

REPUBLIC OF KIRIBATI



ENVIROMENT ACT 1999  
(Section 86(2)(c))

**Regulation**

IN EXERCISE of the powers conferred upon me under section 86(2)(c) of the *Environment Act 1999* (as amended), I Honourable Ruateki Tekaiara hereby give notice that the Order for controlling the import/export of Hydrofluorocarbons (HFCs) substances and their mixtures is hereby issued as follows:

**1. Short title, commencement and application**

This Order may be cited as the Order for controlling the import/export of Hydrofluorocarbon (HFCs) and their mixtures.

**2. Commencement**

This Order shall come into force after signing by the Minister.

**3. Application**

This Order apply to the whole of Kiribati.

**4. Control measure for the importation/exportation of Hydrofluorocarbons (HFCs)**

Every shipment of HFCs containers shall be seized by the Customs officers upon arrival or departure, unless the import/export permission from the Ministry of Environment, Lands and Agricultural Development (MELAD) is provided.

**5. Procedures for the obtainment of the import/export permission**

The Ministry shall establish procedures for importing/exporting of theses prohibited items (listed in Order 8). Traders (import/export) of HFCs and their mixtures shall comply with the procedures for the import/export of the pre-shipment import/export permission from the Ministry (MELAD).

**6. Offence and Penalties**

For the purposes of this Order, any person who contravenes this Order and the procedures stated herein shall be guilty of an offence and upon conviction such offender is liable to a fine not exceeding \$1,000 or 6 months imprisonment.

**7. Expiry**

This Order shall cease to have effect once the 2021 Amendment to the Ozone Depleting Substances Regulations 2017 is enacted.

8. List of controlled substances and mixtures containing them are also controlled.

| <b>Annex F Controlled substances Group</b>                      | <b>Substance</b>    | <b>100-Year Global Warming Potential</b> |
|---|---------------------|--|
| <i>Group I</i>  |                     |  |
| <b>CHF<sub>2</sub>CHF<sub>2</sub></b>                           | <b>HFC-134</b>      | <b>1,100</b>                             |
| <b>CH<sub>2</sub>FCF<sub>3</sub></b>                            | <b>HFC-134a</b>     | <b>1,430</b>                             |
| <b>CH<sub>2</sub>FCHF<sub>2</sub></b>                           | <b>HFC-143</b>      | <b>353</b>                               |
| <b>CHF<sub>2</sub>CH<sub>2</sub>CF<sub>3</sub></b>              | <b>HFC-245fa</b>    | <b>1,030</b>                             |
| <b>CF<sub>3</sub>CH<sub>2</sub>CF<sub>2</sub>CH<sub>3</sub></b> | <b>HFC-365mfc</b>   | <b>794</b>                               |
| <b>CF<sub>3</sub>CHFCF<sub>3</sub></b>                          | <b>HFC-227ea</b>    | <b>3,220</b>                             |
| <b>CH<sub>2</sub>FCF<sub>2</sub>CF<sub>3</sub></b>              | <b>HFC-236cb</b>    | <b>1,340</b>                             |
| <b>CHF<sub>2</sub>CHFCF<sub>3</sub></b>                         | <b>HFC-236ea</b>    | <b>1,370</b>                             |
| <b>CF<sub>3</sub>CH<sub>2</sub>CF<sub>3</sub></b>               | <b>HFC-236fa</b>    | <b>9,810</b>                             |
| <b>CH<sub>2</sub>FCF<sub>2</sub>CHF<sub>2</sub></b>             | <b>HFC-245ca</b>    | <b>693</b>                               |
| <b>CF<sub>3</sub>CHFCHFCF<sub>2</sub>CF<sub>3</sub></b>         | <b>HFC-43-10mee</b> | <b>1,640</b>                             |
| <b>CH<sub>2</sub>F<sub>2</sub></b>                              | <b>HFC-32</b>       | <b>675</b>                               |
| <b>CHF<sub>2</sub>CF<sub>3</sub></b>                            | <b>HFC-125</b>      | <b>3,500</b>                             |
| <b>CH<sub>3</sub>CF<sub>3</sub></b>                             | <b>HFC-143a</b>     | <b>4,470</b>                             |
| <b>CH<sub>3</sub>F</b>  | <b>HFC-41</b>       | <b>92</b>                                |
| <b>CH<sub>2</sub>FCH<sub>2</sub>F</b>                           | <b>HFC-152</b>      | <b>53</b>                                |
| <b>CH<sub>3</sub>CHF<sub>2</sub></b>                            | <b>HFC-152a</b>     | <b>124</b>                               |
| <i>Group II</i>   |                     |  |
| <b>CHF<sub>3</sub></b>  | <b>HFC-23</b>       | <b>14,800</b>                            |

| <b>Example of most common HFC blends containing controlled substances</b> |  |
|---|--|
| <b>Substance</b>  | <b>100-Year Global Warming Potential</b> |
| <b>R-404A</b>   | <b>3,921</b>                             |
| <b>R-407A</b>   | <b>2,107</b>                             |
| <b>R-410A</b>   | <b>2,087</b>                             |
| <b>R-448A</b>   | <b>1,386</b>                             |
| <b>R-449A</b>   | <b>1,396</b>                             |
| <b>R-450A</b>   | <b>601</b>                               |
| <b>R-452A</b>   | <b>2,139</b>                             |
| <b>R-454A</b>   | <b>236</b>                               |
| <b>R-454B</b>   | <b>465</b>                               |
| <b>R-455A</b>   | <b>145</b>                               |

Dated this 19 day of July, 2021

**Honourable Ruateki Tekaiara**  
Minister for Environment, Land and  
Agricultural Development

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**Dr Naomi Biribo**  
Secretary to the Cabinet