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THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

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THE ENVIRONMENTAL MANAGEMENT AND CO-
ORDINATION ACT

(Cap. 387)

IN EXERCISE of the powers conferred by section 147 of the Environmental Management and Co-ordination Act, the Cabinet Secretary for Environment, Climate Change and Forestry upon Consultation with relevant lead agencies, makes the following Regulations—

THE ENVIRONMENTAL MANAGEMENT AND CO-
ORDINATION (CONTROLLED SUBSTANCES) REGULATIONS,
2025

PART I—PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Environmental Management and Co-ordination (Controlled substances) Regulations, 2025. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretations

“American Society of Heating, Refrigerating and Air Conditioning Engineers” or “ASHRAE” means the organization devoted to the advancement of indoor-environment-control technology in the heating, ventilation and air conditioning industry;

“Chemical Abstract Service Registration Number” or “CAS Number” means the unique and specific numeric identifier that may contain up to ten digits, divided by hyphens into three parts, designated to only one substance regardless of how many other ways the substance can be described.

“chlorofluorocarbon” means a substance listed in the First Schedule of these Regulations

“competent authority” means an authority on matters relating to controlled substances designated by an importing or exporting country;

“consumption: means production plus imports minus exports of controlled substances;

“controlled substance” means a substance set out in the First Schedule;

“critical use” means, with respect to the use of a controlled substance or of a product that contains a controlled substance, a use that is necessary for health and safety or is critical for the good functioning of society, encompassing its cultural and intellectual aspects and which does not have available alternatives;

“Harmonised Systems Code” or “HS Code” means the six-digit description and coding system developed and maintained by the World Customs Organization for classification of goods in international trade and is used by customs authorities worldwide for identifying traded products, including chemicals;

“hydrobromofluorocarbon” means a substance listed in First

Schedule;

“hydrochlorofluorocarbon” means a substance listed in First Schedule;

“hydrofluorocarbons” means a substance listed in Annex F of the First Schedule;

“material safety data sheet” includes written instructions given by a manufacturer on how to use, handle, store, transport, or dispose of a controlled substance;

“pre-shipment use” means those treatments applied directly preceding and in relation to export, to meet the phytosanitary or sanitary requirements of the importing country or existing phytosanitary or sanitary requirements of the exporting country;

“quarantine”, with respect to methyl bromide, means treatments to prevent the introduction, establishment or spread of quarantine pests (including diseases), or to ensure their official control;

“ozone depleting substance” means a substance that depletes the ozone layer set out in the First Schedule, whether existing alone or in a mixture;

“Ozone Secretariat” means the Secretariat for the 1985 Vienna Convention on the Protection of the Ozone Layer and 1987 Montreal Protocol on Substances that Deplete the Ozone layer;

“phase-out (banning) schedule” means to discontinue the production and import of controlled substances consistent with the schedules developed under the Montreal Protocol;

“phase-down (reduction) schedule” means to cut down or decrease the production and import of hydrofluorocarbons consistent with the schedules to the Montreal Protocol to phase down hydrofluorocarbons;

“prior informed consent” means such consent as may be given by a competent authority before the importation or exportation of a controlled substance and equipment that contain controlled substances;

“production” means the amount of a controlled substance produced minus the amount destroyed by approved technologies and minus the amount entirely used as feedstock in the manufacture of other chemicals and does not include recycled and reused amounts;

“product” means a product containing a controlled substance listed in Annex D of the First Schedule;

“refrigeration and air-conditioning equipment” or “RAC equipment” means refrigeration and air conditioning equipment that use controlled substances and non-ozone depleting alternatives;

“refrigerant gas analyzer or identifier” means equipment used to determine refrigerant type and purity in refrigerant storage cylinders or directly in vehicle or other air conditioning systems;

“Secretariat to the Multilateral Fund” means the Secretariat to the

Multilateral Fund for the Implementation of the Montreal Protocol; and

“UN number” means the four-digit number that identifies dangerous goods.

3. The objectives of these Regulations are— Objectives.

- (a) to protect the ozone layer from chemicals that deplete it; and
- (b) to regulate trade and practice in controlled substances.

4. (1) These Regulations shall apply to the management of controlled substances and equipment containing controlled substances including storage, handling, production, packaging, import, export, transit, use and disposal. Application.

(2) These Regulations shall not apply to controlled substances or equipment containing controlled substances for critical uses.

PART II—CLASSIFICATION AND CONTROL MEASURES

5. (1) Controlled substances and equipment shall be classified as set out in the First Schedule. Classification.

(2) The First Schedule shall consist of the following categories—

- (a) Category I consisting of halogenated chlorofluorochemicals with ozone depleting substances of less than 0.1 to 10 as specified in annex A and B;
- (b) Category II consisting of partially halogenated fluorochemicals with ozone depleting substances of less than 0.12 and defined as transitional substances as specified in annex C Group I;
- (c) Category III consisting of hydrobromofluorocarbons with ozone depleting substance estimated to vary from 0.1 to 1.00 specified in annex C Group II;
- (d) Category IV consisting of bromochloromethane with ozone depleting substances as specified in annex C Group III;
- (e) Category V consisting of equipment containing controlled substances as specified in annex D;
- (f) Category VI consisting of halogenated bromochemicals with ozone depleting substances as specified in annex E; and
- (g) Category VII consisting of hydrofluorocarbons as specified in Annex F.

6. (1) No person shall produce, import or export any controlled substance specified in Annex A, Annex B, Annex C, Annex E or Annex F of the First Schedule without a licence issued by the Authority. Licensing requirement.

(2) No person shall produce, import or export any equipment specified in Annex D of the First Schedule containing or designed to use any controlled substance without a licence issued by the Authority.

7. (1) The Cabinet Secretary may, on the advice of the Authority in consultation with the relevant lead agencies, by notice in the *Gazette*, prohibit or restrict the production or consumption of controlled substances. Restriction, reduction and prohibition.
- (2) The Authority shall maintain a register of controlled substances that have been prohibited or restricted under sub-regulation (1).
8. No person shall store, sell or consign for transport a controlled substance unless— Packaging, storage and transport.
- (a) the controlled substance is in an impervious container;
 - (b) the controlled substance conforms to the relevant Kenya Standard or international Standards; and
 - (c) the container is sufficiently strong to prevent leakage arising from ordinary risks of handling and transportation.
9. (1) No person shall deal in, import, export, transport or store any controlled substance without a legible and visible label on the container. Labelling.
- (2) Every label on a container of a controlled substance or equipment shall contain—
- (a) the chemical name, chemical formula, trade name, and ASHRAE and HS Code listing of the controlled substance or equipment;
 - (b) the name and address of the manufacturer of the controlled substance or equipment;
 - (c) the name of the country of origin of the controlled substance or equipment;
 - (d) the words “Controlled substances/equipment - Not ozone or climate friendly”;
 - (e) a symbol indicating that the controlled substance or equipment is harmful to the ozone layer;
 - (f) the name of the seller and address of the premises on which it is sold if supplied for sale, other than wholesale;
 - (g) the name and address of supplier if supplied otherwise than for sale; and
 - (h) the information on the label shall be in the English and Kiswahili languages and shall be conspicuous, legible and durable.
10. (1) No person shall store, distribute, transport or otherwise handle a controlled substance unless accompanied by a material safety data sheet in Form A as set out in the Third Schedule. Material safety data sheet.
- (2) Any person producing or importing a controlled substance shall, at the time of production, packaging or importation, ensure that the material safety data sheet accompanies the produced, packaged or

imported controlled substance.

11. Any person who advertises any controlled substances or equipment containing a controlled substance shall ensure that the advertisement carries the words "Warning: contains chemicals, materials or substances that deplete or have potential to deplete the stratospheric ozone layer or harm the climate" in both English and Kiswahili languages.

Advertisement.

12. (1) No person shall repair, maintain, replace or retrofit RAC equipment unless that person has been authorized, registered and licensed or certified by the Authority upon payment of the fee set out in the Sixth Schedule.

Technicians and servicing companies.

(2) A person or firm applying for authorization to repair, maintain, replace or retrofit RAC equipment under sub-regulation (1) shall—

- (a) apply in Form 1 as set out in the Second Schedule;
- (b) apply for a licence to practice in Form 2 as set out in the Second Schedule;
- (c) possess the necessary training qualifications and certification from a recognized institution;
- (d) have attended a training course on ozone and climate-friendly alternatives to controlled substances;
- (e) undertake continuous professional development courses in respect of the licenced activity;
- (f) wear the correct personal protective equipment, possess appropriate work equipment and leak detectors as specified in the Third Schedule; and
- (g) ensure regular maintenance and calibration of work equipment, refrigerant recovery units and leak detectors.

