

## SCHEDULE

### OFFENCES RELATING TO CONTRAVENTIONS OF THE PRINCIPAL REGULATION

#### PART I

##### OFFENCES RELATING TO CONTRAVENTIONS OF ARTICLE 3

5.—(1) Subject to paragraph 6, a producer of hydrochlorofluorocarbons whose calculated level of production –

- (a) in the period from the commencement date until 31st December 2003 exceeds

$$\frac{\text{its calculated 1997 level}}{365} \times \frac{\text{the number of days beginning with the commencement date to 31st December 2003;}}$$

- (b) in the period of 12 months ending on 31st December 2004 or any subsequent 31st December until (and including) 31st December 2007 exceeds its calculated 1997 level;
- (c) in the period of 12 months ending on 31st December 2008 or any subsequent 31st December until (and including) 31st December 2013 exceeds 35% of its calculated 1997 level;
- (d) in the period of 12 months ending on 31st December 2014 or any subsequent 31st December until (and including) 31st December 2019 exceeds 20% of its calculated 1997 level;
- (e) in any of the periods of 12 months ending on 31st December 2020 or any subsequent 31st December until (and including) 31st December 2025 exceeds 15% of its calculated 1997 level,

commits an offence.

(2) In sub-paragraph (1), “calculated 1997 level”, in relation to a producer of hydrochlorofluorocarbons, means its calculated level of production in 1997.