



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$2.00

WINDHOEK - 31 December 2010

No. 4636

### CONTENTS

*Page*

#### GOVERNMENT NOTICE

No. 281    Amendment of prohibition of import into Namibia of ozone depleting substances ..... 1

## Government Notice

### MINISTRY OF TRADE AND INDUSTRY

No. 281

2010

#### AMENDMENT OF PROHIBITION OF IMPORT INTO NAMIBIA OF OZONE DEPLETING SUBSTANCES

Under section 2(1)(b) and section 3, respectively, of the Import and Export Control Act, 1994 (Act No. 30 of 1994), I -

- (a) prohibit, except under the authority of and in accordance with the conditions contained in a permit issued by the Ministry of Trade and Industry, the import into Namibia of the ozone depleting substances set out in the Schedule below;
- (b) authorize the National Ozone Officer to direct any person who imports into Namibia any substances, set out in Annexure I of the Schedule below, to furnish myself within a period specified in that direction with any information at his or her disposal in relation to that import of substances;
- (c) determine that this Notice comes into operation on 1 January 2011; and
- (d) withdraw Government Notice No. 80 of 19 April 2004.

**H.G. GEINGOB**  
**MINISTER OF TRADE AND INDUSTRY**

Windhoek, 9 November 2010

## SCHEDULE

### Prohibition of import of certain ozone depleting substances

1. (1) The import into Namibia of the following ozone depleting substances listed in Annexure I of this Schedule is prohibited:

- (a) Class A;
- (b) Class B; and
- (c) Class D.

(2) The import into Namibia of goods, whether new or used, set out in Class C in Annexure I of this Schedule, are prohibited to the extent that they are designed to use the following ozone depleting substances set out in that Annexure:

- (a) Class A;
- (b) Class B; and
- (c) Class D.

(3) The import into Namibia of the following ozone depleting substances listed in Annexure I of this Schedule are restricted, except under the authority and conditions contained in a permit issued substantially in the form as set out in Annexure II of this Schedule by the Ministry of Trade and Industry:  
Class E.

(4) The import into Namibia of goods, whether new or used, set out in Class C in Annexure I of this Schedule, are prohibited, as from the 01 January 2012, to the extent that they are designed to use the following ozone depleting substances set out in that Annexure:  
Class E.

### Import from Non-Party States

2. Notwithstanding paragraph 1, the import of –
- (a) ozone depleting substances as specified in Class E of Annexure I of this Schedule; and
  - (b) goods specified in Class C of Annexure I of this Schedule, to the extent that they are designed to use Class E substances listed in that Annexure, is prohibited from the states that are not parties to the Montreal Protocol and its amendments. (See paragraph 19 of Annexure II).

### Asthma-metered dose inhalers

3. Notwithstanding paragraph 1, a permit for the importation into Namibia of chlorofluorocarbon based propellants used in asthma-metered dose inhalers is not required.

### Directives made by National Ozone Officer

4. A directive made by an authorized National Ozone Officer must be made in writing, and must direct a person who imports the following substances specified in Annexure I of this

---

Schedule to furnish the Minister of Trade and Industry on annual intervals with the information specified in Annexure III of this Schedule:

**Class E.**

**Application for Import Permit**

**5.** For the purposes of paragraph 1, an application form for an Import Permit for Ozone Depleting Substances is obtainable from: Ministry of Trade and Industry, Private Bag 13340, Windhoek.



## Annexure 1

## REPUBLIC OF NAMIBIA

## MINISTRY OF TRADE AND INDUSTRY

Private Bag 13340

Windhoek

Tel: +264-61-283-7271 Fax +264-61-221-729

LIST OF SUBSTANCES, GOODS & TARIFFS  
(Import and Export Control Act, 1994 (Act No. 30 of 1994))