(3) The Authority shall issue a successful applicant with a practicing licence in Form 3A as set out in the Second Schedule.

13. (1) Any person intending to recover, retrofit, reuse, recycle or dispose of a controlled substance or equipment or product containing a controlled substance shall—

Recovery, retrofit, reuse, recycling or disposal.

- (a) notify the Authority in Form 3 as set out in the Second Schedule;
- (b) engage a qualified refrigeration technician duly registered and licenced or certified by the Authority in accordance with these Regulations;
- (c) follow guidelines and standard operating procedures on safety, capture, storage, prevention of gases' release issued by the Authority or any other relevant lead agency;
- (d) label retrofitted units using appropriate procedures and labels;
- (e) apply and follow good practices during repair and

maintenance of the equipment; and

- (f) dispose of or export to the country of origin for disposal in accordance with the written law relating to the disposal of controlled substances, equipment or products containing controlled substances.

(2) No person shall dispose of any equipment containing a controlled substance without prior notification to the Authority and that such substances have been recovered to the satisfaction of the Authority.

(3) Any person intending to decommission any equipment or product containing controlled substances shall—

- (a) notify the Authority in Form 4 as set out in the Second Schedule;
- (b) use the checklist set out in the Third Schedule to identify and segregate components containing controlled substances; and
- (c) comply with any directions by the Authority in respect of the decommissioning.

(4) The disposal or destruction of the controlled substances and the equipment or its component shall be done in consultation with the relevant Kenyan and international agencies including the Ozone Secretariat.

PART III—PRODUCTION, IMPORTATION AND EXPORTATION

14. (1) Any person intending to produce or manufacture a controlled substance shall apply for a licence from the Authority.

License to produce.

(2) An application under sub-regulation (1) shall be in Form 5 as set out in the Second Schedule and be accompanied by the fee set out in the Sixth Schedule.

(3) The Authority shall review an application for a licence to produce or manufacture a controlled substance within twenty-one days after receipt and if approved, issue the applicant with a licence in Form 11 as set out in the Second Schedule.

(4) Where the Authority is satisfied with the application, the Authority shall issue a licence in Form 11 as set out in the Second Schedule.

(5) The Authority may impose such conditions as may be necessary to a licence issued under sub-regulation (4).

(6) Where the Authority rejects an application for a licence, it shall communicate its decision in writing to the applicant and provide reasons for the rejection.

15. (1) A person intending to export a controlled substance from Kenya shall apply for a licence from the Authority.

License to export.

(2) An application under sub-regulation (1) shall be in Form 6 as set out in the Second Schedule and shall be accompanied by—

- (a) a duly filled Prior Informed Consent Form issued by the

competent authority of the importing country; and

(b) the fee set out in the Sixth Schedule.

(3) Where the Authority approves an application under sub-regulation (1), I shall issue a licence to the applicant in Form 11 as set out in the Second Schedule.

16. (1) Any person intending import into Kenya a controlled substance or equipment containing a controlled substance shall apply to the Authority for a licence. License to import.

(2) An application under sub-regulation (1) shall be in prescribed form and the applicant shall indicate the purpose for which the controlled substance is required.

(3) An application to import a controlled substance under sub-regulation (1) shall be in Form 7 as set out in the Second Schedule and shall be accompanied by the fee set out in the Sixth Schedule.

(4) An application to import equipment or a product containing a controlled substance shall be Form 8 as set out in the Second Schedule and be accompanied by the fee set out in the Sixth Schedule.

(5) The Authority shall prescribe the quantity of a controlled substance that an applicant may import into Kenya in accordance with the Montreal Protocol reduction target.

(6) Where it is satisfied with the application, the Authority may grant the applicant with a licence with conditions or reject the application, in writing, specifying the reasons for the rejection.

(7) A person issued with a licence to import a controlled substance or equipment containing a controlled substance shall produce the licence to the custom officials at the port of entry at the time of importation of the controlled substance or equipment.

(8) An application for a licence or permit to import a controlled substance specified in Annex E shall be in Form 7 as set out in the Second Schedule and shall be accompanied by the fee set out in the Sixth Schedule.

(9) A licence to import a controlled substance or equipment containing a controlled substance shall be in Form 11 as set out in the Second Schedule.

(10) A licence to import a controlled substance or equipment containing a controlled substance shall be valid for a period of one year from the date it is issued.

(11) A person issued with an import licence shall keep a full and accurate record of such importation.

17. (1) A person intending to transit a controlled substance destined for another country through Kenya shall apply to the Authority for a consent in Form 9 as set out in the Second Schedule. Application for consent to transit.

(2) An application for a consent to transport through Kenya a controlled substance shall be accompanied by—

(a) a deposit bond which shall be refundable after the controlled

- substance has been transported outside Kenya;
- (b) the tracking document for the transboundary movement of the controlled substance; and
 - (c) any other documents required by the customs authority of the destination country.
18. (1) Where a person licenced to import or export any controlled substance intends to import or export the controlled substance in different quantities and at different times, that person shall apply to the Authority for a permit for each consignment to be imported or exported. Permit to import or export.
- (2) An application under sub-regulation (1) shall be in Form 10 as set out in the Second Schedule and shall be accompanied by the fee set out in the Sixth Schedule.
- (3) Any person issued with a permit under this regulation shall produce the permit to the custom officials at the port of entry or exit.
19. (1) Upon the receipt of an application under these Regulations, the Authority shall screen the application for completeness and acknowledge receipt of the application within seven days. Acknowledgement and processing of application.
- (2) Where an application is not complete, the Authority shall inform the applicant and request the applicant to furnish the Authority with any additional or missing information.
- (3) The Authority may consult the relevant lead agencies when reviewing an application and where the Authority is satisfied that the applicant meets the necessary requirements, the Authority shall approve the application.
- (4) Where the application does not meet the necessary requirements, the Authority shall reject the application.
- (5) A permit to import or export a controlled substance shall be in Form 12 as set out in the Second Schedule.
20. The Authority shall communicate its decision to the applicant, in writing, within twenty-one days of receipt of the application and shall state the reasons for such decision where the application has been rejected. Communication of decision
21. (1) A licence issued under these Regulations, shall be valid for a period of one year from the date of issuance. Validity and renewal of licence.
- (2) A licence issued under these Regulations may be renewed upon—
- (a) submission of an accurate report on—
 - (i) importation or exportation; or
 - (ii) produced quantities of the previous year importation if applicable; and
 - (b) compliance with the provisions of these Regulations.
22. The Authority may impose any conditions on a licence or permit issued under these Regulations that may be necessary for the Conditions of licences and

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|---|---|
| compliance with these Regulations. | permits. |
| 23. A licence or permit issued under these Regulations shall relate only to the specific activity for which it was issued and shall not be transferable. | Transfer of licence and permit. |
| 24. The Authority may suspend or revoke a licence or permit where— | Revocation or suspension of licence or permit. |
| (a) the licensee or permit holder has contravened any of the conditions specified in the licence. | |
| (b) the licensee or permit holder has contravened any provisions of the Act or these Regulations; | |
| (c) the licensee or permit holder has provided information that is false, incorrect or intended to mislead; or | |
| (d) the Authority considers it in the interest of the environment or in the public interest to do so. | |
| 25. (1) The Authority may vary a licence or the conditions imposed on a licence upon the application of the licensee or on its own motion where new information is available to the Authority or to the licensee and the Authority is of the opinion that the information may affect the scope of the licence or the conditions imposed on the licence. | Variation of licence. |
| (2) The licensee may apply for a variation under sub-regulation (1) in Form 13 as set out in the Second Schedule and after paying the fee set out in the Sixth Schedule. | |
| (3) Where the Authority is satisfied of the need for the variation, it shall issue a certificate of variation in Form 14 as set out in the Second schedule. | |
| 26. (1) Where an imported controlled substance or equipment containing a controlled substance does not meet the specifications of the licence or permit, the Authority shall require the licensee or the permit holder to— | Sub-standard imports. |
| (a) return the controlled substance or equipment containing the controlled substance to the country of origin at the cost of the licensee or the permit holder; or | |
| (b) pay for the cost of disposal of the controlled substance or equipment containing the controlled substance by the Authority | |
| (2) The Authority may revoke the licence or the permit of a person who imports controlled substance or equipment containing a controlled substance that does not meet the specifications of the licence or permit. | |
| 27. (1) Any person who imports a controlled substance or equipment or product containing a controlled substance specified in the First Schedule without a valid licence shall be required to pay for the cost of disposal of the controlled substance by the Authority. | Importation and handling without a licence or permit. |

(2) Any person who imports any prohibited controlled substance or equipment or product containing a prohibited controlled substance shall be required by the Authority to—

- (a) return the prohibited controlled substance or equipment or product to the country of origin at that person's cost; or
- (b) pay for the cost of disposal of the prohibited controlled substance or equipment or product by the Authority.

