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**THE TRADE ACT**

**THE TRADE (RESTRICTION ON IMPORTATION) (CHLOROFLUOROCARBONS) ORDER, 1999**

In exercise of the power conferred upon the Minister by section 8 (1) (b) of the Trade Act and of every other power hereunto enabling, the following Order is hereby made:—

1. This Order may be cited as the Trade (Restriction on Importation) (Chlorofluorocarbons) Order, 1999.

2. In this Order

"CFC" means chlorofluorocarbons specified in Part II of the Schedule:

"Quota year" means the period specified in Part III of the Schedule.

3. (1) A company that is not listed in Part I of the Schedule shall not import CFC.

(2) The companies listed in Part I of the Schedule hereto shall only import CFC (gas) in accordance with—

(a) a licence granted by the Minister; and

(b) their respective annual quota allocations specified in that Part of the Schedule.

4. (1) Subject to sub-paragraph (2), the total quantity of CFC that may be imported in respect of each year specified in Part III of the Schedule shall not exceed the respective quantities specified in that Part.

(2) 4.2 metric tonnes (of each) of the total quantities for each quota year specified in Part III of the Schedule shall be held in abeyance in each year and shall only be imported with the approval of the Minister after consultation with the Natural Resources Conservation Authority in cases of emergency.

5. A company which imports CFC in breach of the quota allocation in any quota year shall be liable, in addition to any penalty to which he is liable under the Customs Act, to a reduction of his quota allocation in the following quota year as follows—

- (a) 25% reduction of the allocation in respect of a first breach;
- (b) 50% such reduction in respect of a second breach, and in the event of a third breach, his licence shall be revoked.

6. An importer of CFC may with the approval of the Trade Administrator, transfer up to 50% of his annual quota allocation in any quota year.

## SCHEDULE

(Paragraph 4)

## PART I—CFC Quota Allocation to Respective Companies

| Company  | % Allocation |
|--|--------------|
| Arel Ltd.  | 7.3          |
| Quality Distributors & Manufacturers Ltd.          | 7.3          |
| Tropical Air Conditioning & Refrigeration Co. Ltd. | 9.3          |
| Appliance Traders Ltd.                             | 7.3          |
| Victor Chang Ltd.                                  | 7.3          |
| General Refrigeration & Spares Ltd.                | 7.3          |
| Alcan (Ja.) Co. Ltd.                               | 7.3          |
| JAMALCO  | 6.5          |
| Edjo Ltd.  | 7.3          |
| Horatio Brown Ltd.                                 | 7.3          |
| Geddes Refrigeration Ltd.                          | 9.3          |
| B. J. Hanna & Sons Ltd.                            | 9.3          |
| Conditionedaire & Associates Contractors Ltd.      | 7.3          |

SCHEDULE. *contd.*PART II—*CFC to be Imported under the Quota System*

|                     |     |     |  |
|---------------------|-----|-----|--|
| Chlorofluorocarbons | ... | ... | CFC-11 (CFC1 <sub>1</sub> )                              |
|                     |     |     | CFC-12 (CF <sub>2</sub> CL <sub>2</sub> )                |
|                     |     |     | CFC-113 (C <sub>2</sub> F <sub>3</sub> CL <sub>1</sub> ) |
|                     |     |     | CFC-114 (C <sub>2</sub> F <sub>4</sub> CL <sub>2</sub> ) |
|                     |     |     | CFC-115 (C <sub>2</sub> F <sub>5</sub> CL)               |
|                     |     |     | R502 (51.2% CFC  |
|                     |     |     | 115 AND 48.8%)   |
|                     |     |     | HCFC 22)   |

PART III—*CFC Imported Quotas 1999-2005*

|                              |     |     |  |
|------------------------------|-----|-----|--|
| July, 1999 to June, 2000     | ... | ... | 96 metric tonnes   |
| July, 2000 to June, 2001     | ... | ... | 80 metric tonnes   |
| July, 2001 to June, 2002     | ... | ... | 64 metric tonnes   |
| July, 2002 to June, 2003     | ... | ... | 48 metric tonnes   |
| July, 2003 to June, 2004     | ... | ... | 32 metric tonnes   |
| July, 2004 to June, 2005     | ... | ... | 16 metric tonnes   |
| July, 2005 to December, 2005 | ... | ... | 0 metric tonne or unused<br>portion of the 4.2 metric<br>tonnes held in abeyance<br>for emergency purposes<br>from the year 2004 to<br>June, 2005. |
| January, 2006                | ... | ... | Phase out  |

Dated this 21st day of June, 1999.

PHILLIP PAULWELL,  
Minister of Commerce and Technology.

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