

Z A K O N

O POTVRĐIVANJU AMANDMANA NA MONTREALSKI PROTOKOL O SUPSTANCAMA KOJE OŠTEĆUJU OZONSKI OMOTAČ

Član 1

Potvrđuje se Amandman na Montrealski protokol o supstancama koje oštećuju ozonski omotač, usvojen u Kigaliju 15. oktobra 2016. godine, u originalu na arapskom, kineskom, engleskom, francuskom, ruskom i španskom jeziku.

Član 2

Tekst Amandmana na Montrealski protokol o supstancama koje oštećuju ozonski omotač iz člana 1 ovog zakona, u originalu na engleskom i u prevodu na crnogorski jezik glasi:

Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

Article I: Amendment

Article 1, paragraph 4

In paragraph 4 of Article 1 of the Protocol, for the words:

“Annex C or Annex E”

there shall be substituted:

“Annex C, Annex E or Annex F”

Article 2, paragraph 5

In paragraph 5 of Article 2 of the Protocol, for the words:

“and Article 2H”

there shall be substituted:

“Articles 2H and 2J”

Article 2, paragraphs 8 (a), 9 (a) and 11

In paragraphs 8 (a) and 11 of Article 2 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

The following words shall be added at the end of subparagraph (a) of paragraph 8 of Article 2 of the Protocol:

“Any such agreement may be extended to include obligations respecting consumption or production under Article 2J provided that the total combined calculated level of consumption or production of the Parties concerned does not exceed the levels required by Article 2J.”

In subparagraph (a) (i) of paragraph 9 of Article 2 of the Protocol, after the second use of the words:

“should be;”

there shall be deleted:

“and”

Subparagraph (a) (ii) of paragraph 9 of Article 2 of the Protocol shall be renumbered as subparagraph (a) (iii).

The following shall be added as subparagraph (a) (ii) after subparagraph (a) (i) of paragraph 9 of Article 2 of the Protocol:

“Adjustments to the global warming potentials specified in Group I of Annex A, Annex C and Annex F should be made and, if so, what the adjustments should be; and”

Article 2J

The following Article shall be inserted after Article 2I of the Protocol:

“Article 2J: Hydrofluorocarbons

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 2019, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of consumption of Annex F controlled substances for the years 2011, 2012 and 2013, plus fifteen per cent of its calculated level of consumption of Annex C, Group I, controlled substances as set out in paragraph 1 of Article 2F, expressed in CO₂ equivalents:
 - (a) 2019 to 2023: 90 per cent
 - (b) 2024 to 2028: 60 per cent
 - (c) 2029 to 2033: 30 per cent
 - (d) 2034 to 2035: 20 per cent
 - (e) 2036 and thereafter: 15 per cent
2. Notwithstanding paragraph 1 of this Article, the Parties may decide that a Party shall ensure that, for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of consumption of Annex F controlled substances for the years 2011, 2012 and 2013, plus twenty-five per cent of its calculated level of consumption of Annex C, Group I, controlled substances as set out in paragraph 1 of Article 2F, expressed in CO₂ equivalents:
 - (a) 2020 to 2024: 95 per cent
 - (b) 2025 to 2028: 65 per cent
 - (c) 2029 to 2033: 30 per cent
 - (d) 2034 to 2035: 20 per cent
 - (e) 2036 and thereafter: 15 per cent
3. Each Party producing the controlled substances in Annex F shall ensure that for the twelve-month period commencing on 1 January 2019, and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of production of Annex F controlled substances for the years 2011, 2012 and 2013, plus fifteen per cent of its calculated level of production of Annex C, Group I, controlled substances as set out in paragraph 2 of Article 2F, expressed in CO₂ equivalents:
 - (a) 2019 to 2023: 90 per cent
 - (b) 2024 to 2028: 60 per cent
 - (c) 2029 to 2033: 30 per cent
 - (d) 2034 to 2035: 20 per cent
 - (e) 2036 and thereafter: 15 per cent

4. Notwithstanding paragraph 3 of this Article, the Parties may decide that a Party producing the controlled substances in Annex F shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of production of Annex F controlled substances for the years 2011, 2012 and 2013, plus twenty-five per cent of its calculated level of production of Annex C, Group I, controlled substances as set out in paragraph 2 of Article 2F, expressed in CO₂ equivalents:
 - (a) 2020 to 2024: 95 per cent
 - (b) 2025 to 2028: 65 per cent
 - (c) 2029 to 2033: 30 per cent
 - (d) 2034 to 2035: 20 per cent
 - (e) 2036 and thereafter: 15 per cent
5. Paragraphs 1 to 4 of this Article 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 the Parties to be exempted uses.
6. Each Party manufacturing Annex C, Group I, or Annex F substances shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its emissions of Annex F, Group II, substances generated in each production facility that manufactures Annex C, Group I, or Annex F substances are destroyed to the extent practicable using technology approved by the Parties in the same twelve-month period.
7. Each Party shall ensure that any destruction of Annex F, Group II, substances generated by facilities that produce Annex C, Group I, or Annex F substances shall occur only by technologies approved by the Parties.

Article 3

The preamble to Article 3 of the Protocol should be replaced with the following:

“1. For the purposes of Articles 2, 2A to 2J and 5, each Party shall, for each group of substances in Annex A, Annex B, Annex C, Annex E or Annex F, determine its calculated levels of:”

For the final semi-colon of subparagraph (a) (i) of Article 3 of the Protocol there shall be substituted:

“, except as otherwise specified in paragraph 2;”

The following text shall be added to the end of Article 3 of the Protocol:

“; and

(d) Emissions of Annex F, Group II, substances generated in each facility that generates Annex C, Group I, or Annex F substances by including, among other things, amounts emitted from equipment leaks, process vents and destruction devices, but excluding amounts captured for use, destruction or storage.