(3) No person, either alone or with any other person or enterprise, shall import, store, stock, exhibit or sell, handle, distribute, transport, use, maintain or provide services of a prohibited controlled substance or equipment or product containing a prohibited controlled substance.

28. (1) Any person intending to import, transit or export equipment and compressors containing or dependent on controlled substance shall apply to the Authority for a upon payment of the fee set out in the Sixth Schedule.

Refrigeration and air conditioning equipment.

(2) No person shall import refrigeration and air conditioning equipment containing or dependent on hydrobromofluorocarbons or hydrobromofluorocarbon compressors as from the 1st January, 2026.

PART IV — MONITORING

29. (1) The Authority shall, in consultation with the relevant lead agencies, monitor the activities of licensees to—

Monitoring and licensing by the Authority.

- (a) determine effects of the controlled substances on human health and environment;
- (b) ensure that licensees comply with the licence conditions; and
- (c) ensure that the licensees comply with the provisions of these Regulations.

(2) In carrying out functions under these Regulations, the Authority shall be responsible for—

- (a) determining quantities of controlled substances and equipment containing controlled substances due for disposal; and
- (b) receiving returns from licensees.

30. (1) Any licensee who imports or produces any controlled substances or equipment or product containing a controlled substance shall ensure that all persons who receive or procure such substances, equipment or products sign the declaration form set out in the Fourth Schedule.

Obligations of licensees.

(2) Any licensee who supplies, sells or distributes any controlled substances or equipment containing such substances shall keep a record of the declaration forms and submit the record to the Authority biannually.

(3) Any licensee who operates a facility to recover or dispose of any controlled substance shall maintain a record of the quantities of

controlled substances recovered, disposed or exported for disposal in the Form set out in the Fourth Schedule.

(4) Any person who sells or supplies or uses a controlled substance or equipment or product for a purpose other than the purpose declared in the declaration Form prescribed in the Fourth Schedule commits an offence.

31. (1) Each person issued with a licence under these Regulations shall keep a complete and accurate record of information relating to the licence, activities undertaken under the licence and conditions imposed under the licence and submit reports to the Authority after every six months in the form set out in the Fifth Schedule .

Reports by licensees.

(2) Each person who produces, imports, exports or sells any controlled substance shall maintain records and file reports to the Authority in the Form set out in the Fifth Schedule after every three months.

(3) Each person who stocks or purchases controlled substances shall maintain records and file reports to the Authority in the Form set out in the Fifth Schedule after every six months.

(4) Any person who provides false or misleading information on any matter in these Regulations or neglects to keep records in accordance with these Regulations, commits an offence.

32. The Authority shall establish and maintain a register containing—

Register.

- (a) information on every application received by the Authority;
- (b) information on every decision made by the Authority;
- (c) information on every licence or permit issued by the Authority;
- (d) a record of controlled substances imported, exported, disposed of or in use in Kenya indicating the chemical name, chemical formulae, HS Code listing, CAS number, UN number and the quantities thereof;
- (e) a record of returns made by licensees; and
- (f) any other information that the Authority may deem necessary to preserve.

PART V—MISCELLANEOUS PROVISIONS

33. (1) The Authority shall, on or before the 31st December of every year, publish a list of controlled substances in the *Gazette* consisting of—

Publication of controlled substances and persons holding licences or permits.

- (a) controlled substances that were imported in the year, together with the quantities thereof;
- (b) controlled substances that were exported in the year and quantities thereof; and

- (c) all persons or firms holding licences to import and export controlled substances and the annual permitted quota allocations of the controlled substances.
- (2) The Authority shall, on or before the 31st December of every year, publish in the *Gazette* a list of controlled substances and the annual quota thereof allowed for use in Kenya in the succeeding year.
34. (1) No person shall vent or refill any controlled substance other than as prescribed by these Regulations. Venting and refilling.
- (2) A person who vents or refills a controlled substance in contravention of these Regulations commits an offence
35. (1) Any person who contravenes the provision of these Regulations commits an offence and shall be, on conviction, liable to the penalty specified in section 144 of the Act. General penalty for offences
- (2) In addition to any sentence that the Court may impose on a person under section 144 of the Act, the Court may direct that the person upon whom the penalty was imposed—
- (a) returns the controlled substance or equipment containing a controlled substance the country of origin at that person's own cost; or
- (b) pay for the cost of disposal of the controlled substance or equipment containing the controlled substance by the Authority.
36. Any person may on application to the Authority access any records submitted to the Authority under these Regulations other than declared confidential business information. Public access to records

FIRST SCHEDULE

(rr. 2, 5, 6, 27)

Classification of controlled substances

Annex A: Controlled Ozone Depleting Substances

| Name/Group | Chemical name | Formula | ASHRAE Refrigerant only | ASHRAE ¹ safety group | CAS ² # | UN ³ # | NEW HS code | Ozone Depleting Potential | STATUS |
|-------------------|----------------------------|---|-------------------------|----------------------------------|--------------------|-------------------|-------------|---------------------------|------------|
| Group I (CFCs) | | | | | | | | | |
| CFC-11 | Trichlorofluoromethane | CFC ₁₃ | R-11 | A1 | 75-69-4 | 1017 | 2903.77 | 1.0 | PROHIBITED |
| CFC-12 | Dichlorodifluoromethane | CF ₂ Cl ₂ | R-12 | A1 | 75-71-8 | 1028 | 2903.77 | 1.0 | |
| CFC-113 | Trichlorotrifluoroethanes | C ₂ F ₃ Cl ₃ | R-113 | A1 | 76-13-1 | | 2903.77 | 0.8 | |
| CFC-114 | Dichlorotetrafluoroethanes | C ₂ F ₄ Cl ₂ | R-114 | A1 | 76-14-2 | 1958 | 2903.77 | 1.0 | |
| CFC-115 | Chloropentafluoroethane | CClF ₂ CF ₃ | R-115 | A1 | 76-15-3 | 1020 | 2903.77 | 0.6 | |
| Group II (Halons) | | | | | | | | | |
| Halon — 1211 | Bromochlorodifluoromethane | CF ₂ BrCl | R-12B1 | | 353-59-3 | 1974 | 2903.76 | 3.0 | |
| Halon — 1301 | Bromotrifluoromethane | CF ₃ Br | R-13B1 | | 75-63-8 | 1009 | 2903.76 | 10.0 | |
| Halon — 2402 | Dibromotetrafluoroethanes | C ₂ F ₄ Br ₂ | R-114B2 | | 124-73-2 | | 2903.76 | 6.0 | |

* These ozone depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically.

