



Ν. 6(III)/94

ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ  
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

Αρ. 2876 της 22ας ΑΠΡΙΛΙΟΥ 1994

ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Τροποποίησης του Πρωτοκόλλου του Μόντρεαλ για τις Ουσίες που καταστρέφουν τη Στοιβάδα του Όζοντος (Κυρωτικός) Νόμος του 1994 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 6(III) του 1994

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗΝ ΤΡΟΠΟΠΟΙΗΣΗ ΤΟΥ  
ΠΡΩΤΟΚΟΛΛΟΥ ΤΟΥ ΜΟΝΤΡΕΑΛ ΓΙΑ ΤΙΣ ΟΥΣΙΕΣ  
ΠΟΥ ΚΑΤΑΣΤΡΕΦΟΥΝ ΤΗ ΣΤΟΙΒΑΔΑ ΤΟΥ ΟΖΟΝΤΟΣ

ΕΠΕΙΔΗ η Κυπριακή Δημοκρατία, δυνάμει του περί της Σύμβασης της Βιέννης για την Προστασία της Στοιβάδας του Όζοντος και του Πρωτοκόλλου του Μόντρεαλ για τις Ουσίες που καταστρέφουν τη Στοιβάδα του Όζοντος (Κυρωτικού) Νόμου αρ. 19(III) του 1992 κατέστη και είναι Συμβαλλόμενο Μέρος της πιο πάνω Σύμβασης και του Πρωτοκόλλου του Μόντρεαλ,

Προοίμιο.

ΚΑΙ ΕΠΕΙΔΗ στις 29 Ιουνίου 1990, κατά τη Δεύτερη Σύνοδο των Μερών του Πρωτοκόλλου του Μόντρεαλ για τις Ουσίες που καταστρέφουν τη Στοιβάδα του Όζοντος που έγινε στο Λονδίνο, υιοθετήθηκε Τροποποίηση του πιο πάνω Πρωτοκόλλου,

ΚΑΙ ΕΠΕΙΔΗ το Υπουργικό Συμβούλιο με την υπ' Αρ. 40.406 και ημερομηνία 5 Ιανουαρίου 1994 Απόφασή του έχει αποφασίσει όπως η Κυπριακή Δημοκρατία προσχωρήσει στην πιο πάνω Τροποποίηση του Πρωτοκόλλου του Μόντρεαλ για τις Ουσίες που καταστρέφουν τη Στοιβάδα του Όζοντος.

ΓΙ' ΑΥΤΟ η Βουλή των Αντιπροσώπων ψηφίζει τα ακόλουθα:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Τροποποίησης του Πρωτοκόλλου του Μόντρεαλ για τις Ουσίες που καταστρέφουν τη Στοιβάδα του Όζοντος (Κυρωτικός) Νόμος του 1994.

Συνοπτικός  
τίτλος.

2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια—

Ερμηνεία.

«Τροποποίηση» σημαίνει την Τροποποίηση του Πρωτοκόλλου του Μόντρεαλ για τις Ουσίες που καταστρέφουν τη Στοιβάδα του Όζοντος, η οποία υιοθετήθηκε στις 29 Ιουνίου στο Λονδίνο κατά τη Δεύτερη Σύνοδο των Συμβαλλόμενων Μερών του πιο πάνω Πρωτοκόλλου.

Κύρωση της  
Τροποποίησης  
Πίνακας  
Μέρος I  
Μέρος II.

3. Με τον παρόντα Νόμο κυρώνεται η Τροποποίηση, της οποίας το κείμενο από το αγγλικό πρωτότυπο εκτίθεται στο Μέρος I του Πίνακα και σε ελληνική μετάφραση στο Μέρος II αυτού:

Νοείται ότι σε περίπτωση αντίφασης μεταξύ του κειμένου του Μέρους I και εκείνου του Μέρους II του Πίνακα θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος I αυτού.

## ΠΙΝΑΚΑΣ

(Άρθρο 3)

### ΜΕΡΟΣ I

#### AMENDMENT TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

#### ARTICLE 1: AMENDMENT

##### A. Preambular Paragraph

1. The 6th preambular paragraph of the Protocol shall be replaced by the following:

Determined to protect the ozone layer by taking precautionary measures to control equitably total global emissions of substances that deplete it, with the ultimate objective of their elimination on the basis of developments in scientific knowledge, taking into account technical and economic considerations and bearing in mind the developmental needs of developing countries,

2. The 7th preambular paragraph of the Protocol shall be replaced by the following:

Acknowledging that special provision is required to meet the needs of developing countries, including the provision of additional financial resources and access to relevant technologies, bearing in mind that the magnitude of funds necessary is predictable, and the funds can be expected to make a substantial difference in the world's ability to address the scientifically established problem of ozone depletion and its harmful effects.

3. The 9th preambular paragraph of the Protocol shall be replaced by the following:

Considering the importance of promoting international co-operation in the research, development and transfer of alternative technologies relating to the control and reduction of emissions of substances that deplete the ozone layer, bearing in mind in particular the needs of developing countries,

##### B. Article 1: Definitions

1. Paragraph 4 of Article 1 of the Protocol shall be replaced by the following paragraph:

4. "Controlled substance" means a substance in Annex A or in Annex B to this Protocol, whether existing alone or in a mixture. It includes the isomers of any such substance, except as specified in the relevant Annex, but excludes any controlled substance or mixture which is in a manufactured product other than a container used for the transportation or storage of that substance.

2. Paragraph 5 of Article 1 of the Protocol shall be replaced by the following paragraph:

5. "Production" means the amount of controlled substances produced, minus the amount destroyed by technologies to be approved by the Parties and minus the amount entirely used as feedstock in the manufacture of other chemicals. The amount recycled and reused is not to be considered as "production".

3. The following paragraph shall be added to Article 1 of the Protocol:

9. "Transitional substance" means a substance in Annex C to this Protocol, whether existing alone or in a mixture. It includes the isomers of any such substance, except as may be specified in Annex C, but excludes any transitional substance or mixture which is in a manufactured product other than a container used for the transportation or storage of that substance.

C. Article 2, paragraph 5

Paragraph 5 of Article 2 of the Protocol shall be replaced by the following paragraph:

5. Any Party may, for any one or more control periods, transfer to another Party any portion of its calculated level of production set out in Articles 2A to 2E, provided that the total combined calculated levels of production of the Parties concerned for any group of controlled substances do not exceed the production limits set out in those Articles for that group. Such transfer of production shall be notified to the Secretariat by each of the Parties concerned, stating the terms of such transfer and the period for which it is to apply.

D. Article 2, paragraph 6

The following words shall be inserted in paragraph 6 of Article 2 before the words "controlled substances" the first time they occur:

Annex A or Annex B

E. Article 2, paragraph 8 (a)

The following words shall be added after the words "this Article" wherever they appear in paragraph 8 (a) of Article 2 of the Protocol:

and Articles 2A to 2E

F. Article 2, paragraph 9 (a) (i)

The following words shall be added after "Annex A" in paragraph 9 (a) (i) of Article 2 of the Protocol:

G. Article 2, paragraph 9 (a) (ii)

The following words shall be deleted from paragraph 9 (a) (ii) of Article 2 of the Protocol:

from 1986 levels

H. Article 2, paragraph 9 (c)

The following words shall be deleted from paragraph 9 (c) of Article 2 of the Protocol:

representing at least fifty per cent of the total consumption of the controlled substances of the Parties

and replaced by:

representing a majority of the Parties operating under paragraph 1 of Article 5 present and voting and a majority of the Parties not so operating present and voting

I. Article 2, paragraph 10 (b)

Paragraph 10 (b) of Article 2 of the Protocol shall be deleted, and paragraph 10 (a) of Article 2 shall become paragraph 10.

J. Article 2, paragraph 11

The following words shall be added after the words "this Article" wherever they occur in paragraph 11 of Article 2 of the Protocol:

and Articles 2A to 2E

K. Article 2C: Other fully halogenated CFCs

The following paragraphs shall be added to the Protocol as Article 2C:

Article 2C: Other fully halogenated CFCs

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1993, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, eighty per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, eighty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1997, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, fifteen per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, fifteen per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2000, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989.

L. Article 2D: Carbon tetrachloride

The following paragraphs shall be added to the Protocol as Article 2D:

Article 2D: Carbon tetrachloride

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed, annually, fifteen per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, fifteen per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 2000, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989.