2. When calculating levels, expressed in CO₂ equivalents, of production, consumption, imports, exports and emissions of Annex F and Annex C, Group I, substances for the purposes of Article 2J, paragraph 5 of Article 2 and paragraph 1 (d) of Article 3, each Party shall use the global warming potentials of those substances specified in Group I of Annex A, Annex C and Annex F.”

Article 4, paragraph 1 sept

The following paragraph shall be inserted after paragraph 1 sex of Article 4 of the Protocol:

“1 sept. Upon entry into force of this paragraph, each Party shall ban the import of the controlled substances in Annex F from any State not Party to this Protocol.”

Article 4, paragraph 2 sept

The following paragraph shall be inserted after paragraph 2 sex of Article 4 of the Protocol:

“2 sept. Upon entry into force of this paragraph, each Party shall ban the export of the controlled substances in Annex F to any State not Party to this Protocol.”

Article 4, paragraphs 5, 6 and 7

In paragraphs 5, 6 and 7 of Article 4 of the Protocol, for the words:

“Annexes A, B, C and E”

there shall be substituted:

“Annexes A, B, C, E and F”

Article 4, paragraphs 8

In paragraph 8 of Article 4 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

Article 4B

The following paragraph shall be inserted after paragraph 2 of Article 4B of the Protocol:

“2 bis. Each Party shall, by 1 January 2019 or within three months of the date of entry into force of this paragraph for it, whichever is later, establish and implement a system for licensing the import and export of new, used, recycled and reclaimed controlled substances in Annex F. Any Party operating under paragraph 1 of Article 5 that decides it is not in a position to establish and implement such a system by 1 January 2019 may delay taking those actions until 1 January 2021.”

Article 5

In paragraph 4 of Article 5 of the Protocol, for the word:

“2I”

there shall be substituted:

“2J”

In paragraphs 5 and 6 of Article 5 of the Protocol, for the words:

“Article 2I”

there shall be substituted:

“Articles 2I and 2J”

In paragraph 5 of Article 5 of the Protocol, before the words:

“any control measures”

there shall be inserted:

“with”

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

“8 *qua*

(a) Each Party operating under paragraph 1 of this Article, subject to any adjustments made to the control measures in Article 2J in accordance with paragraph 9 of Article 2, shall be entitled to delay its compliance with the control measures set out in subparagraphs (a) to (e) of paragraph 1 of Article 2J and subparagraphs (a) to (e) of paragraph 3 of Article 2J and modify those measures as follows:

- (i) 2024 to 2028: 100 per cent
- (ii) 2029 to 2034: 90 per cent
- (iii) 2035 to 2039: 70 per cent
- (iv) 2040 to 2044: 50 per cent
- (v) 2045 and thereafter: 20 per cent

(b) Notwithstanding subparagraph (a) above, the Parties may decide that a Party operating under paragraph 1 of this Article, subject to any adjustments made to the control measures in Article 2J in accordance with paragraph 9 of Article 2, shall be entitled to delay its compliance with the control measures set out in subparagraphs (a) to (e) of paragraph 1 of Article 2J and subparagraphs (a) to (e) of paragraph 3 of Article 2J and modify those measures as follows:

- (i) 2028 to 2031: 100 per cent
- (ii) 2032 to 2036: 90 per cent
- (iii) 2037 to 2041: 80 per cent
- (iv) 2042 to 2046: 70 per cent
- (v) 2047 and thereafter: 15 per cent

(c) Each Party operating under paragraph 1 of this Article, for the purposes of calculating its consumption baseline under Article 2J, shall be entitled to use the average of its calculated levels of consumption of Annex F controlled substances for the years 2020, 2021 and 2022, plus sixty-five per cent of its baseline consumption of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(d) Notwithstanding subparagraph (c) above, the Parties may decide that a Party operating under paragraph 1 of this Article, for the purposes of calculating its consumption baseline under Article 2J, shall be entitled to use the average of its calculated levels of consumption of Annex F controlled substances for the years 2024, 2025 and 2026, plus sixty-five per cent of its baseline consumption of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(e) Each Party operating under paragraph 1 of this Article and producing the controlled substances in Annex F, for the purposes of calculating its production baseline under Article 2J, shall be entitled to use the average of its calculated levels of production of Annex F controlled substances for the years 2020, 2021 and 2022, plus sixty-five per cent of its baseline production of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(f) Notwithstanding subparagraph (e) above, the Parties may decide that a Party operating under paragraph 1 of this Article and producing the controlled substances in Annex F, for the purposes of calculating its production baseline under Article 2J, shall be entitled to use the average of its calculated levels of production of Annex F controlled substances for the years 2024, 2025 and 2026, plus sixty-five per cent of its baseline production of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(g) Subparagraphs (a) to (f) of this paragraph will apply to calculated levels of production and consumption save to the extent that a high-ambient-temperature exemption applies based on criteria decided by the Parties.”

Article 6

In Article 6 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

Article 7, paragraphs 2, 3 and 3 ter

The following line shall be inserted after the line that reads “– in Annex E, for the year 1991,” in paragraph 2 of Article 7 of the Protocol:

“– in Annex F, for the years 2011 to 2013, except that Parties operating under paragraph 1 of Article 5 shall provide such data for the years 2020 to 2022, but those Parties operating under paragraph 1 of Article 5 to which subparagraphs (d) and (f) of paragraph 8 *qua* of Article 5 applies shall provide such data for the years 2024 to 2026;”

In paragraphs 2 and 3 of Article 7 of the Protocol, for the words:

“C and E”

there shall be substituted:

“C, E and F”

The following paragraph shall be added to Article 7 of the Protocol after paragraph 3 *bis*:

“3 *ter*. Each Party shall provide to the Secretariat statistical data on its annual emissions of Annex F, Group II, controlled substances per facility in accordance with paragraph 1 (d) of Article 3 of the Protocol.”