| Name/Group | Chemical name | Formula | ASHRAE Refrigerant only | ASHRAE safety group | CAS ² # | UN ³ # | NEW HS code | Ozone Depleting Potential | STATUS | |
|--|--|---|-------------------------------|---------------------------|--------------------|-------------------|----------------|---------------------------------|------------|--|
| Group I (Other CFCs) | | | | | | | | | | |
| CFC-13 | Chlorotrifluoromethane | CF ₃ Cl | R-13 | A1 | 75-72-9 | | 2903.14 | 1.0 | PROHIBITED | |
| CFC-111 | Pentachlorofluoroethane | C ₂ FCl ₅ | R-111 | | | | 2903.77 | 1.0 | | |
| CFC-112 | Tetrachlorodifluoroethane | C ₂ F ₂ Cl ₄ | R-112 | | | | 2903.77 | 1.0 | | |
| CFC-211 | Heptachlorofluoropropane | C ₃ FCl ₇ | R-211 | | | | 2903.77 | 1.0 | | |
| CFC-212 | Hexachloridodifluoropropane | C ₃ F ₂ Cl ₆ | R-212 | | | | 2903.77 | 1.0 | | |
| CFC-213 | Pentachlorotrifluoropropane | C ₃ F ₃ Cl ₅ | R-213 | | | | 2903.77 | 1.0 | | |
| CFC-214 | Tetrachlorotetrafluoropropane | C ₃ F ₄ Cl ₄ | R-214 | | | | 2903.77 | 1.0 | | |
| CFC-215 | Trichloropentafluoropropane | C ₃ F ₅ Cl ₃ | R-215 | | | | 2903.77 | 1.0 | | |
| CFC-216 | Dichlorohexafluoropropane | C ₃ F ₆ Cl ₂ | R-216 | | | | 2903.77 | 1.0 | | |
| CFC-217 | Chloroheptafluoropropane | C ₃ F ₇ Cl | R-217 | | | | 2903.77 | 1.0 | | |
| Group II | | | | | | | | | | |
| Tetrachloromethane or carbon tetrachloride | | | | | | | | | | |
| | | CCl ₄ | | B1 | 56-23-5 | 1864 | 2903.14 | | PROHIBITED | |
| Group III | | | | | | | | | | |
| | 1,1,1-trichloroethane or methyl chloroform | C ₂ H ₃ Cl ₃ | R-140a | | 71-55-6 | 2831 | 2903.19 | | | |

Annex B: Controlled Ozone Depleting Substances

Annex C: Controlled Ozone Depleting Substances
Partially halogenated fluorochemicals (40 compounds including HCFC-21, HCFC-22, HCFC-123, HCFC-124, HCFC-141b, and HCFC-142) all with ODPs of less than 0.12, are defined as transitional substances.

| Name/Group | Chemical name | Formula | ASHRAE Refrigerant only | ASHRAE ¹ safety group | CAS ³ # | UN ³ # | NEW HS code | Ozone Depleting Potential | STATUS |
|-----------------|-------------------------|--|-------------------------|----------------------------------|--------------------|-------------------|-------------|---------------------------|-------------------------|
| Group I (HCFCs) | | | | | | | | | |
| HCFC-21** | | CHFCl ₂ | | | | | | 0.04 | RESTRICTED |
| HCFC-22** | Chlorodifluoromethane | CHF ₂ Cl | R-22 | | 75-45-6 | 1018 | 2903.71 | 0.055 | License/Permit Required |
| HCFC-31 | | CH ₂ FCl | R-31 | | | | | 0.02 | |
| HCFC-121 | | C ₂ HFCl ₄ | R-121 | | | | | 0.01-0.04 | |
| HCFC-122 | | C ₂ HF ₂ Cl ₃ | R-122 | | | | | 0.02-0.08 | |
| HCFC-123 | Dichlorotrifluoroethane | C ₂ HF ₃ Cl ₂ | R-123 | | 306-83-2 | | 2903.72 | 0.02 | |
| HCFC-124 | Chlorotetrafluoroethane | C ₂ HF ₄ Cl | R-124 | | 2837-89-0 | | 2903.79 | 0.02-0.04 | |
| HCFC-124** | | CHFClCF ₃ | R-124 | | | | | 0.022 | |
| HCFC-131 | | C ₂ H ₃ FC ₃ | R-131 | | | | | 0.007-0.05 | |
| HCFC-132 | | C ₂ H ₂ F ₂ Cl ₃ | R-132 | | | | | 0.008-0.05 | |
| HCFC-133 | | C ₂ H ₂ F ₃ Cl | R-133 | | | | | 0.02-0.06 | |
| HCFC-141 | Dichlorofluoroethanes | C ₂ H ₃ FC ₂ | | | 1717-00-6 | | 2903.73 | 0.005-0.07 | |
| HCFC-141b** | | CH ₃ CFCl ₂ | R-141b | | | | 2903.73 | 0.11 | |

| | | | | | | | | | | |
|-------------|-----------------------------|--|---------|-----------|---------|-------------|--|--|--|--|
| HCFC-141b | 1,1-dichloro-1-fluoroethane | CH ₂ ClFCF ₂ | R-141b | 1717-00-6 | 2903.73 | | | | | |
| HCFC-142 | Chlorodifluoroethanes | C ₂ H ₃ F ₂ Cl | | 75-68-3 | 2903.74 | 0.008-0.07 | | | | |
| HCFC-142b | 1-chloro-1,1-difluoroethane | CH ₃ CF ₂ Cl | R-142b | 75-68-3 | 2903.74 | 0.065 | | | | |
| HCFC-151 | | C ₂ H ₄ FCl | R-151 | | | 0.003-0.005 | | | | |
| HCFC-221 | | C ₂ HFCl ₂ | R-221 | | | 0.015-0.07 | | | | |
| HCFC-222 | | C ₂ HF ₂ Cl ₂ | R-222 | | | 0.01-0.09 | | | | |
| HCFC-223 | | C ₂ HF ₂ Cl ₂ | R-223 | | | 0.01-0.08 | | | | |
| HCFC-224 | | C ₂ HF ₂ Cl ₂ | R-224 | | | 0.01-0.09 | | | | |
| HCFC-225 | Dichloropentafluoropropanes | C ₃ HF ₅ Cl ₂ | | | 2903.75 | 0.02-0.07 | | | | |
| HCFC-225a** | | CF ₃ CF ₂ CHCl ₂ | R-225ca | | | 0.025 | | | | |
| HCFC-225b** | | CF ₂ ClCF ₂ CHClF | R-225cb | | | 0.033 | | | | |
| HCFC-226 | | CH ₃ HF ₂ Cl | R-226 | | | 0.02-0.10 | | | | |
| HCFC-231 | | C ₂ H ₂ F ₂ Cl ₂ | R-231 | | | 0.05-0.09 | | | | |
| HCFC-232 | | C ₂ H ₂ F ₂ Cl ₂ | R-232 | | | 0.008-0.10 | | | | |
| HCFC-233 | | C ₂ H ₂ F ₂ Cl ₂ | R-233 | | | 0.007-0.23 | | | | |
| HCFC-234 | | C ₂ H ₂ F ₂ Cl ₂ | R-234 | | | 0.01-0.28 | | | | |
| HCFC-235 | | C ₂ H ₂ F ₂ Cl ₂ | R-234 | | | 0.03-0.52 | | | | |

| | | | | | | | | |
|-------------------|----------------------|--|-------|--|-----------|---------|------------|------------|
| HCFC-241 | | C ₃ H ₃ FCI ₄ | R-241 | | | | 0.004-0.09 | |
| HCFC-242 | | C ₃ H ₃ FCI ₃ | R-242 | | | | 0.005-0.13 | |
| HCFC-243 | | C ₃ H ₃ F ₃ CI ₂ | R-243 | | | | 0.007-0.12 | |
| HCFC-244 | | C ₃ H ₃ F ₄ CI | R-244 | | | | 0.009-0.14 | |
| HCFC-251 | | C ₃ H ₄ FCI ₃ | R-251 | | | | 0.001-0.01 | |
| HCFC-252 | | C ₃ H ₄ F ₂ CI ₂ | R-252 | | | | 0.005-0.04 | |
| HCFC-253 | | C ₃ H ₄ F ₃ CI | R-253 | | | | 0.003-0.03 | |
| HCFC-261 | | C ₃ H ₅ FCI ₂ | R-261 | | | | 0.002-0.02 | |
| HCFC-262 | | C ₃ H ₅ F ₂ CI | R-262 | | | | 0.002-0.02 | |
| HCFC-271 | | C ₃ H ₆ FCI | R-271 | | | | 0.001-0.03 | |
| Group II (HBFCs) | | | | | | | | PROHIBITED |
| CHFB ₂ | | | | | | | 1.00 | |
| HBFC — 22B1 | Bromodifluoromethane | CHF ₂ Br | | | 1511-62-2 | 2903.79 | 0.74 | |
| | | CH ₂ FBr | | | | | 0.73 | |
| | | C ₂ HFB ₄ | | | | | 0.3-0.8 | |
| | | C ₂ HF ₂ Br ₃ | | | | | 0.5-1.8 | |
| | | C ₂ HF ₃ Br ₂ | | | | | 0.4-1.6 | |
| | | C ₂ HF ₄ Br | | | | | 0.7-1.2 | |
| | | C ₂ H ₂ FBr ₃ | | | | | 0.1-1.1 | |
| | | C ₂ H ₂ F ₂ Br ₂ | | | | | 0.2-1.5 | |
| | | C ₂ H ₂ F ₃ Br | | | | | 0.7-1.6 | |
| | | C ₂ H ₃ FBr ₂ | | | | | 0.1-1.7 | |
| | | C ₂ H ₃ F ₂ Br | | | | | 0.2-1.1 | |
| | | C ₂ H ₄ FBr | | | | | 0.07-0.1 | |
| | | C ₃ HFB ₆ | | | | | 0.3-1.5 | |

