

LAW

AMENDING THE LAW ON AIR PROTECTION

Article 1

The Law on Air Protection ("Official Gazette of the RS", no 36/09), Article 37, paragraph 2, point 2) shall be amended to read as follows:

"2) quantified evaluation of effects of policies and measures referred to in point 1) of this paragraph compared to emissions of pollutants in 1990, which shall be the reference year".

After paragraph 3, a new paragraph 4 shall be added to read as follows:

"Information made available for public inspection must be clear, intelligible, accessible and timely."

Article 2

Article 41 shall be amended to read as follows:

"Article 41

The Government prescribes:

- 1) emission limit values of air pollutants from stationary pollution sources, other than combustion plants;
- 2) manner, procedure, frequency and methodology of pollutant emission measurement;
- 3) criteria for establishment of monitoring points for emission measurement;
- 4) assessment procedure of emission measurement and consistency with prescribed norms;
- 5) content of the report on emission measurement and emission balance;
- 6) emission data transmission method for the purposes of the information system and data transmission deadlines.

The act referred to in paragraph 1 of this Article may prescribe, for existing air pollution sources, allowed exceedances of emission limit values of certain pollutants, and establish a deadline for these values to be reduced to the level of emission limit values."

Article 3

Article 42 shall be amended to read as follows:

"Article 42

The Government prescribes emission limit values for pollutants from combustion plants, having regard to the plant type, capacity, age, planned lifetime and the fuel used in it, as well as methods, manner of pollutant emission measurement, selection criteria for monitoring points, method of verification of measurement accuracy (control measurements and calibration), method of processing measurement results, manner and deadlines for data transmission, and procedure for determination of total annual emissions from combustion plants."

Article 4

The following paragraph 2 is added to Article 47:

"The Government prescribes maximum national emissions referred to in paragraph 1 of this Article, namely: maximum national emissions in 1990 and 2010; estimated maximum national emissions in 2020; percentage of maximum national emissions in 2020 compared to the reference year 1990, as well as the methodology for preparation of an inventory of emissions and projections, with the obligation to

update the inventory of emissions and projections on the annual level.”

Article 5

The title of Article and the Article 51 shall be amended as follows:

“Handling of ozone-depleting substances as well as equipment and devices containing them

Article 51

Gradual reduction of consumption of ozone-depleting substances, handling of these substances, products and/or equipment that contain them, or whose functioning relies upon them, handling of ozone-depleting substances after the termination of the product and/or equipment that contains them, or whose functioning relies upon them, the manner of their recovery, recycling, reclamation or destruction, use and permanent disposal, placing on the market, calculation method for costs of their re-use, manner of labelling products and/or equipment that contain ozone-depleting substances, procedures for leak checks of stationary refrigeration and air-conditioning equipment, heat pumps and fire protection systems which contain 3 or more kilograms of ozone-depleting substances, as well as handling of air-conditioning systems in certain motor vehicles which contain these substances, shall be prescribed by the Government.

The provision of paragraph 1 of this Article prescribes terms and conditions to be fulfilled by legal persons and entrepreneurs conducting activities of production, installation, maintenance and/or servicing, recovery, recycling and reclamation, control of use, placing on the market, permanent disposal and decommissioning of products and/or equipment that contain, or whose functioning relies upon, ozone-depleting substances.

Legal persons and entrepreneurs conducting activities of installation, maintenance or servicing, leak checks of products and/or equipment and recovery of ozone-depleting substances, must have employees who possess a certificate for conducting the above mentioned activities.

For conducting activities of production, installation, maintenance and/or servicing and decommissioning of products and/or equipment that contain ozone-depleting substances, and activities of recovery, recycling and reclamation of these substances and placing on the market of recycled and reclaimed ozone-depleting substances, legal persons and entrepreneurs must possess a permit issued by the Ministry.

The act referred to in paragraph 4 of this Article is not subject to appeal, but administrative dispute proceedings may be initiated against it.

