

Ο περί του Πρωτοκόλλου της Σύμβασης του 1979 για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση Σχετικά με την Περαιτέρω Μείωση των Εκπομπών του Θείου (Κυρωτικός) Νόμος του 2006 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 5(ΙΙΙ) του 2006

ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΟΥ ΠΡΩΤΟΚΟΛΛΟΥ ΤΗΣ ΣΥΜΒΑΣΗΣ ΤΟΥ 1979  
ΓΙΑ ΤΗ ΔΙΑΜΕΘΟΡΙΑΚΗ ΡΥΠΑΝΣΗ ΤΗΣ ΑΤΜΟΣΦΑΙΡΑΣ  
ΣΕ ΜΕΓΑΛΗ ΑΠΟΣΤΑΣΗ ΣΧΕΤΙΚΑ ΜΕ ΤΗΝ ΠΕΡΑΙΤΕΡΩ  
ΜΕΙΩΣΗ ΤΩΝ ΕΚΠΟΜΠΩΝ ΘΕΙΟΥ

Για σκοπούς εναρμόνισης με την πράξη της Ευρωπαϊκής Κοινότητας με τίτλο—

«Απόφαση 98/686/ΕΚ του Συμβουλίου της 23ης Μαρτίου 1998, για τη σύναψη εκ μέρους της Ευρωπαϊκής Κοινότητας Πρωτοκόλλου της Σύμβασης του 1979 για τη Διασυνοριακή Ατμοσφαιρική Ρύπανση σε Μεγάλες Αποστάσεις, Σχετικά με την Περαιτέρω Μείωση των Εκπομπών του Θείου» (ΕΕ L.326 της 3ης Δεκεμβρίου 1998, σελ. 34).

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί του Πρωτοκόλλου της Σύμβασης του 1979 για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση Σχετικά με την Περαιτέρω Μείωση των Εκπομπών του Θείου (Κυρωτικός) Νόμος του 2006. Συνοπτικός τίτλος.

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

«Πρωτόκολλο» σημαίνει το Πρωτόκολλο της Σύμβασης για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση που αφορά την Περαιτέρω Μείωση των Εκπομπών του Θείου, το οποίο έγινε στο Όσλο στις 13 Ιουνίου 1994 και εγκρίθηκε εξ ονόματος της Ευρωπαϊκής Κοινότητας με την Απόφαση του Συμβουλίου της 23ης Μαρτίου 1998 με αρ. 98/686/ΕΚ. Επίσημη Εφημερίδα της Ε.Ε.: L.326, 3.12.1998.

«Σύμβαση» σημαίνει τη Σύμβαση που κυρώθηκε με τον κυρωτικό της Σύμβασης (1979) για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση και του Πρωτοκόλλου (1984) αυτής Νόμου του 1991. 184 του 1991.

3.—(1) Με τον παρόντα Νόμο κυρώνεται το Πρωτόκολλο της Σύμβασης, του οποίου το αυθεντικό κείμενο στην Αγγλική εκτίθεται στο Μέρος Ι του Πίνακα και σε Ελληνική μετάφραση στο Μέρος ΙΙ αυτού. Κύρωση του Πρωτοκόλλου. Πίνακας, Μέρος Ι, Μέρος ΙΙ.

(2) Σε περίπτωση διαφοράς μεταξύ του κειμένου του Μέρους Ι και εκείνου του Μέρους ΙΙ του Πίνακα, υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι, αυτού. Πίνακας.

4. Αρμόδια Αρχή για την εφαρμογή στην επικράτεια της Δημοκρατίας των διατάξεων του Πρωτοκόλλου, είναι ο Υπουργός Εργασίας και Κοινωνικών Ασφαλίσεων ή οποιοσδήποτε Λειτουργός του Υπουργείου του, δεόντως εξουσιοδοτημένος προς τούτο από τον Υπουργό. Αρμόδια Αρχή.