| | | | | | | | | |
|-----------|--------------------|------------------|--|--|---------|---------|----------|--|
| | | $C_3HF_2Br_5$ | | | | | 0.2-1.9 | |
| | | $C_3HF_3Br_5$ | | | | | 0.2-1.9 | |
| | | $C_3HF_3Br_4$ | | | | | 0.3-1.8 | |
| | | $C_3HF_4Br_3$ | | | | | 0.5-2.2 | |
| | | $C_3HF_5Br_2$ | | | | | 0.9-2.0 | |
| | | C_3HF_6Br | | | | | 0.7-3.3 | |
| | | $C_3H_2FBr_5$ | | | | | 0.1-1.9 | |
| | | $C_3H_2F_2Br_4$ | | | | | 0.2-2.1 | |
| | | $C_3H_2F_3Br_3$ | | | | | 0.2-5.6 | |
| | | $C_3H_2F_4Br_2$ | | | | | 0.3-7.5 | |
| | | $C_3H_2F_5Br$ | | | | | 0.9-1.4 | |
| | | $C_3H_3FBr_4$ | | | | | 0.08-1.9 | |
| | | $C_3H_3F_2Br_3$ | | | | | 0.1-3.1 | |
| | | $C_3H_3F_3Br_2$ | | | | | 0.1-2.5 | |
| | | $C_3H_3F_4Br$ | | | | | 0.3-4.4 | |
| | | $C_3H_4FBr_3$ | | | | | 0.03-0.3 | |
| | | $C_3H_4F_2Br_2$ | | | | | 0.1-1.0 | |
| | | $C_3H_4F_2Br$ | | | | | 0.07-0.8 | |
| | | $C_3H_4F_3FBr_2$ | | | | | 0.04-0.4 | |
| | | $C_3H_5F_2Br$ | | | | | 0.07-0.8 | |
| | | C_3H_6FBr | | | | | 0.02-0.7 | |
| Group III | | | | | | | | |
| | Bromochloromethane | CH_2BrCl | | | 74-97-5 | 2903.79 | 0.12 | |

* Where a range of ODPs is indicated, the highest value in that range shall be used for the purposes of these Regulations. The ODPs as a single value has been determined from calculations based on laboratory measurements. Those listed as a range are based on estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of the ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

** Identifies the most commercially viable substances with ODP values listed against them to be used for the purposes of these Regulations.

ANNEX D* - Equipment** containing controlled substances specified in Annex A

Equipment**

- 1 Automobile and truck air conditioning units (whether incorporated in vehicles or not)
- 2 Domestic and commercial refrigeration and air conditioning/heat pump equipment*** including refrigerators, water coolers, freezers, ice machines, dehumidifiers and air conditioning and heat pump units including Refrigerators Freezers, Dehumidifiers Water coolers, Ice machines Air conditioning and heat pump units
- 3 Aerosol equipment, except medical aerosols
- 4 Portable fire extinguisher
- 5 Insulation boards, panels and pipe covers
- 6 Pre-polymers

| Product/Equipment | HS Code/Codes |
|---|-----------------------|
| AC systems (including components and parts) | All codes under 84.15 |
| Refrigerators and freezers | 84.18,84.19,85.10 |
| Compressors of a kind used in refrigeration equipment | 8414.30 |

* This annex was adopted by the Third Meeting of the Parties in Nairobi, 21st June 1991 as required by paragraph 3 of Article 4 of the Protocol.

** Though not when transported in consignment of personal or household effects or in similar non—commercial situations normally exempted from customs attention.

*** When containing controlled substances in annex A as a refrigerant and /or in insulating material of the equipment.

Annex E

| Name/Group | Chemical name | Formula | ASHRAE Refrigerant only | ASHRAE ¹ safety group | CAS ² # | UN ³ # | NEW HS code | Ozone Depleting Potential | STATUS |
|--------------------------------|---------------|--------------------|-------------------------|----------------------------------|--------------------|-------------------|-------------|---------------------------|------------|
| Methyl bromide (Bromomethane)* | | CH ₂ Br | | | 74-83-9 | 1062 | 2903.39 | | PROHIBITED |

*Only authorized through licence/permit for Quarantine and Pre—shipment uses

ANNEX F: Controlled substances

| Name/Group | Chemical name | Formula | ASHRAE Refrigerant only | ASHRAE ¹ safety group | CAS ² # | UN ³ # | NEW HS code | 100-Year Global Warming Potential | STATUS |
|--------------------------------|---------------------------|---|-------------------------|----------------------------------|--------------------|-------------------|-------------|-----------------------------------|-------------------------|
| Non-Ozone Depleting Substances | | | | | | | | | |
| Hydrofluorocarbons (HFCs) | | | | | | | | | |
| HFC-134 | | CHF ₂ CHF ₂ | | | | | 2903.39 | 1,100 | License/Permit Required |
| HFC-134a | 1,1,1,2-tetrafluoroethane | CF ₃ CH ₂ F | R-134a | A1 | 811-97-2 | 3159 | 2903.39 | 1,430 | |
| HFC-152 | | CH ₂ FCH ₂ F | R-152 | | | | 2903.39 | 53 | |
| HFC-152a | 1,1-Difluoroethane | CHF ₂ CH ₃ | R-152a | A2 | 75-37-6 | | 2903.39 | 124 | |
| HFC-125 | Pentafluoroethane | CF ₃ CHF ₂ | R-125 | A1 | 354-33-6 | | 2903.39 | 3,500 | |
| HFC-143a | 1,1,1-trifluoroethane | CF ₃ CH ₃ | R-143a | A2 | 420-46-2 | | 2903.39 | 353 | |
| HFC-365mfc | | CF ₃ CH ₂ CF ₂ CH ₃ | R-365mfc | | | | 2903.39 | 794 | |
| HFC-32 | Difluoromethane | CH ₂ F ₂ | R-32 | A2 | 75-10-5 | | 2903.39 | 675 | |
| HFC-41 | | CH ₃ F | R-41 | | | | 2903.39 | 92 | |

| | | | | | | | | | | |
|---|---|---|-------------|----|----------|--|---------|--------|----------------------------|--|
| HFC-43— 10mee | | CF ₃ CHFCHFCF ₂ CF ₃ | R-43 | | | | 2903.39 | 1,640 | | |
| HFC-245ca | | CF ₂ FCF ₂ CHF ₂ | R-245ca | | | | 2903.39 | 693 | | |
| HFC-245fa | 1,1,1,3,3- Pentafluoropropane | CF ₃ CH ₂ CHF ₂ | R-245fa | A1 | 460-73-1 | | 2903.39 | 1,030 | | |
| HFC-123yf | 2,3,3,3- Tetrafluoropropene | CH ₂ =CFCF ₃ | R-1,2,3 4yf | | | | 2903.39 | | | |
| HFC-227ea | CF ₃ CHFCF ₃ | | R-227ea | | | | | 3,220 | | |
| HFC-236cb | CH ₂ FCF ₂ CF ₃ | | R-236cb | | | | | 1,340 | | |
| HFC-236ea | CHF ₂ CHF ₂ CF ₃ | | R-236ea | | | | | 1370 | | |
| Group II | | | | | | | | | | |
| HFC-23 | | CHF ₃ | R-23 | A1 | 75-46-7 | | 2903.39 | 14,800 | License/Permit Required | |
| Hydrofluorocarbons blends (HFCs mixtures) | | | | | | | | | | |
| R-404A | R143a/125/134a | R-404A | A1/A1 | ** | | | 3824.78 | | | |
| R-507A | R143a/125 | R-507A | A1 | ** | | | 3824.78 | | | |
| R-407A | R32/125/134a | R-407A | A1/A1 | ** | | | 3824.78 | | | |
| R-407B | R32/125/134a | R-407B | A1/A1 | ** | | | 3824.78 | | | |
| R-407C | R32/125/134a | R-407C | A1/A1 | ** | | | 3824.78 | | | |
| R-410A | R32/125 | R-410A | A1/A1 | ** | | | 3824.78 | | | |
| R-508A | R23/116 | R-508A | A1/A1 | ** | | | 3824.78 | | | |
| R-508B | R23/116 | R-808B | A1/A1 | ** | | | 3824.78 | | | |

SECOND SCHEDULE

FORMS

FORM 1

(r. 12(2)(a))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

APPLICATION FOR AUTHORISATION AS A RAC TECHNICIAN OR COMPANY

PART A: DETAILS OF THE APPLICANT

A1: Name of applicant (Individual or Company):

A2: Nationality:

A3: PIN No.:

A4: Company: Local Foreign

A5: Business/Company registration No. (where applicable):

A6: Postal and code Address:

A7: Physical Address: (Road/Street/ Name/No. of Building)

A8: Telephone No.:

A9: E-mail Address:

A10: (i) Applicant's qualifications/or certification (where applicable)
.....

