



Treaty Series No. 64 (1997)

Adjustments to the  
Montreal Protocol on Substances  
that Deplete the Ozone Layer, done  
at Montreal on 16 September 1987

Adopted at the Seventh Meeting of the Parties at Vienna  
from 5 to 7 December 1995

[The Adjustments to production and consumption of the controlled substances  
listed in Annexes A,B,C and E entered into force on 5 August 1996.  
The Adjustment to the ozone depleting potential specified in Annex E enters into  
force on 1 January 1997]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
October 1997*



**ADJUSTMENTS TO THE MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER, DONE AT MONTREAL ON 16  
SEPTEMBER 1987<sup>1</sup>**

**ANNEX I**

**ADJUSTMENTS TO THE MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER RELATING TO CONTROLLED  
SUBSTANCES IN ANNEX A**

The Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides, on the basis of the assessments made pursuant to Article 6 of the Protocol, to adopt adjustments and reductions of production and consumption of the controlled substances in Annex A to the Protocol as follows:

*Article 5: Special situation of developing countries*

The following paragraph 8 *bis* shall be inserted after paragraph 8 of Article 5 of the Protocol:

8 *bis*. Based on the conclusions of the review referred to in paragraph 8 above:

- (a) With respect to the controlled substances in Annex A, a Party operating under paragraph 1 of this Article shall, in order to meet its basic domestic needs, be entitled to delay for ten years its compliance with the control measures adopted by the Second Meeting of the Parties in London, 29 June 1990,<sup>2</sup> and reference by the Protocol to Articles 2A and 2B shall be read accordingly;

**ANNEX II**

**ADJUSTMENTS TO THE MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER RELATING TO CONTROLLED  
SUBSTANCES IN ANNEX B**

The Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides, on the basis of the assessments made pursuant to Article 6 of the Protocol, to adopt adjustments and reductions of production and consumption of the controlled substances in Annex B to the Protocol as follows:

*Article 5: Special situation of developing countries*

The following subparagraph shall be inserted after subparagraph (a) of paragraph 8 *bis* of Article 5 of the Protocol:

- (b) With respect to the controlled substances in Annex B, a Party operating under paragraph 1 of this Article shall, in order to meet its basic domestic needs, be entitled to delay for ten years its compliance with the control measures adopted by the Second Meeting of the Parties in London, 29 June 1990, and reference by this Protocol to Articles 2C to 2E shall be read accordingly.

**ANNEX III**

**ADJUSTMENTS TO THE MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER RELATING TO CONTROLLED  
SUBSTANCES IN ANNEXES C AND E**

The Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides, on the basis of the assessments made pursuant to Article 6 of the Protocol, to adopt adjustments and reductions of production and consumption of the controlled substances in Annexes C and E to the Protocol as follows:

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<sup>1</sup>Treaty Series No.19 (1990) Cm 977.

<sup>2</sup>Treaty Series No.32 (1991) Cm 1545.

*Article 2F, paragraph 1(a): Hydrochlorofluorocarbons*

In paragraph 1(a) of Article 2F, for the words:

Three point one

there shall be substituted:

Two point eight

*Article 2F, paragraph 5: Hydrochlorofluorocarbons*

The following sentence shall be added to the end of paragraph 5 of Article 2F of the Protocol:

Such consumption shall, however, be restricted to the servicing of refrigeration and air conditioning equipment existing at that date.

*Article 2H: Methyl bromide*

Article 2H of the Protocol shall read as follows:

*Article 2H: Methyl bromide*

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.
2. Each Party shall ensure that for the twelve-month period commencing on 1 January 2001, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, seventy-five per cent of its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, seventy-five per cent of its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.
3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2005, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, fifty per cent of its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, fifty per cent of its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.
4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1991. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be critical agricultural uses.

5. The calculated levels of consumption and production under this Article shall not include the amounts used by the Party for quarantine and pre-shipment applications.

*Article 5, paragraph 8 ter: Special situation of developing countries*

The following paragraph 8 *ter* shall be inserted after paragraph 8 *bis* of Article 5 of the Protocol:

8 *ter*. Pursuant to paragraph 1 *bis* above:

- (a) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2016, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, its calculated level of consumption in 2015;
- (b) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2040, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero;
- (c) Each Party operating under paragraph 1 of this Article shall comply with Article 2G;
- (d) With regard to the controlled substance contained in Annex E:
  - (i) As of 1 January 2002 each Party operating under paragraph 1 of this Article shall comply with the control measures set out in paragraph 1 of Article 2H and, as the basis for its compliance with these control measures, it shall use the average of its annual calculated level of consumption and production, respectively, for the period of 1995 to 1998 inclusive;
  - (ii) The calculated levels of consumption and production under this subparagraph shall not include the amounts used by the Party for quarantine and pre-shipment applications.

*Annex E: Methyl bromide*

For "0.7" in the third column of Annex E substitute "0.6".





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