



Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Regulations 2004

Statutory Rules No. 17, 2004

made under the

Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Act 1995

Compilation No. 2

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About this compilation

This compilation

This is a compilation of the *Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Regulations 2004* that shows the text of the law as amended and in force on 1 August 2017 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name of Regulations

These Regulations are the *Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Regulations 2004*.

4 Definitions

In these Regulations:

Act means the *Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Act 1995*.

Management Regulations means the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

6 Conditions for exemption from import levy for SGG imported for destruction

- (1) This regulation specifies conditions for paragraph 3A(4)(b) of the Act.
- (2) A licensee must provide the Secretary evidence that:
 - (a) an agreement for the destruction to occur within 90 days of the SGG being imported has been entered into; and
 - (b) the SGG was destroyed within 90 days of the SGG being imported; and
 - (c) the destruction took place, or will take place, at:
 - (i) a refrigerant destruction facility approved under regulation 114 of the Management Regulations; or
 - (ii) an extinguishing agent destruction facility approved under regulation 306 of the Management Regulations.
- (3) The evidence must be provided to the Secretary:
 - (a) for paragraph (2)(a)—before the SGG is imported; and
 - (b) for paragraph (2)(b)—within 30 days of the destruction.
- (4) The evidence must be in a form approved by the Secretary.

7 Import levy—SGGs equipment

For subsection 4A(2)(a) of the Act, a metered dose inhaler that is used for medical purposes is prescribed.

8 Import levy rate—SGGs

For the definition of *prescribed rate* in subsection 3A(7) of the Act, the rate is \$165 per tonne.

9 Import levy rates—substances other than SGGs

For subsection 4(1) of the Act, the following rates of levy are prescribed:

- (a) for HCFCs—\$3 000 per ODP tonne;