(i) Area of expertise

(ii) Membership of professional body Yes/No.. Specify the name.....

A11: List of professional/certification qualifications and their nationalities (Table format
and attach where applicable) (For Service Company):
.....
.....A11: Experience and training undertaken (Table format):
.....
.....

A12: Application for authorisation as:

RAC Technician: RAC Company: Level I (Artisan Grade III (Beginner)/F gas/capacity to undertake refrigerant recovery
and a single door unit refrigerator)Level II (Artisan Grade II/Craft I and II - Capacity to undertake a split air system, two
door unit, charging and servicing with minimum two years' experience)Level III (Artisan Grade I/Diploma in Refrigeration and Air Conditioning - Capacity of
level I and II technician)A13: Previous registration Number and date of registration (if applicable):
.....

PART B: DECLARATION BY APPLICANT

B I: I hereby certify that the particulars given above are correct and true to the best of my knowledge and belief

.....
.....

Full name in block letters Signature of the Applicant Position

On behalf of.....

Business/Company name and Seal Date

PART C: *FOR OFFICIAL USE*

| | | | |
|--|--------------------------|--------------|--------------------------|
| Approved | <input type="checkbox"/> | Not approved | <input type="checkbox"/> |
| Comments | | | |
| | | | |
| | | | |
| | | | |
| Officer's Name..... | | | |
| Designation..... Sign..... Date..... | | | |
| Important Notes: | | | |
| Make application online at www.nema.go.ke (licensing portal) | | | |

FORM 2

(r. 12(2)(b))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025
CERTIFICATE OF REGISTRATION AS RAC TECHNICIAN/COMPANY

Application Reference No:

Registration No:

This is to certify that M/S of
..... (address) has been registered as RAC Technician/Company in
accordance with the provisions of the Environment Management and Co-ordination
(Controlled Substances) Regulation, 2025.

Dated the..... 20....

Signature.....

(Seal)

Director-General,

National Environment Management Authority

FORM 3

(r. 13(1)(a))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Reference No.: (For official use)

APPLICATION FOR LICENCE TO PRACTICE A RAC EQUIPMENT
TECHNICIAN/COMPANY

PART A: DETAILS OF APPLICANT

A1: Name of applicant (Individual or Company):

A2: Nationality:

A3: PIN No:

A4: If Company: Local Foreign

A5: Business /company Registration No. (where applicable):
.....

A6: Postal Address:
.....

A7: Physical Address (Road/Street/Building Name/No.)

A8: Telephone No.:

A9: E-mail:
.....

A10: Applicant's qualifications/certification:
.....
.....

A10: List of technicians, their academic/professional qualifications and their nationalities
(where applicable):
.....
.....

A11: Field of Expertise

A12: Experience in RAC activities (Table):
.....
.....

A13: Professional body membership no.

A 14: Application for licence to practice as (Tick where applicable):

Technician: Service Company:

PART B: DECLARATION BY APPLICANT

I hereby certify that the particulars given above are correct and true to the best of my knowledge and belief

| | | |
|----------------------------|------------------------|----------|
| | | |
| | | |
| Full name in block letters | Signature of applicant | Position |

Date.....

On behalf of.....

Firm Name and seal

PART C: FOR OFFICIAL USE

Approved Not approved

Comments.....
.....
.....

Name

Designation.....

Sign Date

Important Notes

Make application online at www.nema.go.ke (licensing portal)

FORM 3A

(r. 13(3))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Licence No.:

Application Reference No.:

PRACTICING LICENCE FOR RAC EQUIPMENT TECHNICIAN/COMPANY

M/S (Individual/Company) of Postal Address
..... is Licensed to practice in the capacity of a
(RAC Equipment Technician/Service Company)

Registration No.:

in accordance with the provisions of the Environmental Management and Coordination
(controlled substances) Regulations of 2020

Dated the 20.....

Signature

.....

(Seal)

Director-General,

National Environment Management Authority.

Note:

This Licence expires on the 31st December, 20

Conditions of Registration/Renewal

1. The Certificate of Registration shall be kept be produced at any reasonable time on reproduced at any reasonable time on request before an Officer of the concerned authority.
2. The registration shall not be done, and shall cease to be valid, if the person to be registered or registered is in violation of these rules.
3. Validity of registration under these rules shall be for a period of twelve months from the date of registration. Its renewal can be done any time after twelve months from the date of registration/renewal.

FORM 4

(r. 13(3)(a))

**THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025**

Notification to the Authority to recover, retrofit, reuse, recycle and or dispose of a
controlled substance, equipment and or an equipment

Applicant's full name:

Address:

Tel. No.:

Cell phone No.:

E-mail: Fax:

Full Name and Address of the Company/Handler:

Company Registration No. (attach copy of the Registration certificate):

NEMA Registration No. (attach copy of the Registration certificate):

Physical Location (county, town, street, L.R No.):

G.P.S. Co-ordinates:

| S/No. | Name of controlled substance to be recovered/retrofitted/reused/recycled/disposed | Address of the facility where the controlled substance is being recovered/retrofitted/reused/recycled/disposed | Quantity to be recovered/retrofitted/reused/recycled/disposed | Date of commencement of recovery/retrofit/reuse/recycling/disposal |
|-------|---|--|---|--|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |

DECLARATION BY APPLICANT: I hereby certify that the particulars given above are correct or true to the best of my knowledge.

Name:

Signature: Date:

FOR OFFICIAL USE ONLY

Approved/Not approved:

Comments:

Receipt No.:

Amount (KShs):

Officer's Name:

Signature:

Date:

FORM 5

(r. 14(2))

**THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025**

Notification of decommission equipment or product containing controlled substances

Applicant's full name:

Address:

Tel. No.: Cell phone No.:

E-mail: Fax:

Full Name and Address of the Company/Handler:

Company Registration No. (attach copy of the Registration certificate):

NEMA Registration No. (attach copy of the Registration certificate):

Physical Location (county, town, street, L.R No.):

G.P.S. Co-ordinates:

| S. No. | Name of Equipment/Product to be decommissioned | Address of the facility where the equipment to be decommissioned is located | Quantity to be decommissioned | Dates of decommissioning and disposal |
|--------|--|---|-------------------------------|---------------------------------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |

Reasons for decommissioning

Disposal plan for the decommissioned equipment/product:

DECLARATION BY APPLICANT: I hereby certify that the particulars given above are correct or true to the best of my knowledge.

Name:

Signature: Date:

FOR OFFICIAL USE ONLY

Approved/Not approved:

Comments:

Officer's Name:

Signature:

Date:

FORM 6

(r. 15(2))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Ref. No:

Application for licence to produce controlled substances

Name of Applicant:

Person Authorized to act on behalf of the Applicant: (Name and Title):

Contact Person (Name and Title)

National ID Card/Passport No:

Contact Person's Physical and Postal Address: Residential)

Company Name:

Physical Address:

Postal Address

Main Business Activity:

Tell/Fax/E-Mail Contacts:

Registration Certificate No.

PIN Number:

hereby applies for a licence to produce the following types of controlled substances.

| <i>Types of controlled substances</i> | <i>Quantity to be produced (in Kgs)</i> |
|---------------------------------------|---|
| 1. | |
| 2. | |
| 3. | |

I declare that the information provided in this application is correct and accurate, and that the applicant undertakes to produce the controlled substance in compliance with the provisions of these Regulations.

Dated, 20

Name

Signature

Witness

Address

Occupation

OFFICIAL USE ONLY:

Date: Received

Amount paid

Receipt No.