Article 7, paragraph 4

In paragraph 4 of Article 7, after the words:

“statistical data on” and “provides data on”

there shall be added:

“production,”

Article 10, paragraph 1

In paragraph 1 of Article 10 of the Protocol, for the words:

“and Article 2I”

There shall be substituted:

“, Article 2I and Article 2J”

The following shall be inserted at the end of paragraph 1 of Article 10 of the Protocol:

“Where a Party operating under paragraph 1 of Article 5 chooses to avail itself of funding from any other financial mechanism that could result in meeting any part of its agreed incremental costs, that part shall not be met by the financial mechanism under Article 10 of this Protocol.”

Article 17

In Article 17 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

Annex A

The following table shall replace the table for Group I in Annex A to the Protocol:

Group	Substance	Ozone-Depleting Potential*	100-Year Global Warming Potential
<i>Group I</i>			
CFCl ₃	(CFC-11)	1.0	4,750
CF ₂ Cl ₂	(CFC-12)	1.0	10,900
C ₂ F ₃ Cl ₃	(CFC-113)	0.8	6,130
C ₂ F ₄ Cl ₂	(CFC-114)	1.0	10,000
C ₂ F ₅ Cl	(CFC-115)	0.6	7,370

Annex C and Annex F

The following table shall replace the table for Group I in Annex C to the Protocol:

Group	Substance	Number of isomers	Ozone-Depleting Potential*	100-Year Global Warming Potential***
<i>Group I</i>				
CHFC1 ₂	(HCFC-21)**	1	0.04	151
CHF ₂ Cl	(HCFC-22)**	1	0.055	1810
CH ₂ FCl	(HCFC-31)	1	0.02	
C ₂ HFCl ₄	(HCFC-121)	2	0.01–0.04	
C ₂ HF ₂ Cl ₃	(HCFC-122)	3	0.02–0.08	
C ₂ HF ₃ Cl ₂	(HCFC-123)	3	0.02–0.06	77
CHCl ₂ CF ₃	(HCFC-123)**	–	0.02	
C ₂ HF ₄ Cl	(HCFC-124)	2	0.02–0.04	609
CHFClCF ₃	(HCFC-124)**	–	0.022	
C ₂ H ₂ FCl ₃	(HCFC-131)	3	0.007–0.05	
C ₂ H ₂ F ₂ Cl ₂	(HCFC-132)	4	0.008–0.05	
C ₂ H ₂ F ₃ Cl	(HCFC-133)	3	0.02–0.06	
C ₂ H ₃ FCl ₂	(HCFC-141)	3	0.005–0.07	
CH ₃ CFCl ₂	(HCFC-141b)**	–	0.11	725
C ₂ H ₃ F ₂ Cl	(HCFC-142)	3	0.008–0.07	
CH ₃ CF ₂ Cl	(HCFC-142b)**	–	0.065	2310
C ₂ H ₄ FCl	(HCFC-151)	2	0.003–0.005	
C ₃ HFCl ₆	(HCFC-221)	5	0.015–0.07	
C ₃ HF ₂ Cl ₅	(HCFC-222)	9	0.01–0.09	
C ₃ HF ₃ Cl ₄	(HCFC-223)	12	0.01–0.08	
C ₃ HF ₄ Cl ₃	(HCFC-224)	12	0.01–0.09	
C ₃ HF ₅ Cl ₂	(HCFC-225)	9	0.02–0.07	
CF ₃ CF ₂ CHCl ₂	(HCFC-225ca)**	–	0.025	122
CF ₂ ClCF ₂ CHClF	(HCFC-225cb)**	–	0.033	595
C ₃ HF ₆ Cl	(HCFC-226)	5	0.02–0.10	
C ₃ H ₂ FCl ₅	(HCFC-231)	9	0.05–0.09	
C ₃ H ₂ F ₂ Cl ₄	(HCFC-232)	16	0.008–0.10	
C ₃ H ₂ F ₃ Cl ₃	(HCFC-233)	18	0.007–0.23	
C ₃ H ₂ F ₄ Cl ₂	(HCFC-234)	16	0.01–0.28	
C ₃ H ₂ F ₅ Cl	(HCFC-235)	9	0.03–0.52	
C ₃ H ₃ FCl ₄	(HCFC-241)	12	0.004–0.09	
C ₃ H ₃ F ₂ Cl ₃	(HCFC-242)	18	0.005–0.13	
C ₃ H ₃ F ₃ Cl ₂	(HCFC-243)	18	0.007–0.12	
C ₃ H ₃ F ₄ Cl	(HCFC-244)	12	0.009–0.14	
C ₃ H ₄ FCl ₃	(HCFC-251)	12	0.001–0.01	
C ₃ H ₄ F ₂ Cl ₂	(HCFC-252)	16	0.005–0.04	
C ₃ H ₄ F ₃ Cl	(HCFC-253)	12	0.003–0.03	
C ₃ H ₅ FCl ₂	(HCFC-261)	9	0.002–0.02	
C ₃ H ₅ F ₂ Cl	(HCFC-262)	9	0.002–0.02	
C ₃ H ₆ FCl	(HCFC-271)	5	0.001–0.03	

* Where a range of ODPs is indicated, the highest value in that range shall be used for the purposes of the Protocol. The ODPs listed as a single value have 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 the Protocol.

*** For substances for which no GWP is indicated, the default value 0 applies until a GWP value is included by means of the procedure foreseen in paragraph 9 (a) (ii) of Article 2.

