

Australian Customs Notice No. 2019/40

Changes to import licence requirements for equipment containing hydrochlorofluorocarbon (HCFC) refrigerant

From **1 January 2020**, the hydrochlorofluorocarbon (HCFC) equipment low volume import exemption will cease. However, the low volume import conditions for synthetic greenhouse gas (SGG) equipment are not changing.

The *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* (OPSGGM Act) prohibits the import and export of equipment containing SGG and ozone depleting substances (ODS) including HCFCs, unless the importer holds a valid equipment licence issued by the Department of the Environment and Energy (DoEE) or qualifies for a licence exemption.

A list of controlled SGG and ODS can be found in Schedule 1 of the OPSGGM Act, Schedule 10 of the *Customs (Prohibited Imports) Regulations 1956* and Schedule 15 of the *Customs (Prohibited Exports) Regulations 1958*.

# Ban on the import of all HCFC equipment unless an exemption applies

From **1 January 2020** it will be illegal to import any type of HCFC equipment, unless an exemption applies or a licence is issued by the DoEE. This includes, for example, refrigerators, air conditioners, fire extinguishers and aerosols, and all other equipment that uses HCFCs, even if it does not have gas in it at the time of import.

# HCFC equipment – low volume import licence exemption

From **1 January 2020**, the HCFC equipment low volume import licence exemption will cease. The HCFC low volume import licence exemption for equipment will remain available **until**

**31 December 2019**. Further information can be found at: <http://environment.gov.au/protection/ozone/licences-and-reporting/hcfc-ban>

# HCFC equipment – personal and household goods import licence exemption

Importers are able to import HCFC equipment without holding a licence if they meet the requirements for the personal and household goods exemption: Importers must have owned the equipment for 12 months before the import, and it is wholly or principally for private or domestic use.

***Australia’s customs service***

# SGG equipment – low volume import licence exemption

The low volume import exemption conditions for SGG equipment are not changing – importers who import equipment containing up to 25 kilograms of SGG in a calendar year do not need an equipment licence.

There is no limit on the number of pieces of equipment in a consignment or on the number of shipments. An equipment licence will be required from the first import that exceeds the 25kg threshold.

# Licensing requirements

DoEE is responsible for issuing licences for the import and export of SGG and ODS, and equipment containing those gases. While the import of HCFC equipment is generally not allowed, in some limited circumstances an import licence may be granted:

An equipment licence may be granted that allows for import when:

* importing replacement parts for HCFC refrigeration or air conditioning equipment (this does not include a complete or substantially complete indoor or outdoor unit of a split system air conditioner), or
* importing equipment insulated with foam manufactured with HCFC, or
* the equipment is incidental to the main import, and it is impractical to remove or retrofit the equipment (for example equipment incorporated into a large boat or drilling rig), or
* the equipment is essential for medical, veterinary, defence, industrial safety or public safety purposes, and no practical and effective alternative exists, or
* the equipment is for use in conjunction with the calibration of scientific, measuring or safety equipment.

DoEE is intending to have regulations in place by 1 January 2020 that will allow the import of HCFC equipment under licence for test, monitoring, or laboratory and analytical use where there is no practical and effective alternative to that equipment. More information will be provided as soon as possible.

Further information is available at [www.environment.gov.au/protection/ozone](http://www.environment.gov.au/protection/ozone).

Enquiries should be directed to the Ozone Protection and Synthetic Greenhouse Gas Team, phone: +61 2 6274 1373, Email: [ozone@environment.gov.au](mailto:ozone@environment.gov.au).

[SIGNED]

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