Description of substances and goods	Tariff heading	Description of substances and goods	Tariff heading
<b>Class A / Group I - Chlorofluorocarbons</b>		condensing or cooling (excluding machinery or plant of a kind used for domestic purposes); instantaneous or storage water heaters, non electric	
chlorofluorocarbon - II (CFC-II)	2903.41		
chlorofluorocarbon - 12 (CFC-12)	2903.42		
chlorofluorocarbon - 113 (CFC-113)	2903.43		
chlorofluorocarbon - 114 (CFC-114)	2903.44	Electro-mechanical domestic appliances, with self-contained electric motor	85.09
chlorofluorocarbon - 115 (CFC-115)	2903.44		
<b>Group II - Halons</b>		Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	87.16
halon - 1211	2903.46		
halon - 1301	2903.46		
halon - 2402	2903.46		
<b>Class B / Group I-Other fully halogenated CFCs</b>		<b>Group II</b>	
chlorofluorocarbon-13 (CFC-13)	2903.45.05	Compressors	8414.30
chlorofluorocarbon-111 (CFC-111)	2903.45.10	Compressors of a kind used In refrigeration equipment	8414.90
chlorofluorocarbon-112 (CFC-112)	2903.45.15	Parts:	
chlorofluorocarbon-211 (CFC-211)	2903.45.20	-for other ventilating fans (excluding that for fans identifiable for use with motor vehicle engines)	84.14.90.70
chlorofluorocarbon-212 (CFC-212)	2903.45.25		
chlorofluorocarbon-213 (CFC-213)	2903.45.30	-Other	84.14.90.90
chlorofluorocarbon-214 (CFC-214)	2903.45.35		
chlorofluorocarbon-215 (CFC-215)	2903.45.40	Turbo-jets, Turbo-propellers and other gas turbines	84.11
chlorofluorocarbon-216 (CFC-216)	2903.45.45		
chlorofluorocarbon-217 (CFC-217)	2903.45.50	Other engines and motors	84.12
<b>Group II - Carbon tetrachloride</b>		Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	84.15
carbon tetrachloride	2903.14		
<b>Group III - 111-trichlorethane (methyl chloroform)</b>		Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning equipment of heading	84.18
methyl chloroform (111-Trichloroethane)	2903.19.10		
<b>Class C/ Group I Air-Conditioners</b>		Mechanical Appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged, spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines	84.24
Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	84.15		
<b>Air conditioners cont.</b>		Pulley tackle and hoists (excluding skip hoists); winches and capstans jacks	84.25
Prefabricated buildings (includes air conditioners as built in equipment)	94.06		
Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning equipment of heading	84.18	Other moving, grading, leveling, scraping, excavation, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow ploughs and snow-blowers	84.30
84.15			
Machinery, plant or laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, Evaporating,	84.19		

Description of substances and goods	Tariff heading	Description of substances and goods	Tariff heading
<u>Group III</u>		Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant growth regulators, disinfectants and similar products, put up in forms or packaging for retail sale or as preparations or articles (for example, sulphur treated bands, wicks and candles and fly papers)	38.08
<b>Fire Extinguishers</b> Fire extinguishers, whether or not charged	8424.10		
<u>Group IV</u>		Organic, composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers	38.14
<b>Dry cleaning machinery</b> Household or laundry-type washing machines, including machines which with both wash and dry	84.50		
Dry cleaning machines	8451.10	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included	38.24
<u>Group V</u>			
<b>Aerosols</b> Preparation for use on the hair	33.05		
Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorizers, whether or not perfumed or having disinfectant properties.	33.07	Other arms (for example, spring, air or gas guns and pistols, truncheons) (excluding those of heading no. 93.07)	93.04
Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 per cent or more by mass of petroleum oils or of oils obtained from bituminous minerals	34.03	<b>Class D/ Group I</b>  Methyl bromide Bromomethane (Methyl bromide)	2903.30.10
		<b>Class E</b>  <u>Group I Hydrochlorofluorocarbons</u>	2903.49
		<u>Dichlorofluoromethane – 21 (HCFC 21)</u>	2903.49
		<u>Chlorodifluoromethane – 22 (HCFC)</u>	2903.49
		<u>1,1-dichloro-1-fluoroethane – 141b (HCFC)</u>	2903.49
		<u>1-chloro-1,1-difluoroethane – 142b (HCFC)</u>	
		<b>Group II HCFC blends</b>	2903.49
		<u>HCFC blend - 401a</u>	2903.49
		<u>HCFC blend - 402a</u>	2903.49
		<u>HCFC blend - 405a</u>	2903.49
		<u>HCFC blend - 406a</u>	2903.49
		<u>HCFC blend - 408a</u>	2903.49
		<u>HCFC blend - 409a</u>	2903.49
		<u>HCFC blend – 507</u>	
		<u>Other HCFCs and HCFC blends</u>	2903.49

1. A reference to a tariff heading in the description of a substances or goods, contained in this Annexure correspond to the tariff heading in the respective Chapters to Schedule I of the Customs and Excise Act, 1998 (Act No. 20 of 1998).