The following annex shall be added to the Protocol after Annex E:

“Annex F: Controlled substances

Group	Substance	100-Year Global Warming Potential
<i>Group I</i>		
CHF ₂ CHF ₂	HFC-134	1,100
CH ₂ FCF ₃	HFC-134a	1,430
CH ₂ FCHF ₂	HFC-143	353
CHF ₂ CH ₂ CF ₃	HFC-245fa	1,030
CF ₃ CH ₂ CF ₂ CH ₃	HFC-365mfc	794
CF ₃ CHFCF ₃	HFC-227ea	3,220
CH ₂ FCF ₂ CF ₃	HFC-236cb	1,340
CHF ₂ CHFCF ₃	HFC-236ea	1,370
CF ₃ CH ₂ CF ₃	HFC-236fa	9,810
CH ₂ FCF ₂ CHF ₂	HFC-245ca	693
CF ₃ CHFCHFCF ₂ CF ₃	HFC-43-10mee	1,640
CH ₂ F ₂	HFC-32	675
CHF ₂ CF ₃	HFC-125	3,500
CH ₃ CF ₃	HFC-143a	4,470
CH ₃ F	HFC-41	92
CH ₂ FCH ₂ F	HFC-152	53
CH ₃ CHF ₂	HFC-152a	124
<i>Group II</i>		
CHF ₃	HFC-23	14,800

Article II: Relationship to the 1999 Amendment

No State or regional economic integration organization may deposit an instrument of ratification, acceptance or approval of or accession to this Amendment unless it has previously, or simultaneously, deposited such an instrument to the Amendment adopted at the Eleventh Meeting of the Parties in Beijing, 3 December 1999.

Article III: Relationship to the United Nations Framework Convention on Climate Change and its Kyoto Protocol

This Amendment is not intended to have the effect of excepting hydrofluorocarbons from the scope of the commitments contained in Articles 4 and 12 of the United Nations Framework Convention on Climate Change or in Articles 2, 5, 7 and 10 of its Kyoto Protocol.

Article IV: Entry into force

1. Except as noted in paragraph 2, below, this Amendment shall enter into force on 1 January 2019, provided that at least twenty instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organizations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.
2. The changes to Article 4 of the Protocol, Control of trade with non-Parties, set out in Article I of this Amendment shall enter into force on 1 January 2033, provided that at least seventy instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organizations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.
3. For purposes of paragraphs 1 and 2, any such instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.
4. After the entry into force of this Amendment, as provided under paragraphs 1 and 2, it shall enter into force for any other Party to the Protocol on the ninetieth day following the date of deposit of its instrument of ratification, acceptance or approval.

Article V: Provisional application

Any Party may, at any time before this Amendment enters into force for it, declare that it will apply provisionally any of the control measures set out in Article 2J, and the corresponding reporting obligations in Article 7, pending such entry into force.

Amandman na Montrealski protokol o supstancama koje oštećuju ozonski omotač

Član I: Amandman

Član 1, stav 4

U članu 1 stav 4 Protokola riječi:
„aneks C ili aneks E“
zamjenjuju se riječima:
„aneks C, aneks E ili aneks F“

Član 2, stav 5

U članu 2 stav 5 Protokola riječi:
„i član 2H“
zamjenjuju se riječima:
„članovi 2H i 2J“

Član 2, stav 8 (a), stav 9 (a) i stav 11

U članu 2 stav 8 (a) i stav 11 Protokola, riječi:
„članovima 2A do 2I“
zamjenjuju se riječima:
„članovima 2A do 2J“

Na kraju člana 2 stav 8 podstav (a) Protokola dodaju se riječi:
„Svaki takav sporazum može se proširiti da obuhvati obaveze poštovanja potrošnje ili proizvodnje u skladu sa članom 2J pod uslovom da ukupni kombinovani obračunski nivo potrošnje ili proizvodnje Strana ne prelazi nivo koji se zahtijevaju članom 2J.“

U članu 2 stav 9 podstav (a)(i) Protokola, nakon riječi
„koje korekcije;“
briše se:
„i“

Član 2 stav 9 podstav (a) (ii) Protokola se prenumerise kao član 2 stav 9 podstav (a) (iii).

Sledeće se dodaje kao član 2 stav 9 podstav (a) (ii) Protokola:
„da li da se vrše korekcije u potencijalima globalnog zagrijavanja koji se navode u Grupi I Aneksa A, Aneksa C i Aneksa F i, ako je to potrebno, koje korekcije, i“

Član 2J

Sledeći član se dodaje nakon člana 2I Protokola:

„Član 2J: Fluorougļjovodonici

1. Svaka Strana će obezbijediti da u dvanaestomjesečnom periodu koji počinje 1. januara 2019. godine, i u svakom dvanaestomjesečnom periodu nakon toga, njen obračunski nivo potrošnje kontrolisanih supstanci iz Aneksa F, izražen kao ekvivalent CO₂, ne prelazi procenat predviđen za dati period naveden u podstavovima (a) do (e) u nastavku, godišnjeg prosjeka njenog obračunskog nivoa potrošnje kontrolisanih supstanci iz Aneksa F za 2011., 2012. i 2013. godinu plus 15% njenog obračunskog nivoa potrošnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno članom 2F stav 1, izraženo u ekvivalentima CO₂:

- (a) 2019. do 2023: 90 %
- (b) 2024. do 2028.: 60 %
- (c) 2029. do 2033.: 30 %
- (d) 2034. do 2035.: 20 %
- (e) 2036. i nadalje: 15 %

2. Ne dovodeći u pitanje stav 1 ovog člana, Strane mogu da odluče da će neka strana obezbijediti da u dvanaestomjesečnom periodu koji počinje 1. januara 2020. godine, i u svakom dvanaestomjesečnom periodu nakon toga, njen obračunski nivo potrošnje kontrolisanih supstanci iz Aneksa F, izražen kao ekvivalent CO₂, ne prelazi procenat predviđen za dati period naveden u podstavovima (a) do (e) u nastavku, godišnjeg prosjeka njenog obračunskog nivoa potrošnje kontrolisanih supstanci iz Aneksa F za 2011., 2012. i 2013. godinu plus 25% njenog obračunskog nivoa potrošnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno članom 2F stav 1, izraženo u ekvivalentima CO₂:

- (a) 2020. do 2024.: 95 %
- (b) 2025. do 2028.: 65 %
- (c) 2029. do 2033.: 30 %
- (d) 2034. do 2035.: 20 %
- (e) 2036. i nadalje: 15 %

3. Svaka Strana koja proizvodi kontrolisane supstance iz Aneksa F će obezbijediti da u dvanaestomjesečnom periodu koji počinje 1. januara 2019. godine, i u svakom dvanaestomjesečnom periodu nakon toga, njen obračunski nivo proizvodnje kontrolisanih supstanci iz Aneksa F, izražen kao ekvivalent CO₂, ne prelazi procenat predviđen za dati period naveden u podstavovima (a) do (e) u nastavku, godišnjeg prosjeka njenog obračunskog nivoa proizvodnje kontrolisanih supstanci iz Aneksa F za 2011., 2012. i 2013. godinu plus 15% njenog obračunskog nivoa potrošnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno članom 2F stav 2, izraženo u ekvivalentima CO₂:

- (a) 2019. do 2023: 90 %
- (b) 2024. do 2028.: 60 %
- (c) 2029. do 2033.: 30 %
- (d) 2034. do 2035.: 20 %
- (e) 2036. i nadalje: 15 %

4. Ne dovodeći u pitanje stav 3 ovog člana, Strane mogu da odluče da će neka Strana koja proizvodi kontrolisane supstance obezbijediti da u dvanaestomjesečnom periodu koji počinje 1. januara 2020. godine, i u svakom dvanaestomjesečnom periodu nakon toga, njen obračunski nivo proizvodnje kontrolisanih supstanci iz Aneksa F, izražen kao ekvivalent CO₂, ne prelazi procenat predviđen za dati period naveden u podstavovima (a) do (e) u nastavku, godišnjeg prosjeka njenog obračunskog nivoa proizvodnje kontrolisanih supstanci iz Aneksa F za 2011., 2012. i 2013. godinu plus 25% njenog obračunskog nivoa proizvodnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno članom 2F stav 1, izraženo u ekvivalentima CO₂:

(a) 2020. do 2024.: 95 %

(b) 2025. do 2028.: 65 %

(c) 2029. do 2033.: 30 %

(d) 2034. do 2035.: 20 %

(e) 2036. i nadalje: 15 %

5. Stavovi 1 do 4 ovog člana se primjenjuju izuzev u mjeri u kojoj Strane odluče da dozvole nivo proizvodnje ili potrošnje koja je neophodna da se zadovolje upotrebe za koje su Strane dogovorile da su izuzete upotrebe.

6. Svaka Strana koja proizvodi supstance iz Grupe I Aneksa C ili iz Aneksa F će obezbijediti da za dvanaestomjesečni period koji počinje 1. januara 2020. godine, i u svakom dvanaestomjesečnom periodu nakon toga, emisije supstanci iz Grupe II Aneksa F koje se stvaraju u svakom proizvodnom pogonu koji proizvodi supstance iz Grupe I Aneksa C ili iz Aneksa F budu uništene u najvećoj praktično izvodljivoj mjeri uz korišćenje tehnologije koju su odobrile Strane u istom dvanaestomjesečnom periodu.

7. Svaka Strana će obezbijediti da svako uništavanje supstanci iz Grupe II Aneksa F koje se stvaraju u pogonima koji proizvode supstance iz Grupe I Aneksa C ili iz Aneksa F se odvija samo uz upotrebu tehnologija koje su odobrile Strane.

Član 3

Preambula člana 3 Protokola zamjenjuje se sledećim:

“1. U smislu čl. 2, 2A do 2J i 5, svaka Strana će, za svaku grupu supstanci iz Aneksa A, Aneksa B, Aneksa C, Aneksa E ili Aneksa F, utvrditi svoje obračunske nivoe:”

Poslije zareza na kraju člana 3 podstav (a) (i) Protokola dodaju se riječi:

“osim ako nije drugačije navedeno u stavu 2”

Sledeći tekst se dodaje na kraj člana 3 Protokola:

“, i

(d) emisije supstanci iz Grupe II Aneksa F koje se stvaraju u svakom pogonu koji proizvodi supstance iz Grupe I Aneksa C ili iz Aneksa F uključivanjem, između ostalog, količina emitovanih iz opreme koja curi, procesnih ventila i uređaja za uništavanje, ali ne uključujući količine sakupljene radi upotrebe, uništavanja ili skladištenja.

2. Kada se izračunavaju nivoi, izraženi kao ekvivalent CO₂, proizvodnje, potrošnje, uvoza, izvoza i emisija supstanci iz Aneksa F i iz Grupe I Aneksa C, u smislu čl. 2J, čl.2 stav 5 i čl. 3 stav 1 (d), svaka Strana će koristiti potencijale globalnog zagrijavanja za te supstance navedene u Grupi I Aneksa A, Aneksu C i Aneksu F.”

Član 4, stav 1 sept

Sledeći tekst se dodaje nakon stava 1 sex u članu 4 Protokola:

“1 sept. Stupanjem na snagu ovog stava, svaka Strana će zabraniti uvoz kontrolisanih supstanci iz Aneksa F iz bilo koje države koja nije potpisnica ovog Protokola.”

Član 4, stav 2 sept

Sledeći tekst se dodaje nakon stava 2 sex u članu 4 Protokola:

“2 sept. Stupanjem na snagu ovog stava, svaka Strana će zabraniti izvoz kontrolisanih supstanci iz Aneksa F u bilo koju državu koja nije potpisnica ovog Protokola.”

