

ENERGY EFFICIENCY (PROHIBITION OF MANUFACTURE, SALE OR IMPORTATION OF INCANDESCENT FILAMENT LAMP, USED REFRIGERATOR, USED REFRIGERATOR-FREEZER, USED FREEZER AND USED AIR-CONDITIONER) REGULATIONS, 2008 (LI 1932)

ARRANGEMENT OF REGULATIONS

Regulation

1. Prohibition of manufacture, sale or importation of incandescent filament lamps
2. Prohibition of importation and sale of used air-conditioners
3. Prohibition of importation and sale of used refrigerator, refrigerator-freezer and freezer
4. Powers of an inspector and a custom's officer
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IN exercise of the power conferred on the Minister responsible for Energy by section 56 (1) (a) (i) of the Energy Commission Act, 1997 (Act 541), these Regulations are made this 7th day of October 2008.

Regulation 1—Prohibition of manufacture or importation of incandescent filament lamps

A person shall not import, manufacture, store, offer for sale or distribute an incandescent filament lamp.

Regulation 2—Prohibition of importation of used air-conditioner

A person shall not

- (a) import a used air-conditioner; or
- (b) offer for sale or distribute an imported used air-conditioner.

Regulation 3—Prohibition of importation and sale of used refrigerator, refrigerator-freezer and freezer

A person shall not

- (a) import a used refrigerator, refrigerator-freezer, or freezer, or
- (b) offer for sale or distribute an imported used refrigerator, refrigerator-freezer or freezer.

Regulation 4—Powers of an inspector and custom's officer

(1) An inspector appointed under section 52 of the Act may at any reasonable time enter any premises where the inspector has reason to believe that

(a) an incandescent filament lamp is being manufactured, stored, offered for sale or being distributed; or

(b) an imported used air-conditioner is stored, being offered for sale or distributed.

(2) An inspector shall seize an incandescent filament lamp manufactured, stored, offered for sale or which is being distributed in the country.

(3) An inspector or a customs officer shall seize

(a) an incandescent filament lamp, or

(b) a used air-conditioner,

imported into the country and shall not release it to the importer.

(4) An incandescent filament lamp or a used air-conditioner seized under sub-regulations (2) and (3), shall be destroyed within four weeks after seizure and the offender shall be surcharged with the expenses incurred in the destruction.

(5) An inspector or customs officer who assists a person to contravene these Regulations commits an offence and is liable on summary conviction to a fine of not more than two hundred and fifty penalty units or imprisonment for a term of not more than twelve months or both.

Regulation 5—Exemption

(1) Subject to sub regulation (2), these Regulations do not apply to the following types of incandescent filament lamps:

(a) motor vehicle lights;

(b) flood lights;

(c) halogen lights;

(d) spotlights or searchlights;

(e) airport runway lights;

(f) streetlights; and

(g) special purpose lights, including theatre or stage lights.

(2) A person who intends to manufacture, import, store, offer for sale, distribute or dispose of an item listed in sub-regulation (1) shall obtain prior written approval from the Energy Commission.

Regulation 6—Offences

(1) A person who

(a) contravenes regulation 1, 2, or 3, or

(b) obstructs or interferes with an inspector in the performance of the inspector's functions

commits an offence and is liable on summary conviction to a fine of not more than two hundred and fifty penalty units or a term of imprisonment of not more than twelve months or to both.

(2) Where an offence under these Regulations is committed by a body corporate, by a member of a partnership or a firm, each member, director or officer concerned with the management of the firm commits an offence and is liable on summary conviction to a fine of not more than two hundred and fifty penalty units or a term of imprisonment of not more than twelve months or to both.

Regulation 7—Interpretation

In these Regulations unless the context otherwise requires,

"Act" means the Energy Commission Act, 1997 (Act 541);

"Commission" means Energy Commission;

"floodlights" means apparatus for illuminating in broad beams;

"incandescent filament lamp" means light bulb with tungsten filament which is housed in a glass globe or housing;

"searchlight" means apparatus for projecting a powerful beam;

"special purpose lights" means high intensify lights to illuminate places including studios, clubs, and theatres or for the film industry or other specialized applications;

"streetlight" means light mounted on a pole to illuminate a public street or highway.

"used appliance" means a used refrigerator, refrigerator-freezer, freezer and air-conditioner.

Regulation 8—Commencement

These Regulations come into force six months after the date of Gazette notification except regulation 3, which shall come into force twenty-four months after the date of Gazette notification.

HON. FELIX KWASI OWUSU-AGYAPONG M.P.

Minister responsible for Energy

Date of Gazette Notification: 9th May 2008.

Entry into force: 23rd October 2008

* This reprint supersedes the Energy Efficiency (Prohibition of Manufacture, Sale or Importation of Incandescent Filament Lamp, Used Air-Conditioner) Regulations, 2008. Dated 25th November 2008