



Information supplied by the  
Australian Refrigeration Council Ltd



Australian Government  
Department of Climate Change, Energy,  
the Environment and Water

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# FACTSHEET

## Penalties increase for offences listed under the Ozone Act and Regulations

Penalties have increased for offences listed under the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* (the Act) and the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995* (the Regulations).

### Not holding the relevant permit

A person who imports, exports or manufactures fluorocarbon refrigerant (either in bulk or pre-charged into equipment) without the appropriate licence (or exemption) is committing an offence under sections 13-13AB of the Act. A penalty of up to \$198,000 for an individual or up to \$990,000 for a corporation may apply.

Under Regulation 111, it is an offence to handle refrigeration and air conditioning (RAC) equipment containing fluorocarbon refrigerant without a refrigerant handling licence (RHL). A penalty of up to \$19,800 may apply.

Under Regulation 112, it is an offence to acquire, possess or dispose of bulk fluorocarbon refrigerant without a Refrigerant Trading Authorisation (RTA). A penalty of up to \$19,800 may apply.

### Unlawful discharge of fluorocarbon refrigerant

It is an offence under section 45B(1) of the Act to act in a way that results in the unlawful discharge of ozone depleting substances (ODS) and synthetic greenhouse gases (SGG), including fluorocarbon refrigerant. A penalty of up to \$132,000 for an individual or up to \$660,000 for a corporation may apply.

### Breaching permit conditions

It is an offence under Regulation 136 for a RHL holder to breach a condition of their licence. A penalty of up to \$19,800 may apply. It is an offence under Regulation 142 for a RTA holder to breach a condition of their permit. A penalty of up to \$19,800 for an individual or up to \$99,000 for a corporation may apply.

### Effects of breaches on gaining future permits

Under Regulation 122, an individual or corporation who is convicted of an offence under the Act or Regulations, or who has had a permit or licence cancelled, may be considered unfit to hold a RAC industry permit or licence. As a result, their permit or licence may be refused on reapplication or, in accordance with Regulation 123, their permit or licence may be cancelled.

