



TRISTAN DA CUNHA

REVISED EDITION OF THE LAWS, 2017

ENVIRONMENT AND NATURAL RESOURCES

OZONE LAYER PROTECTION (TRISTAN DA CUNHA) ORDINANCE, 1996¹

*Ordinance T3 of 1996
In force 20 June 1996*

No amendments to 1 November 2017

No subsidiary legislation to 1 November 2017

OZONE LAYER PROTECTION (TRISTAN DA CUNHA) ORDINANCE, 1996

ARRANGEMENT OF SECTIONS

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AN ORDINANCE to regulate substances that deplete the ozone layer.

Short title

1. This Ordinance may be cited as the Ozone Layer Protection (Tristan da Cunha) Ordinance, 1996.

Interpretation

2. (1) In this Ordinance—
“**controlled substance or product**” means a substance or product whose manufacture in Tristan da Cunha or importation into or exportation from Tristan da Cunha is for the time being required, by or under or by virtue of a relevant agreement provision, to be prohibited or controlled;
“**Convention**” means the Convention for the Protection of the Ozone Layer adopted in

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

Vienna on 22 March 1985;

“ozone layer protection agreement” means—

- (a) the Convention;
- (b) the Protocol on Substances that Deplete the Ozone layer adopted in Montreal on 16 September 1987 or any other Protocol adopted pursuant to the Convention; or
- (c) any agreement or arrangement for the time being amending or supplementing the Convention or any such Protocol or making adjustments or other changes to any provision of the Convention or any such Protocol;

“relevant agreement provision” means a provision of an ozone layer protection agreement which is for the time being in force in respect of Tristan da Cunha.

(2) For the purpose of—

- (a) the administration or enforcement of this Ordinance; or
- (b) any proceedings arising under this Ordinance, a certificate by the Governor that a substance or product is or is not, or was or was not at a material time, a controlled substance or product is conclusive of that fact.

(3) *Omitted*

Regulation of ozone layer depleting substances

3. (1) Except with and in accordance with a licence granted by the Governor a person must not—

- (a) manufacture a controlled substance or product in Tristan da Cunha; or
- (b) import a controlled substance or product into Tristan da Cunha; or
- (c) export a controlled substance or product from Tristan da Cunha.

Penalty: A fine of £100.

(2) If a person is convicted of an offence under subsection (1) the court that convicts the person may, in addition to imposing any fine in respect of the offence, order that the controlled substance or product used in the commission of the offence and any other controlled substance or product in the person’s possession at the time of the offence be forfeited to the Crown.

Regulations

4. The Governor may make regulations necessary or convenient for the purpose of this Ordinance.
