



## FEDERAL SUBSIDIARY LEGISLATION

### ENVIRONMENTAL QUALITY ACT 1974 [ACT 127]

P.U.(A) 451/99

#### ENVIRONMENTAL QUALITY (REFRIGERANT MANAGEMENT) REGULATIONS 1999

*Incorporating latest amendments - P.U.(A) 395/2004*

Publication : 28th October 1999  
Date of coming into operation : 1st January 2000

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LIST OF AMENDMENTS

## **Preamble**

IN exercise of the powers conferred by section 51 of the Environmental Quality Act 1974 [Act 127], the Minister, after consultation with the Environmental Quality Council, makes the following regulations:

### **Regulation 1. Citation and commencement.**

These regulations may be cited as the **Environmental Quality (Refrigerant Management) Regulations 1999** and shall come into force on 1 January 2000.

### **Regulation 2. Interpretation.**

In these Regulations, unless the context otherwise requires-

"approval" means approved by the Director General of Environmental Quality;

"approval criteria" means a criteria on the ability of a substance to cool a system, to refrigerate, or its ozone depleting potential or global warming potential and any other physical and chemical characteristics important for its proposed applications;

"destruction" means a process which, when applied to a refrigerant environmentally hazardous substance, results in the permanent transformation, or decomposition of all or a significant portion of the substance;

"Director General" means the Director General of Environmental Quality referred to in section 3 of the Act or any officer duly appointed under subsection 3(2) of the Act;

"handling" means being involved in an activity relating to any refrigeration and air-conditioning equipment that may result in the release of a refrigerant environmentally hazardous substance including the repair, maintenance or adjustment of the equipment;

"refrigerant environmentally hazardous substance" means any substance specified in the Schedule, whether existing alone or in a mixture;

"reclamation" means the recovery of any refrigerant environmentally hazardous substance from a unit for reuse, recycling, reprocessing or disposal;

"reprocessing" means the recovery of a refrigerant environmentally hazardous substance from a unit for return to a production plant and reformation before it is made available for reuse;

"retrofitting" means removing a refrigerant environmentally hazardous substance from a unit and making modification so that the unit can be recharged with one of the alternative substances.

### **Regulation 3. Application.**

These Regulations shall apply to a person handling a refrigerant environmentally hazardous substance in an existing or a new installation.

### **Regulation 4. Prohibition on the use of refrigerant environmentally hazardous substance.**

The use of refrigerant environmentally hazardous substance as a refrigerant in any new installation of a building chiller, refrigeration system, vehicle air conditioner or an air conditioning equipment is prohibited.

*[Am. P.U.(A) 395/2004]*

### **Regulation 5. Handling of refrigerant environmentally hazardous substance.**

(1) No person shall handle any refrigerant environmentally hazardous substance unless he has received the approved training in the reclamation and recycling of any refrigerant environmentally hazardous substance and is in possession of an approved machine for the activity.

(2) For the purpose of subregulation (1), the Director General may, after consultation with the manufacturers of refrigeration systems, maintain a register of approved training courses for the reclamation and recycling of any refrigerant environmentally hazardous substance and approved machines for such activities.

### **Regulation 6. Offence to vent refrigerant environmentally hazardous substance.**

No person shall knowingly vent any refrigerant environmentally hazardous substance into the atmosphere, except with the prior written approval of the Director General.

### **Regulation 7. Prohibition on moving refrigerant environmentally hazardous substance out of Malaysia.**

(1) No person shall move a refrigerant environmentally hazardous substance out of Malaysia without the prior written approval of the Director General.

(2) The Director General shall not permit the movement of a refrigerant environmentally hazardous substance out of Malaysia unless he is satisfied that the refrigerant environmentally hazardous substance is intended for destruction or reclamation under a process which is not available in Malaysia and that after its destruction or reclamation the refrigerant environmentally hazardous substance or any other resultant product will be brought back to Malaysia. However, the Director General may impose other additional conditions as he deems fit.

### **Regulation 8. Alternative.**

The Director General may approve an alternative to a refrigerant environmentally hazardous substance if he is satisfied that the alternative is safe and meets the requirements of the approval criteria.

### **Regulation 9. Training programme for retrofitting activity.**

(1) A manufacturer of air-conditioners shall conduct a retrofitting training programme for a person involved in a retrofitting activity.

(2) The manufacturer shall ensure that during the training programme, the person involved is well-informed on the design of the air-conditioner system and its purpose.

## Regulation 10. Technical expertise.

A manufacturer of air-conditioners shall, when required by the Director General, provide the technical expertise and supporting assistance in a retrofitting training programme organised by the Government.

## SCHEDULE [Regulation 2]

### REFRIGERANT ENVIRONMENTALLY HAZARDOUS SUBSTANCES

<i>Group</i>	<i>Chemical Formula</i>	<i>Substance</i>
1	CFCl <sub>3</sub>	Triklorofluorometana (CFC - 11)
	CF <sub>2</sub> Cl <sub>2</sub>	Diklorodifluorometana (CFC - 12)
	C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub>	Triklorotrifluoroetana (CFC - 113)
	C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub>	Diklorotetrafluoroetana (CFC - 114)
	C <sub>2</sub> F <sub>5</sub> Cl	Kloropentafluoroetana (CFC - 115)

Made 2 June 1999.

[KSTAS(U) 01/B/(27); PN(PU<sup>2</sup>)280/8]

DATUK LAW HIENG DING  
*Minister of Science, Technology and the Environment*

## LIST OF AMENDMENTS

<i>Amending law</i>	<i>Short title</i>	<i>In force from</i>
<a href="#">P.U.(A) 395/2004</a>	Environmental Quality (Refrigerant Management) (Amendment) Regulations 2004.	1-12-2004

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