Član 4, stavovi 5, 6 i 7

U članu 4 stavovi 5,6 i 7 Protokola riječi:

“Aneksa A, B, C i E”

se zamjenjuju riječima:

“Aneksa A, B, C, E i F”

Član 4, stav 8

U članu 4 stav 8 Protokola riječi:

“članove 2A do 2I”

se zamjenjuju riječima:

“članove 2A do 2J”

Član 4B

U članu 4B nakon stava 2 Protokola dodaje se sledeći stav:

“2 bis. Svaka Strana će, do 1. januara 2019. godine ili u okviru tri mjeseca od stupanja na snagu, za nju, ovog stava, ustanoviti i primijeniti sistem za izdavanje dozvola za uvoz i izvoz novih, korišćenih, recikliranih ili obnovljenih kontrolisanih supstanci iz Aneksa F. Svaka strana koja postupa u skladu sa članom 5 stav 1 koja zaključi da nije u stanju da ustanovi i primijeni takav sistem do 1. januara 2019. godine može da odloži te aktivnosti do 1. januara 2021. godine.”

Član 5

U članu 5 stav 4 Protokola riječ:

“2I”

zamjenjuje se riječju:

“2J”

U članu 5 stavovi 5 i 6 Protokola, riječi:

“članu 2I”

zamjenjuju se riječima:

“članovima 2I i 2J”

U članu 5 stav 5 Protokola, prije riječi:

“svim kontrolnim mjerama”

dodaje se riječ:

“sa”

Sledeći stav se dodaje članu 5 Protokola nakon stava 8 ter:

“8 qua

(a) Svaka Strana koja postupi u skladu sa stavom 1 ovog člana, zavisno od eventualnih prilagođavanja učinjenih vezano za kontrolne mjere u članu 2J u skladu sa članom 2 stav 9, ima pravo da odloži svoje ispunjavanje kontrolnih mjera predviđenih podstavovima (a) do (e) stava 1 člana 2J i podstavovima (a) do (e) stava 3 člana 2J i da modifikuje te mjere kako slijedi:

(i) 2024. do 2028.: 100 %

(ii) 2029. do 2034.: 90 %

(iii) 2035. do 2039.: 70 %

(iv) 2040. do 2044.: 50 %

(v) 2045. i nadalje: 20 %

(b) Ne dovodeći u pitanje prethodni podstav (a), Strane mogu da odluče da neka Strana koja postupi u skladu sa stavom 1 ovog člana, zavisno od eventualnih prilagođavanja učinjenih vezano za kontrolne mjere u članu 2J u skladu sa članom 2 stav 9, ima pravo da odloži svoje ispunjavanje kontrolnih mjera predviđenih podstavovima (a) do (e) stava 1 člana 2J i podstavovima (a) do (e) stava 3 člana 2J i da modifikuje te mjere kako slijedi:

(i) 2028. do 2031.: 100 %

(ii) 2032. do 2036.: 90 %

(iii) 2037. do 2041.: 80 %

(iv) 2042. do 2046.: 70 %

(vi) 2047. i nadalje: 15 %

(c) Svaka Strana koja postupi u skladu sa stavom 1 ovog člana, u svrhu obračuna svoje osnovne potrošnje u skladu sa članom 2J, ima pravo da koristi prosjek svojih obračunskih nivoa potrošnje kontrolisanih supstanci iz Aneksa F za 2020., 2021. i 2022. godinu, plus 65% svoje osnovne potrošnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno stavom 8 ter ovog člana.

(d) Ne dovodeći u pitanje prethodni podstav (c), Strane mogu da odluče da neka Strana koja postupa u skladu sa stavom 1 ovog člana, u svrhu obračuna svoje osnovne potrošnje kontrolisanih supstanci iz člana 2J ima pravo da koristi prosjek svog obračunskog nivoa potrošnje kontrolisanih supstanci iz Anesa F za 2024., 2025. i 2026. godinu, plus 65% svoje osnovne potrošnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno stavom 8 ter ovog člana.

(e) Svaka Strana koja postupa u skladu sa stavom 1 ovog člana i koja proizvodi kontrolisane supstance iz Aneksa F, u svrhu obračuna svoje osnovne proizvodnje u skladu sa članom 2J, ima pravo da koristi prosjek svog obračunskog nivoa proizvodnje kontrolisanih supstanci po Aneksu F za 2020., 2021. i 2022. godinu, plus 65% svoje osnovne proizvodnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno stavom 8 ter ovog člana.

(f) Ne dovodeći u pitanje prethodni podstav (e), Strane mogu da odluče da neka Strana koja postupa u skladu sa stavom 1 ovog člana i koja proizvodi kontrolisane supstance iz Aneksa F, u svrhu obračuna svoje osnovne proizvodnje iz člana 2J ima pravo da koristi prosjek svog obračunskog nivoa proizvodnje kontrolisanih supstanci iz Anesa F za 2024., 2025. i 2026. godinu, plus 65% svoje osnovne proizvodnje kontrolisanih supstanci iz Grupe I Aneksa C kako je to predviđeno stavom 8 ter ovog člana.

(g) Podstavovi (a) do (f) ovog stava primjenjuju se na obračunske nivoe proizvodnje i potrošnje izuzev u mjeri u kojoj se primjenjuje izuzeće za visoke ambijentalne temperature na osnovu kriterijuma o kojima su Strane odlučile.”