Signature

Official Stamp

Accepted/Rejected

Reason(s) for rejection

Complaint against decision should be addressed to the tribunal and submitted not later than

Date

(Name and Signature of dully authorized officer)

FORM 7

(rr. 16(3), 16(8))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Ref. No.

Application for licence to export controlled substances

Name of Applicant:

Person Authorized to act on behalf of Applicant (Name and Title)

Contact Person (Name and Title)

National ID Card/Passport No:

Contacts: Person's Physical and Postal Address (Business):

Contacts: Person's Physical and Postal Address (Residential):

Company Name

Physical Address:

Postal Address:

Main Business Activity:

Tel/Fax/E-mail Contacts:

Registration Certificate No:

PIN

hereby applies for a licence to export the following types of controlled substances.

| | Type of controlled substances | Quantity (Kgs) | Country of Export | Name and Address of Importer |
|---|-------------------------------|----------------|-------------------|------------------------------|
| 1 | | | | |
| 2 | | | | |

Export data for previous year _____

| | Type of controlled substances | Quantity (Kgs) | Country of Export | Export Entry Number | Name and Address of Importer |
|---|-------------------------------|----------------|-------------------|---------------------|------------------------------|
| 1 | | | | | |
| 2 | | | | | |

I declare that the information provided in this application is correct and accurate, and that the applicant undertakes to export the controlled substance in compliance with the provisions of these Regulations.

Date, 20

Name, Signature

Witness

Address

Occupation

OFFICIAL USE ONLY

Prior Informed Consent Received: YES/NO

Date Received

PIN

Amount Paid

Receipt No.

Signature

Official Stamp

Accepted/Rejected

Reason(s) for rejection:

.....

.....

FORM 8

(r. 16(4))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Ref. No:

Application for licence to import controlled substances/application for licence to import
controlled substances for quarantine and pre-shipment uses

Name Applicant

Person Authorized to act on behalf of Applicant (Name and Title)

National ID Card/Passport No.

Contacts: Physical And Postal Address (Business):

Contacts: Physical and Postal Address (Residential):

Company Name

Physical Address

Main Business Activity

Tel/Fax/E-mail Contacts

Registration Certificate No.

PIN

hereby applies for a licence to import the following controlled substances.

| | <i>Type of controlled substances</i> | <i>Quantity to be Imported (Kgs)</i> | <i>Amount Approved</i> | <i>Country of Origin</i> | <i>Name and Address of Licensee</i> |
|---|--------------------------------------|--------------------------------------|------------------------|--------------------------|-------------------------------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |

I declare that the information provided in this application is correct and accurate, and that the applicant undertakes to export the controlled substance in compliance with the provisions of these Regulations.

Date: 20

Name: Signature

Witness:

Address:

Occupation:

OFFICIAL USE ONLY

Date Received:

Amount Paid:

Receipt No.:

Prior Informed Consent (PIC) Issued: Yes/No

PIC Number:

Date of Issue:

Signature:

Official Stamp:

Approved Amount

| | <i>Type of controlled substances</i> | <i>Quantity to be Imported (Kgs)</i> | <i>Amount Approved</i> | <i>Country of Origin</i> | <i>Name and Address of Licensee</i> |
|---|--------------------------------------|--------------------------------------|------------------------|--------------------------|-------------------------------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |

Accepted/Rejected:

Reasons for rejection:

.....

.....

FORM 9

(r. 17(1))

**THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025**

Application for permit to import equipment containing controlled substances

Applicant's name in full:

Address:

Tel/Cell phone No.:

E-mail: Fax:

Full Name and Address of the Importer:

.....

.....

Physical Location (county, town, street, L.R No.):

G.P.S. Co-ordinates:

Equipment Information

| Trade Name | Category of Equipment (industrial, commercial, Domestic (fridge, split air conditioning unit, compressor) etc.) | Applicable HS Code | Quantity of equipment to be imported (No. of units and Weight) | Type of controlled substance for the Product | Country of Origin |
|------------|---|--------------------|--|--|-------------------|
| | | | | | |
| | | | | | |

DECLARATION BY APPLICANT:

I hereby certify that the particulars given above are correct or true to the best of my knowledge.

Name:

Signature: Date:

FOR OFFICIAL USE ONLY

Approved/Not approved:

Comments:

Receipt No.:

Amount (KShs):

Officer's Name:

Signature: Date:

FORM 10

(r. 18(2))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Form No:

Application for consent to transit a controlled substance through Kenya

Exporter Registration No

1. Name:

Address

Contact Person

Telephone Fax

Email

2. Importer Registration No.

Name

Address

Contact Person

Telephone Fax

Email

3. Classification and qualities of controlled substances to be transported

| | Class | Quantities in Kgs/Litres |
|---|-------|--------------------------|
| 1 | | |
| 2 | | |

Intended period of time for transport:

Expected entry date

4. Expected exit date

5. Description of packaging types

.....

.....

Intended carrier Registration No.

6. Name

Address

Contact Person

Telephone Fax

Means of transport

- 7. Written Prior Informed Consent (PIC) from relevant Competent Authority of country of import:

Was consent given? YES/NO

If yes, attach copy of the PIC

I/We, hereby confirms that the above information and particulars is true and correct.

Signature and Stamp

Date

FORM 11

(rr. 14(4), 15(3), 16(9))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Ref. No:

Application for permit to import/export a controlled substance

Name of Applicant

License Number Control Period

Quantity licenced to be Imported

Person Authorized to act on behalf of Applicant (Name and Title):

.....

.....

Contact Person (Name and Title):

.....

.....

National ID Card/Passport Number

Contact Person's Physical and Postal Address (Residential):

Company Name:

Physical Address:

Postal Address:

Main Business Activity:

Telephone/Fax/E-Mail Contacts:

Registration Certificate Number:

Personal Identification Number (PIN):

hereby applies for a permit to import the following Controlled Ozone Depleting Substances.

| <i>Class/Type of controlled substance</i> | <i>Trade Name</i> | <i>Quantity (Kgs) to be imported/ exported</i> | <i>Balance of quantity to be imported/ exported</i> | <i>Country of origin/ destination</i> | <i>Name and address of importer/ exporter</i> |
|---|-------------------|--|---|---------------------------------------|---|
| | | | | | |
| | | | | | |

I declare that the information provided in this application is correct and accurate, and that the applicant undertakes to export the Controlled Ozone Depleting Substance in compliance with the provisions of these Regulations.

Date:20

Name:Signature

Witness:

Address:

Occupation:

OFFICIAL USE ONLY

Date Received:

Amount Paid:

Receipt No:

Signature:

Official Stamp:

Accepted/Rejected:

Reason(s) for rejection:

.....

.....

FORM 12

(r. 19(5))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Licence to produce/import/export controlled substances

..... is hereby licenced to
produce/import/export the following controlled substances for the period commencing
..... to

List of controlled substances:

| <i>Type of controlled substances</i> | <i>Quantity to be produced/imported/exported (Kgs)</i> |
|--------------------------------------|--|
| | |
| | |

Conditions attached to this licence:

1.
2.

Date:

DIRECTOR-GENERAL

National Environment Management Authority

Seal

FORM 13

(r. 25(2))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Permit to import/export a controlled substance

..... is hereby permitted to import the following
shipment of controlled substance(s):

| <i>License No.</i> | <i>Type of Controlled Ozone Depleting Substances</i> | <i>Trade name</i> | <i>Approved/licenced quantity (kgs)</i> | <i>Quantity previously imported/ exported</i> | <i>Quantity to be imported/ exported</i> | <i>Balance quantity to be imported/ exported</i> | <i>Country of origin/ destination</i> | <i>Name and address of importer/ exporter</i> |
|--------------------|--|-------------------|---|---|--|--|---------------------------------------|---|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Conditions attached to this licence:

1.
2.