13. The importer specific base line shall be calculated on the shares of the importers to the overall calculated import quantities of that specific year.
14. To meet the freeze and minimum reduction levels, as listed in paragraph 12 of this Annexure, the reduction of imports for substances listed shall take place on annual intervals.
15. Notwithstanding all substances as specified in Class E in Annexure I, an import permit for ODS shall be issued in instances where a possible essential use exemption has been recommended by the National Ozone Officer under the consideration of the specification given by the Montreal Protocol.
16. 'Base level' means the annual average consumption of a group of substances for a specific period.
17. 'Consumption' means the amount of an imported substance, minus the amount of that substance exported.
18. 'Freeze' means the level where the base level for the annual average consumption of a group of substance is met.
19. 'Montreal Protocol', means the Montreal Protocol on substances that deplete the Ozone Layer, a protocol to the Vienna Convention for the Protection of the Ozone Layer to which Namibia is a signatory, including adjustments adopted by Parties thereto and amendments that have entered into force.
20. 'National Ozone Officer' means the officer in charge of the National Ozone Unit within the Ministry of Trade and Industry.



## Annexure 3



## REPUBLIC OF NAMIBIA

## MINISTRY OF TRADE AND INDUSTRY

National Ozone Office

Private Bag 13340

Windhoek

Tel: +264-61-283-7271 Fax +264-61-221-729

Year 2 \_\_\_\_\_

(Period: 01 January-31 December)

<u>Trade Name of Chemical</u>	<u>Chemical Ingredient</u>	<u>Import kg</u>	<u>Sales kg</u>	<u>Stock kg</u>
<b>Refrigerants and chillers and /or foaming agents</b>				
R11 <sup>A</sup> -cross: foaming or refrigerant/chiller	CFC			
R12 <sup>A</sup> -cross: foaming or refrigerant/chiller	CFC			
R13	CFC			
R111	CFC			
R112	CFC			
R114	CFC			
R115	CFC			
R502	CFC/HCFE			
R21	HCFC			
R22	HCFC			
R141b	HCFC			
R141b	HCFC			
<b>Other refrigerants</b>				
R211	CFC			
R212	CFC			
R213	CFC			
R214	CFC			
R215	CFC			
R216	CFC			
R217	CFC			
R123	HCFC			
R124	HCFC			
R225	HCFC			
<b>Blends</b>				
R401a	HCFC/HFCI			
R402	HCFC/HFC/HC			
R406	HCFC/HC			
R408	HCFC/HFC			

R409	HCFE			
<b>Fire Suppressants</b>				
Halon 1211 (R12B1)	Halon			
Halon 1301 (R13B1)	Halon			
Halon 2402 (R114B2)	Halon			
<b>Mainly industrial appliances</b>				
Carbon tetrachloride (Tetrachlormethane)				
1,1,1 trichlorethane (methyl chloroform) <sup>B</sup>				
<b>Soil fumigant, Phytosanitary, pre-shipment</b>				
Methyl Bromide				
<b>Solvents for electronic appliances</b>				
R113(specify...% of CFC)	CFC			

**Prepared by:** \_\_\_\_\_  
**Signature:** \_\_\_\_\_

**Capacity:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**STAMP** \_\_\_\_\_

<sup>A</sup> Also as agent for foam

<sup>B</sup> Also as agent for paint and Glue

Note:

1. 'CFC' means chlorofluorocarbons listed in Class A/Group I and Class B/Group I of Annexure I of this Schedule.
2. 'HCFC' means hydrochlorofluorocarbons listed in Class E/Group xyz of Annexure I of this Schedule.
3. 'Refrigerant' means any Group I of Class A substance or Group I of Class B substance or Group xyz of Class E substance contained in Annexure I of this Schedule. Whether or not in its pure form used for household or commercial purposes and includes any substitute substance.

\_\_\_\_\_