Član 6

U članu 6 Protokola, riječi:

“članovima 2A do 2I”

zamjenjuju se riječima:

“članovima 2A do 2J”

Član 7, stavovi 2, 3 i 3 ter

Sledeća alineja se dodaje nakon alineje koja glasi „– iz Aneksa E, za 1991. godinu,” u članu 7 stav 2 Protokola:

“– iz Aneksa F, za godine od 2011. do 2013., izuzev za Strane koje postupaju u skladu sa članom 5 stav 1 koje će takve podatke dostaviti za godine od 2020. do 2022., ali će one Strane koje postupaju u skladu sa članom 5 stav 1 na koje se primjenjuju podstavovi (d) i (f) stava 8 qua člana 5 dostaviti takve podatke za godine 2024. do 2026.;”

U članu 7 stavovi 2 i 3 Protokola, riječi:

“C i E”

se zamjenjuju riječima:

“C, E i F”

U članu 7 Protokola, nakon stava 3 bis dodaje se sledeći stav:

“3 ter. Svaka Strana će dostaviti Sekretarijatu statističke podatke o svojim godišnjim emisijama kontrolisanih supstanci iz Grupe II Aneksa F po svakom pogonu u skladu sa članom 3 stav 1 (d) Protokola.”

Član 7, stav 4

U članu 7 stav 4, nakon riječi:
“statističkim podacima o” i “dostavi podatke o”
dodaje se riječ:
“proizvodnji,”

Član 10, stav 1

U članu 10 stav 1 Protokola, riječi:
“i član 2I”
zamjenjuje se sa:
“, član 2I i član 2J”

Sledeći tekst se dodaje na kraju člana 10 stav 1 Protokola:

„Kada Strana koja postupa u skladu sa članom 5 stav 1 odluči da iskoristi bilo koji drugi finansijski mehanizam koji bi mogao dovesti do pokrivanja bilo kog dijela njenih dogovorenih rastućih troškova, taj dio neće biti pokriven finansijskim mehanizmom predviđenim članom 10 ovog Protokola.”

Član 17

U članu 17 Protokola, riječi:
“članovima 2A do 2I”
se zamjenjuju riječima:
“članovima 2A do 2J”

Aneks A

Naredna tabela zamjenjuje tabelu za Grupu I u Aneksu A Protokola:

Grupa	Supstanca	Potencijal oštećenja ozonskog omotača*	100-godišnji potencijal globalnog zagrijavanja
<i>Grupa I</i>			
CFCl ₃	(CFC-11)	1.0	4,750
CF ₂ Cl ₂	(CFC-12)	1.0	10,900
C ₂ F ₃ Cl ₃	(CFC-113)	0.8	6,130
C ₂ F ₄ Cl ₂	(CFC-114)	1.0	10,000
C ₂ F ₅ Cl	(CFC-115)	0.6	7,370

Aneks C i Aneks F

Naredna tabela zamjenjuje tabelu za Grupu I u Aneksu C Protokola:

Grupa	Supstanca	Broj izomera	Potencijal oštećenja ozonskog omotača*	100-godišnji potencijal globalnog zagrijavanja***
<i>Grupa I</i>				
CH ₂ Cl ₂	(HCFC-21)**	1	0.04	151
CHF ₂ Cl	(HCFC-22)**	1	0.055	1810
CH ₂ FCl	(HCFC-31)	1	0.02	
C ₂ HFCl ₄	(HCFC-121)	2	0.01–0.04	
C ₂ HF ₂ Cl ₃	(HCFC-122)	3	0.02–0.08	
C ₂ HF ₃ Cl ₂	(HCFC-123)	3	0.02–0.06	77
CHCl ₂ CF ₃	(HCFC-123)**	-	0.02	
C ₂ HF ₄ Cl	(HCFC-124)	2	0.02–0.04	609
CHFClCF ₃	(HCFC-124)**	-	0.022	
C ₂ H ₂ FCl ₃	(HCFC-131)	3	0.007–0.05	
C ₂ H ₂ F ₂ Cl ₂	(HCFC-132)	4	0.008–0.05	
C ₂ H ₂ F ₃ Cl	(HCFC-133)	3	0.02–0.06	
C ₂ H ₃ FCl ₂	(HCFC-141)	3	0.005–0.07	
CH ₃ CFCl ₂	(HCFC-141b)**	-	0.11	725
C ₂ H ₃ F ₂ Cl	(HCFC-142)	3	0.008–0.07	
CH ₃ CF ₂ Cl	(HCFC-142b)**	-	0.065	2310
C ₂ H ₄ FCl	(HCFC-151)	2	0.003–0.005	
C ₃ HFCl ₆	(HCFC-221)	5	0.015–0.07	
C ₃ HF ₂ Cl ₅	(HCFC-222)	9	0.01–0.09	
C ₃ HF ₃ Cl ₄	(HCFC-223)	12	0.01–0.08	
C ₃ HF ₄ Cl ₃	(HCFC-224)	12	0.01–0.09	
C ₃ HF ₅ Cl ₂	(HCFC-225)	9	0.02–0.07	
CF ₃ CF ₂ CHCl ₂	(HCFC-225ca)**	-	0.025	122
CF ₂ ClCF ₂ CHClF	(HCFC-225cb)**	-	0.033	595
C ₃ HF ₆ Cl	(HCFC-226)	5	0.02–0.10	
C ₃ H ₂ FCl ₅	(HCFC-231)	9	0.05–0.09	
C ₃ H ₂ F ₂ Cl ₄	(HCFC-232)	16	0.008–0.10	
C ₃ H ₂ F ₃ Cl ₃	(HCFC-233)	18	0.007–0.23	
C ₃ H ₂ F ₄ Cl ₂	(HCFC-234)	16	0.01–0.28	
C ₃ H ₂ F ₅ Cl	(HCFC-235)	9	0.03–0.52	
C ₃ H ₃ FCl ₄	(HCFC-241)	12	0.004–0.09	
C ₃ H ₃ F ₂ Cl ₃	(HCFC-242)	18	0.005–0.13	
C ₃ H ₃ F ₃ Cl ₂	(HCFC-243)	18	0.007–0.12	
C ₃ H ₃ F ₄ Cl	(HCFC-244)	12	0.009–0.14	
C ₃ H ₄ FCl ₃	(HCFC-251)	12	0.001–0.01	
C ₃ H ₄ F ₂ Cl ₂	(HCFC-252)	16	0.005–0.04	
C ₃ H ₄ F ₃ Cl	(HCFC-253)	12	0.003–0.03	
C ₃ H ₅ FCl ₂	(HCFC-261)	9	0.002–0.02	
C ₃ H ₅ F ₂ Cl	(HCFC-262)	9	0.002–0.02	
C ₃ H ₆ FCl	(HCFC-271)	5	0.001–0.03	

