



BRITISH INDIAN OCEAN TERRITORY

**REVISED ORDINANCES OF THE
BRITISH INDIAN OCEAN TERRITORY**

**THE OZONE LAYER
PROTECTION ORDINANCE 1994**

CHAPTER E.2

Revised Edition

Showing the law as at 1 September 2020

Published by Authority

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This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Ordinance 2015 and contains a consolidation of the following laws:

The Ozone Layer Protection Ordinance 1994 - Ordinance No.3 of 1994

As amended by:

Ordinance No.3 of 2008

Ordinance No.4 of 2016

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CHAPTER E.2

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An Ordinance to give effect in the law of the Territory to certain international agreements for the protection of the ozone layer and, for that purpose, to control the manufacture, importation and exportation of certain substances and products, and to provide for matters incidental thereto.

Citation.

1. (1) This Ordinance may be cited as the Ozone Layer Protection Ordinance 1994, ROBIOT c.E.2.

Definitions.

2. (1) In this Ordinance –

controlled substance or product means a substance or product whose manufacture in the Territory or importation into or exportation from the Territory is for the time being required, by or under or by virtue of a relevant agreement provision, to be prohibited or controlled;

ozone layer protection agreement means the Convention for the Protection of the Ozone Layer adopted in Vienna on 22nd March 1985 or the Protocol on Substances that Deplete the Ozone Layer adopted in Montreal on 16th September 1987 or any other Protocol adopted in pursuance of the Convention or 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 thereof;

relevant agreement provision means a provision of an ozone layer protection agreement which is for the time being in force in respect of the Territory.

(2) For the purposes of the administration or enforcement of this Ordinance or of any proceedings arising under this Ordinance or under any provision of the Imports and Exports Control Ordinance 2009, a certificate by the Commissioner that a substance or product is or is not, or was or was not at any material time, a controlled substance or product shall be conclusive of that fact.

Restrictions on manufacture, importation and exportation of controlled substances.

3. Except under a licence granted by the Commissioner, no person may manufacture any controlled substance or product in the Territory or import any such substance or product into the Territory or export any such substance or product from the Territory.

Enforcement.

4. Substances or products which are manufactured in the Territory in contravention of section 3 of this Ordinance or of any condition of a licence granted under that section shall be deemed to be prohibited imports or, as the case may require, prohibited exports for the purposes of the Imports and Exports Control Ordinance 2009 and substances or products which are imported into the Territory or exported from the Territory in contravention of the said section 3 or of such a condition shall be deemed to be prohibited imports or prohibited exports, as the case may require, for those purposes, and the provisions of sections 6 (powers of Customs Officers and Police Officers), 7 (offences), 8 (forfeiture), 9 (indemnity) and 10 (power of the Commissioner to make regulations) of the Imports and Exports Control Ordinance 2009 shall accordingly have effect, in relation to all such substances or products, for the purposes of the administration and enforcement of this Ordinance.
