

Regulation of Imports and Exports (Montreal Protocol) Regulations

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FIRST SCHEDULE Part A

SECOND SCHEDULE

Legislative History

**REGULATION OF IMPORTS AND EXPORTS ACT
(CHAPTER 272A, SECTION 3)**

**REGULATION OF IMPORTS AND EXPORTS (MONTREAL PROTOCOL)
REGULATIONS**

[1st December 1995]

Citation

1. These Regulations may be cited as the Regulation of Imports and Exports (Montreal Protocol) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“controlled substance” means any substance specified in Part A or B of the First Schedule whether alone or in a mixture and includes the isomers of any such substance, except as specified in that Part, but excludes any such substance or mixture which is in a manufactured product other than a container used for the transportation or storage of the specified substance;

“London Amendments” means the amendments to the Montreal Protocol adopted by the Second Meeting of the Parties to the Montreal Protocol in London on 29th June 1990;

“Montreal Protocol” means the Montreal Protocol on Substances that Deplete the Ozone Layer adopted at Montreal on 16th September 1987;

“Part A controlled substance” means any controlled substance specified in Part A of the First Schedule;

“Part B controlled substance” means any controlled substance specified in Part B of the First Schedule;

“party to the Montreal Protocol” means a country or State which has ratified, accepted or approved the Montreal Protocol or acceded thereto.

Prohibition on importation and exportation of Part A controlled substances

3.—(1) No person shall import into Singapore from, or export out of Singapore to, any country which at the time of importation or exportation is not a party to the Montreal Protocol any Part A controlled substance.

(2) No person shall import into Singapore from any country which at the time of importation is not a party to the Montreal Protocol any product specified in the

Second Schedule which contains any Part A controlled substance.

(3) Paragraph (2) shall not apply when such product is transported in consignments of personal or household effects or in similar non-commercial situations.

Prohibition on importation and exportation of Part B controlled substances

4. No person shall import into Singapore from, or export out of Singapore to, any country which at the time of importation or exportation has not ratified, accepted or approved the London Amendments any Part B controlled substance.

Licence required to import controlled substances

5. Except in accordance with a licence issued by the Board, no person shall import —
- (a) any Part A controlled substance into Singapore from any country which, at the time of importation, is a party to the Montreal Protocol; or
 - (b) any Part B controlled substance into Singapore from any country which, at the time of importation, has ratified, accepted or approved the London Amendments.

Licence required to export controlled substances

6. No person shall export any controlled substance out of Singapore to any country unless he is the holder of a licence issued by the Board for the export of such substance.

Charge equivalent to tender prices to be paid to Board

7.—(1) Where a quota in respect of any controlled substance is allocated by tender, the person to whom the quota is allocated shall pay to the Board in respect of each allocation a charge equivalent to the lowest of the successful tender prices accepted by the Board for that tender.

(2) Any charge payable under paragraph (1) may be recovered as a debt due to the Board.

Penalty

8. Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence and shall be liable —

- (a) on the first conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 2 years or to both; and
- (b) on the second or subsequent conviction, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 3 years or to both.