- * Kada je naznačen raspon ODP, za potrebe ovog Protokola uzima se najviša vrijednost u tom rasponu. ODP koje su navedene sa jednom vrijednošću utvrđene su iz obračuna na osnovu laboratorijskih mjerenja. One koje su navedene kao raspon su zasnovane na procjenama i manje su pouzdane. Raspon pripada jednoj izomerskoj grupi. Gornju vrijednost predstavlja procjena ODP izomera sa najvišim ODP; a niža vrijednost je procjena ODP izomera sa najnižim ODP.
- ** Utvrđuje komercijalno najodrživije supstance sa navedenim ODP vrijednostima koje se koriste za potrebe ovog Protokola.
- *** Za supstance kod kojih nije naznačen GWP, primjenjuje se standardna vrijednost 0 dok se ne uključi vrijednost GWP na osnovu postupka predviđenog članom 2 stav 9 (a) (ii).

Sledeći Aneks se dodaje Protokolu nakon Aneksa E:

“Aneks F: Kontrolisane supstance

Grupa	Supstanca	100-godišnji potencijal globalnog zagrijavanja
<i>Grupa I</i>		
CHF ₂ CHF ₂	HFC-134	1,100
CH ₂ FCF ₃	HFC-134a	1,430
CH ₂ FCHF ₂	HFC-143	353
CHF ₂ CH ₂ CF ₃	HFC-245fa	1,030
CF ₃ CH ₂ CF ₂ CH ₃	HFC-365mfc	794
CF ₃ CHF ₂ CF ₃	HFC-227ea	3,220
CH ₂ FCF ₂ CF ₃	HFC-236cb	1,340
CHF ₂ CHF ₂ CF ₃	HFC-236ea	1,370
CF ₃ CH ₂ CF ₃	HFC-236fa	9,810
CH ₂ FCF ₂ CHF ₂	HFC-245ca	693
CF ₃ CHFCH ₂ CF ₂ CF ₃	HFC-43-10mee	1,640
CH ₂ F ₂	HFC-32	675
CHF ₂ CF ₃	HFC-125	3,500
CH ₃ CF ₃	HFC-143a	4,470
CH ₃ F	HFC-41	92
CH ₂ FCH ₂ F	HFC-152	53
CH ₃ CHF ₂	HFC-152a	124
<i>Grupa II</i>		
CHF ₃	HFC-23	14,800

Član II: Odnos sa Amandmanom iz 1999. godine

Nijedna država niti regionalna ekonomska grupacija ne može da deponije instrument ratifikacije, prihvatanja ili odobravanja ili pristupanja ovom Amandmanu ukoliko prethodno ili istovremeno nije deponovan takav instrument na Amandman usvojen na 11. sastanku Strana održanom u Pekingu 3. decembra 1999. godine.

Član III: Odnos sa Okvirnom konvencijom Ujedinjenih nacija o klimatskim promjenama i njenim Protokolom iz Kjota

Ovaj Amandman nije predviđen da ima efekat izuzimanja fluorougļjovodonika iz obuhvata obaveza sadržanih u članovima 4 i 12 Okvirne konvencije Ujedinjenih nacija o klimatskim promjenama ili čl. 2, 5, 7 i 10 njenog Protokola iz Kjota.

Član IV: Stupanje na snagu

1. Osim kako je navedeno u stavu 2 u nastavku, ovaj Amandman stupa na snagu 1. januara 2019. godine, pod uslovom da najmanje 20 instrumenata ratifikacije, prihvatanja ili odobravanja Amandmana bude deponovano od strane država ili regionalnih ekonomskih grupacija koje su Strane Montrealskog protokola o supstancama koje oštećuju ozonski omotač. U slučaju da do tog datuma ovaj uslov ne bude ispunjen, Amandman stupa na snagu devedesetog dana od datuma njegovog ispunjenja.
2. Izmjene člana 4 Protokola, Kontrola trgovinske razmjene sa zemljama koje nisu potpisnice ovog protokola, predviđene članom I ovog Amandmana stupaju na snagu 1. januara 2033. godine, pod uslovom da najmanje 70 instrumenata ratifikacije, prihvatanja ili odobravanja Amandmana bude deponovano od strane država ili regionalnih ekonomskih grupacija koje su Strane Montrealskog protokola o supstancama koje oštećuju ozonski omotač. U slučaju da do tog datuma ovaj uslov ne bude ispunjen, Amandman stupa na snagu devedesetog dana od datuma njegovog ispunjenja.
3. Za potrebe stavova 1 i 2 svaki takav instrument koji deponuje regionalna ekonomska grupacija neće se računati kao dodatak onima koje deponuju zemlje članice tih grupacija.
4. Poslije stupanja na snagu ovog Amandmana, kako je to predviđeno stavovima 1 i 2, on stupa na snagu za svaku drugu Stranu Protokola devedesetog dana od datuma njihovog deponovanja instrumenata ratifikacije, prihvatanja ili odobravanja.

Član V: Provizorna primjena

Svaka Strana može, u svakom trenutku prije nego što ovaj Amandman stupi na snagu, da objavi da će provizorno primjenjivati bilo koju od kontrolnih mjera predviđenih u članu 2J, te pripadajuće obaveze izvještavanja u članu 7, prije stupanja na snagu.

Član 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u "Službenom listu Crne Gore – Međunarodni ugovori".