Article 6

Article 52 shall be amended to read as follows:

“Article 52

Emissions control, the list and composition of fluorinated greenhouse gases and their global warming potential, handling of fluorinated greenhouse gases, products and/or equipment that contain them, or whose functioning relies upon them, handling fluorinated greenhouse gases after the termination of products and/or equipment that contain them, or whose functioning relies upon them, the manner of their recovery, recycling, reclamation or destruction, use and permanent disposal, placing on the market, calculation method for costs of their re-use, manner of labelling products and/or equipment that contain fluorinated greenhouse gases, manner of reporting on fluorinated greenhouse gases in accordance with assumed international obligations, method for control of use, procedures for leak checks of stationary refrigeration and air-conditioning equipment, heat pumps and fire protection systems that contain 3 or more kilograms of fluorinated greenhouse gases, as well as handling of air-conditioning systems in certain motor vehicles that contain fluorinated greenhouse gases, shall be prescribed by the Government.

The provision of paragraph 1 of this Article prescribes terms and conditions to be fulfilled by legal persons and entrepreneurs conducting activities of production, installation, maintenance and/or servicing, recovery, recycling and reclamation, control of use, placing on the market, permanent disposal and decommissioning of products and/or equipment that contain, or whose functioning relies upon, fluorinated greenhouse gases.

Legal persons or entrepreneurs conducting activities of installation, maintenance or servicing, leak checks of products and/or equipment and recovery of fluorinated greenhouse gases, must have employees who possess a certificate for conducting the above mentioned activities.

For conducting activities of production, installation, maintenance and/or servicing and decommissioning of products and/or equipment that contain fluorinated greenhouse gases, and activities of recovery, recycling and reclamation of these gases and placing on the market of recycled and reclaimed fluorinated greenhouse gases, legal persons and entrepreneurs must possess a permit issued by the Ministry.

The act referred to in paragraph 4 of this Article is not subject to appeal, but administrative dispute proceedings may be initiated against it.”

Article 7

After Article 52, the title of Article and Article 52a shall be added as follows:

“Certification of employees in sectors which use ozone-depleting substances and fluorinated greenhouse gases

Article 52a

Terms and conditions, minimum requirements and procedure for obtaining, revocation and renewal of certificates for employees of legal persons and/or entrepreneurs conducting activities of installation, maintenance or servicing and leak checks of refrigeration and air-conditioning equipment and heat pumps and fire protection systems that contain, or whose functioning relies upon, ozone-depleting substances or fluorinated greenhouse gases, activity of recovery of ozone-depleting substances or fluorinated greenhouse gases from refrigeration and air-conditioning equipment and heat pumps, fire protection systems and equipment that contains solvents, and decommissioning of this equipment and these systems, activity of recovery of fluorinated greenhouse gases from high-voltage switchgear, and activity of recovery of ozone-depleting substances and fluorinated greenhouse gases from air-conditioning systems of certain motor vehicles, shall be prescribed by the Government.

Article 8

In Article 53, paragraph 1, point 8) shall be deleted.

Article 9

Article 71 shall be amended to read as follows:

“Article 71

Funds for financing protection and improvement of air quality shall be provided from the budget of the Republic of Serbia and through the operator’s obligations pursuant to the Law.

Funds for financing protection and improvement of air quality shall be provided from the budget of the Autonomous Province and the budget of the local self-government unit, pursuant to the Law. “

Article 10

The air protection strategy will be adopted by 1 January 2015.

The national programme for gradual reduction of annual maximum pollutant emissions will be adopted within a year from the date of adoption of provisions referred

to in Article 4 of this Law.

By-laws for enforcement of this Law referred to in Articles 2, 3, 5, 6 and 7 will be adopted by 31 December 2013, while the by-law referred to in Article 4 will be adopted by 31 December 2015.

Article 11

An operator that independently conducts measurements of air quality and/or emissions is obliged to submit the application for approval for conducting activities of measurement of air quality and/or emissions by 30 June 2013.

Article 12

Until the adoption of by-laws on the basis of powers referred to in this Law, appropriate by-laws adopted on the basis of the Law on Environmental Protection ("Official Gazette of the RS", no 66/91, 83/92, 53/93 - as amended, 67/93 - as amended 48/94 - as amended, 53/95 and 135/04) and Law on Air Protection ("Official Gazette of the RS", no. 36/09) will apply.

Article 13

This Law shall come into force on the eighth day from its publishing in the "Official Gazette of the Republic of Serbia".