ΠΙΝΑΚΑΣ  
(άρθρο 3)ΜΕΡΟΣ Ι  
PROTOCOL TO THE 1979 CONVENTION ON LONG-RANGE TRANSBOUNDARY AIR  
POLLUTION ON FURTHER REDUCTION OF SULPHUR EMISSIONS

*The Parties,*

*Determined* to implement the Convention on Long-range Transboundary Air Pollution,

*Concerned* that emissions of sulphur and other air pollutants continue to be transported across international boundaries and, in exposed parts of Europe and North America, are causing widespread damage to natural resources of vital environmental and economic importance, such as forests, soils and waters, and to materials, including historic monuments, and, under certain circumstances, have harmful effects on human health,

*Resolved* to take precautionary measures to anticipate, prevent or minimize emissions of air pollutants and mitigate their adverse effects,

*Convinced* that where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing such measures, taking into account that such precautionary measures to deal with emissions of air pollutants should be cost-effective,

*Mindful* that measures to control emissions of sulphur and other air pollutants would also contribute to the protection of the sensitive Arctic environment,

*Considering* that the predominant sources of air pollution contributing to the acidification of the environment are the combustion of fossil fuels for energy production, and the main technological processes in various industrial sectors, as well as transport, which lead to emissions of sulphur, nitrogen oxides, and other pollutants,

*Conscious* of the need for a cost-effective regional approach to combating air pollution that takes account of the variations in effects and abatement costs between countries,

*Desiring* to take further and more effective action to control and reduce sulphur emissions,

*Cognizant* that any sulphur control policy, however cost-effective it may be at the regional level, will result in a relatively heavy economic burden on countries with economies that are in transition to a market economy,

*Bearing in mind* that measures taken to reduce sulphur emissions should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international competition and trade,

*Taking into consideration* existing scientific and technical data on emissions, atmospheric processes and effects on the environment of sulphur oxides, as well as on abatement costs,

*Aware* that, in addition to emissions of sulphur, emissions of nitrogen oxides and of ammonia are also causing acidification of the environment,

*Noting* that under the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992, there is agreement to establish national policies and take corresponding measures to combat climate change, which can be expected to lead to reductions of sulphur emissions,

*Affirming* the need to ensure environmentally sound and sustainable development,

*Recognizing* the need to continue scientific and technical cooperation to elaborate further the approach based on critical loads and critical levels, including efforts to assess several air pollutants and various effects on the environment, materials and human health,

*Underlining* that scientific and technical knowledge is developing and that it will be necessary to take such developments into account when reviewing the adequacy of the obligations entered into under the present Protocol and deciding on further action,

*Acknowledging* the Protocol on the Reduction of Sulphur Emissions or Their Transboundary Fluxes by at least 30 per cent, adopted in Helsinki on 8 July 1985, and the measures already taken by many countries which have had the effect of reducing sulphur emissions,

*Have agreed* as follows:

#### *Article 1*

#### DEFINITIONS

For the purposes of the present Protocol,

1. "Convention" means the Convention on Long-range Transboundary Air Pollution, adopted in Geneva on 13 November 1979;
2. "EMEP" means the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe;
3. "Executive Body" means the Executive Body for the Convention constituted under article 10, paragraph 1, of the Convention;
4. "Commission" means the United Nations Economic Commission for Europe;
5. "Parties" means, unless the context otherwise requires, the Parties to the present Protocol;
6. "Geographical scope of EMEP" means the area defined in article 1, paragraph 4, of the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), adopted in Geneva on 28 September 1984;
7. "SOMA" means a sulphur oxides management area designated in annex III under the conditions laid down in article 2, paragraph 3;
8. "Critical load" means a quantitative estimate of an exposure to one or more pollutants below which significant harmful effects on specified sensitive elements of the environment do not occur, according to present knowledge;
9. "Critical levels" means the concentration of pollutants in the atmosphere above which direct adverse effects on receptors, such as human beings, plants, ecosystems or materials, may occur, according to present knowledge;