Date:

DIRECTOR-GENERAL

National Environment Management Authority

Seal

FORM 14

(r. 25(3))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application for variation of license or the conditions of the licence

Application Ref No.:

License No.:

PART A: DETAILS OF APPLICANT

A1: Name (Individual or Firm):

A2: Business/Company Registration No.:

A3: Physical Address (Road/Street, Building name/number):

A4: Postal Address and Code:

A5: Name of contact person:

A6: Position of contact person:

A7: Postal Address and code of contact person:

A8: Telephone No:

A9: E-mail:

PART B: PREVIOUS APPLICATIONS * (FILL IF APPLICABLE)

B1: No. of previous variation of controlled substances licence issued. *

B2: controlled substances licence was previously amended.*

PART C: DETAILS OF CURRENT CONTROLLED SUBSTANCES LICENSE

C 1: Name of the current controlled substances licence holder:

C2: Application No. of the current controlled substances Licence:

C3: Date of issue of the current controlled substances License:

PART D: PROPOSED VARIATIONS TO THE CONDITIONS IN CURRENT
CONTROLLED SUBSTANCES LICENCE

D1: Conditions in the current controlled substances licence:

.....
.....

D2: Proposed variation:

.....
.....

D3: Reason for variation:

.....
.....

D4: Describe the environmental changes arising from the proposed variations:

.....
.....

D5: Describe how the environment and the community might be affected by the proposed variations:

.....
.....

D6: Describe how and to what extent the environmental performance requirements set out in the initial application previously approved or project profile previously submitted may be affected

.....
.....

D7: Describe any additional measures proposed to eliminate, reduce or control any adverse impacts arising from the proposed variation

Process

PART E: DECLARATION BY APPLICANT

I hereby certify that the particulars given above are correct and true to the best of my knowledge and belief. I understand the controlled substances licence may be suspended, varied or cancelled if any information given above is false, misleading, wrong or incomplete.

Name Position Signature Date on behalf of Company name and seal

PART F: OFFICIAL USE

Approved/ Not approved

Comments

Officers name Signature Date

Important Notes: Please submit your application online on www.nema.go.ke (licensing portal)

FORM 15

(r. 25)

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Application Ref. No.:

Certificate No.:

Certificate of variation of license or the conditions of the license

This is to certify that the controlled substances No.: issued on.....
(date) to (name of individual/firm)
of. (Postal address) regarding
.....
(produce/ import/export the following controlled substances:

.....
.....

located at (Title No. Locality and County)
has been has been varied to

.....
.....

(nature of variation) with effect from (date of variation) in accordance with the
provisions of the Act.

Dated the..... 20.....

Signature.....

(Seal) Director –General National Environment Management Authority

Conditions of Renewal

1. A variation of controlled substances licence issued under regulation 24 may be issued without the holder of the licence submitting a fresh controlled substances application for produce/import/export if the Authority is satisfied that the proposed variations would comply with the requirements of the original licence.
2. The ‘Certificate of controlled substances’ shall be kept be and produced at any reasonable time on request before an Officer of the concerned Authority.

THIRD SCHEDULE

Form A

*(r. 10(1))*THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Material safety data sheet

A material safety data sheet or safety data sheet should contain the following items:

1. Identification
2. Hazard identification
3. Composition/information of ingredients
4. First-aid measures
5. Fire-fighting measures
6. Accidental release measures
7. Handling and storage
8. Exposure controls or personal protection
9. Physical and chemical properties
10. Stability and reactivity
11. Toxicological information
12. Ecological information
13. Disposal considerations
14. Transport information
15. Regulatory information
16. Other information

Form B

(r. 12(2)(f))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Refrigerant identifier and leak detectors

A. Leak Detectors

Principle of operation

1. Indicate the presence of halogen atoms specifically chlorine or fluorine atoms in the air that would be present if the cylinder is leaking.
2. Indicate flammable refrigerants based on combustible gas detector.
3. Indicate non—flammable refrigerants.
4. Ensure regular maintenance and calibration.
5. Any other applicable procedures as recommended by Ozone Secretariat.

B. Refrigerant Identifier/Analyzers

Principle of Operation

1. Identification of ozone depleting substance (ODS) and non-ozone depleting substance (non-ODS).
2. Analyze the composition of certain refrigerant blends, water content, purity and presence of highly flammable substances.
3. Identification of halogens using standard chemical laboratory analysis/methods such as mass spectrometer and gas chromatograph.
4. Ensure regular maintenance and calibration.
5. Any other applicable procedures as recommended by Ozone Secretariat.

FOURTH SCHEDULE

FORM A

(r. 30(3))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Declaration No.....

Declaration by the recipient/buyer of controlled a substance

Information concerning the vendor/supplier:

Name of vender/supplier:

PIN Number: Telephone:

License Number:

Address:

Information concerning the Buyer/Recipient:

Contact person (Name and Title):

.....

.....

National ID Card/Passport Number:

Contact person's physical and postal address: (Residential)

.....

.....

Company Name:

Physical Address:

Postal Address:

Main business activity:

Telephone/Fax/E-mail contacts:

Registration Certificate Number:

PIN:

| Type of Controlled Substance | Quantity (Kgs) | Trade Name | Purpose |
|------------------------------|----------------|------------|---------|
| | | | |
| | | | |

I undertake:

- (a) not to sell or otherwise supply any of the quantity of the controlled substances received to any person who has not signed a declaration in this format; and

(b) to use all of the controlled substances received for the purpose set out in the declaration but not for any other purpose.

I declare that the information provided in this declaration is correct to the best of my knowledge and belief.

Designation: Signature:

Company:

Address:

Occupation:

Witness: Signature:

FOR OFFICIAL USE ONLY:

Date Received:

Amount paid:

Receipt No.

Licence No.

Signature:

Official stamp:

FIFTH SCHEDULE

(r. 31(1))

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION
(CONTROLLED SUBSTANCES) REGULATIONS, 2025

Report on the importation/exportation/sale/stocking/storage/purchase of controlled substances

Name of Licensee:

Application Number:

Name of Licensing Officer:

Contact Person (Name and Title)

National ID Card/Passport Number:

Contact Person's Physical and Postal Address:

Company Name:

Physical Address:

Postal Address:

Main Business Activity:

Telephone/Fax/E-mailContacts:

Registration Certificate Number:

Personal Identification Number:

.....

Hereby submits a report on the importation/exportation of the following controlled substances

| <i>Class/Type of controlled substance</i> | <i>Trade Name</i> | <i>Quantity (Kgs) Licensed to be imported/exported</i> | <i>Date of import/export</i> | <i>Quantity imported/exported</i> | <i>Balance to be imported/exported</i> | <i>Country of origin/destination</i> | <i>Name and address of importer/exporter</i> |
|---|-------------------|--|------------------------------|-----------------------------------|--|--------------------------------------|--|
| | | | | | | | |
| | | | | | | | |

Use(s) of the controlled substance imported/exported:

(a)

(b)

Date of clearance:

I declare that the information provided in this report is correct and accurate to the best of my knowledge and belief.

.....

| Date | Name | Signature |
|------|------|-----------|
|------|------|-----------|

Designation:

Company:

Address:

Occupation:

Official Use Only

Date Received:

Amount paid:

Receipt Number:

Signature:

Official stamp:

SIXTH SCHEDULE

(rr. 12(1), 14(1), 15(2)(b), 16(3), (4), (8), 18(1), 25(2))

Fees

| S/No. | Description | Fee (Kshs.) |
|-------|--|-------------|
| 1. | Application for a licence to produce controlled substances | 100,000 |
| 2. | Application for a licence to export or import controlled substance: | |
| | (a) 200,000 kg and above | 30,000 |
| | (b) 100,000 kg to 199,000 kg | 20,000 |
| | (c) 1 kg to 99,000 g | 10,000 |
| 3. | Application for a permit to export or import a controlled substance: | |
| | (a) 200,000 kg and above | 3,000 |
| | (b) 100,000 kg to 199,000 kg | 2,000 |
| | (c) 1 kg to 99,000 g | 1,000 |
| 4. | Application for licence to import ozone and climate friendly gases (halogen free refrigerants) | — |
| 5. | Application for permit to import Energy Efficient, ozone and climate friendly Refrigeration and Air Conditioning equipment | — |
| 6. | Application to export a controlled substance | 7,500 |
| 7. | Application for registration as a refrigeration and air-conditioning practitioner | |
| | (a) Technician (Level I, II and III) | 3,000 |
| | (b) Company | 30,000 |
| 8. | Annual practicing licence as a Refrigeration and Air Conditioning practitioner: | |
| | (a) Technician – Level I | 2,000 |
| | (b) Technician – Level II | 3,000 |
| | (c) Technician – Level III | 4,000 |
| | (d) Company | 15,000 |

Made on the 17th February, 2025.

ADEN DUALE,
*Cabinet Secretary for Environment,
Climate Change and Forestry.*