  - (b) HCFC pre-charged air conditioning equipment imported by the holder of a pre-charged equipment licence who has been granted a partial fee waiver for a one-off low volume import;
  - (c) chillers charged with HCFC-123;
  - (d) replacement parts for existing HCFC air conditioning equipment;
  - (e) components for existing high static ducted split system air conditioners;
  - (f) equipment insulated with foam manufactured with HCFC;
  - (g) equipment for which the Minister considers it is impracticable:
    - (i) for the importer or licence holder for the equipment to comply with the ban; and
    - (ii) to remove or retrofit the equipment because it is incidental to the main import.

*Example for subparagraph (g) (ii)*

Air conditioning equipment incorporated into a large boat or drilling rig.

- (3) The Minister may delegate his or her powers under this regulation to an SES employee or acting SES employee in the Department.
- (4) In exercising powers under a delegation, the delegate must comply with any directions of the Minister.
- (5) In this regulation:  
**replacement part** does not include a complete, or substantially complete, indoor or outdoor unit of a split system air conditioning unit.

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## Note

- 1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.