10. "Critical sulphur deposition" means a quantitative estimate of the exposure to oxidized sulphur compounds, taking into account the effects of base cation uptake and base cation deposition, below which significant harmful effects on specified sensitive elements of the environment do not occur, according to present knowledge;
11. "Emission" means the discharge of substances into the atmosphere;
12. "Sulphur emissions" means all emissions of sulphur compounds expressed as kilotonnes of sulphur dioxide (kt SO<sub>2</sub>) to the atmosphere originating from anthropogenic sources excluding from ships in international traffic outside territorial waters;
13. "Fuel" means any solid, liquid or gaseous combustible material with the exception of domestic refuse and toxic or dangerous waste;
14. "Stationary combustion source" means any technical apparatus or group of technical apparatus that is co-located on a common site and is or could be discharging waste gases through a common stack, in which fuels are oxidized in order to use the heat generated;
15. "Major new stationary combustion source" means any stationary combustion source the construction or substantial modification of which is authorized after 31 December 1995 and the thermal input of which, when operating at rated capacity, is at least 50 MWth. It is a matter for the competent national authorities to decide whether a modification is substantial or not, taking into account such factors as the environmental benefits of the modification;
16. "Major existing stationary combustion source" means any existing stationary combustion source the thermal input of which, when operating at rated capacity, is at least 50 MWth;
17. "Gas oil" means any petroleum product within HS 2710, or any petroleum product which, by reason of its distillation limits, falls within the category of middle distillates intended for use as fuel and of which at least 85 per cent by volume, including distillation losses, distils at 350°C;
18. "Emission limit value" means the permissible concentration of sulphur compounds expressed as sulphur dioxide in the waste gases from a stationary combustion source expressed in terms of mass per volume of the waste gases expressed in mg SO<sub>2</sub>/Nm<sup>3</sup>, assuming an oxygen content by volume in the waste gas of 3 per cent in the case of liquid and gaseous fuels and 6 per cent in the case of solid fuels;
19. "Emission limitation" means the permissible total quantity of sulphur compounds expressed as sulphur dioxide discharged from a combustion source or group of combustion sources located either on a common site or within a defined geographical area, expressed in kilotonnes per year;
20. "Desulphurization rate" means the ratio of the quantity of sulphur which is separated at the combustion source site over a given period to the quantity of sulphur contained in the fuel which is introduced into the combustion source facilities and which is used over the same period;
21. "Sulphur budget" means a matrix of calculated contributions to the deposition of oxidized sulphur compounds in receiving areas, originating from the emissions from specified areas.

*Article 2*

## BASIC OBLIGATIONS

1. The Parties shall control and reduce their sulphur emissions in order to protect human health and the environment from adverse effects, in particular acidifying effects, and to ensure, as far as possible, without entailing excessive costs, that depositions of oxidized sulphur compounds in the long term do not exceed critical loads for sulphur given, in annex I, as critical sulphur depositions, in accordance with present scientific knowledge.

2. As a first step, the Parties shall, as a minimum, reduce and maintain their annual sulphur emissions in accordance with the timing and levels specified in annex II.

3. In addition, any Party:

(a) Whose total land area is greater than 2 million square kilometres;

(b) Which has committed itself under paragraph 2 above to a national sulphur emission ceiling no greater than the lesser of its 1990 emissions or its obligation in the 1985 Helsinki Protocol on the Reduction of Sulphur Emissions or Their Transboundary Fluxes by at least 30 per cent, as indicated in annex II;

(c) Whose annual sulphur emissions that contribute to acidification in areas under the jurisdiction of one or more other Parties originate only from within areas under its jurisdiction that are listed as SOMAs in annex III, and has presented documentation to this effect; and

(d) Which has specified upon signature of, or accession to, the present Protocol its intention to act in accordance with this paragraph,

shall, as a minimum, reduce and maintain its annual sulphur emissions in the area so listed in accordance with the timing and levels specified in annex II.

4. Furthermore, the Parties shall make use of the most effective measures for the reduction of sulphur emissions, appropriate in their particular circumstances, for new and existing sources, which include, *inter alia*:

- Measures to increase energy efficiency;

- Measures to increase the use of renewable energy;

- Measures to reduce the sulphur content of particular fuels and to encourage the use of fuel with a low sulphur content, including the combined use of high-sulphur with low-sulphur or sulphur-free fuel;

- Measures to apply best available control technologies not entailing excessive cost, using the guidance in annex IV.

5. Each Party, except those Parties subject to the United States/Canada Air Quality Agreement of 1991, shall as a minimum: