



Regulations for the Climate Affairs Management

Ministerial Decision**No. (18 / 2012)****Issuing Regulations for the
Climate Affairs Management**

- Based on the Royal Decree No. (119 / 1994) regarding the Approval of the Accession of the Sultanate of Oman to some International Conventions;
- Royal Decree No. (114 / 2001) issuing the Law of Conservation of the Environment and Prevention of Pollution;
- Royal Decree No. (107 / 2004) regarding the Ratification of the Kyoto Protocol under the United Nations Framework Convention on Climate Change (UNFCCC);
- Royal Decree No. (18 / 2008) Specifying the Responsibilities of the Ministry of Environment and Climate Affairs and Approving its Organizational Structure;
- Regulations for Organizing the Issuance of Approvals of Clean Development Mechanism (CDM) Projects under the Kyoto Protocol issued under Ministerial Decision No. (30 / 2010);

and the approval of the Ministry of Finance according to its letter Ref : Finance-T (4020) / M.T.D/6/3/2011 dated 18/4/2011 ;

- And according to the requirements of public interest ;

It is Decided

- Article (1)** : The provisions of the attached Regulations shall come into effect.
- Article (2)** : Current projects shall adjust their status in accordance with the provisions of Articles (7) and (9) of these Regulations within three years from the date of enforcement of these Regulations.
- Article (3)** : Any law that violates or contradicts the provisions of the attached Regulations shall be cancelled.
- Article (4)** : This Decision shall be published in the Official Gazette and shall enter into force on the following day of its publication.

Mohammed bin Salim bin Said Al-Toubi
Minister of Environment and Climate Affairs

Issued on : 11 Rabi'a A'Thani 1433 H
C. T. : 04 March 2012

Regulations for Climate Affairs Management

Article (1) :In implementation of the provisions of these Regulations, the following words and expressions shall have the meaning set against each of them unless otherwise stated:

- 1- **The Ministry:** Ministry of Environment and Climate Affairs.
- 2- **The DG:** The Directorate-General of Climate Affairs.
- 3- **Climate Change:** A change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.
- 4- **The Climate System:** The totality of the atmosphere, hydrosphere, biosphere and geosphere and their interactions.
- 5- **The Harmful Effects of Climate Change:** Changes which occur to the natural or biological environment from climate change and have harmful effects on the composition , flexibility or productivity of ecological

systems or human health .

- 6- **The Convention:** The United Nations Framework Convention on Climate Change signed in New York on 09 May 1992 .
- 7- **The Protocol:** The Kyoto Protocol under the United Nations Framework Convention on Climate Change (UNFCCC) adopted at the 3rd Session of the Conference of the Parties (CoP) in the city of Kyoto in Japan on 11 December 1997 .
- 8- **Emissions:** Release of greenhouse gases and/or their precursors into the atmosphere over a specified area and period of time .
- 9- **Greenhouse Gases:** Gaseous elements that constitute of the atmosphere from both natural and human source. These elements, which are enlisted in Annex (1) enclosed with these Regulations, absorb infrared rays and emit them back to the atmosphere .
- 10- **Sink:** Any process, activity or mechanism which removes a greenhouse gas, an aerosol or a precursor of a greenhouse gas from the atmosphere .
- 11- **Stock:** Element(s) of the climate system

components which hold(s) greenhouse gases .

12- Source: Any process or activity which releases a greenhouse gas, an aerosol or a precursor of a greenhouse gas into the atmosphere .

13- Clean Development Mechanism (CDM): A flexible mechanism referred in Article 12 of the Kyoto Protocol and designed to allow Annex 1 countries to commit to investing in projects that reduce emissions in developing (Non Annex-1) countries and applying the principles of sustainable development .

14- Climate Affairs License : The approval issued by the DG which includes the permission for the owner to finalize the procedures for operating the source or work area according to the specified conditions and permissible controls to control greenhouse gas emissions and minimize the harmful effects of climate change .

Article (2) : Without prejudice to the provisions of the abovementioned Regulations for Organizing the Issuance of Approvals for Clean Development Mechanism (CDM) Projects under the Kyoto Protocol , the provisions of these Regulations shall apply to projects gen-

erating greenhouse gas emissions listed in Annexes (2) and (3) attached to these Regulations. The DG shall review these projects on a regular basis and add any new projects specified by the Ministry in this regard .

Article (3) : The owner of any source or work area classified among the projects listed in Annexes (2) and (3) attached to these Regulations shall obtain a Climate Affairs License from the DG for the discharge of greenhouse gas emissions .

Article (4) : The DG shall carry out the following tasks :

1- Prepare national inventory lists of man-made emissions from all greenhouse gas sources and sinks , develop and implement national programs that include measures and procedures for mitigating climate change through tackling man-made greenhouse gas emissions and protecting and enhancing greenhouse gas sinks and stocks and take the necessary measures and procedures to adequately facilitate adaptation with climate change provided that these measures and procedures comply with sustainable development programs and strategies in the Sultanate of Oman .

2- Conduct scientific , technological and technical research , exchange information , enhance

regular monitoring and keep data logs on the climate system .

- 3- Review and assess applications for obtaining a Climate Affairs License for projects and make sure all required information and documents are enclosed .
- 4- Carry out field visits to inspect the project site to determine the necessary requirements as a preliminary step toward issuing the Climate Affairs License .
- 5- Ensure that projects help in minimizing , tackling and adapting with the harmful effects of climate change , in order to achieve the objectives and principles of sustainable development in the Sultanate of Oman , and in transferring environmentally-sound technologies and practices to the Sultanate of Oman .
- 6- Gather and store data in a database specially set up for this purpose .
- 7- Issue Climate Affairs License for the projects listed in Annexes (2) and (3) attached to these Regulations. The License shall be valid for two years renewable for other similar periods within one month of its expiry date .

Article (5) :The owner shall submit an application for obtaining a Climate Affairs License on the standard application form attached with the required documents before obtaining the Final Environmental Permit from the Ministry .

Article (6) :The owner is obligated to gather and keep data , reports and information on the implementation status of climate affairs requirements for the project , prepare an inventory list of man-made greenhouse gas emissions , enhancement of greenhouse gas sinks and stocks and outcomes of greenhouse gas monitoring or estimation in special records according to standard forms prepared by the DG for this purpose . The owner shall also submit periodical reports on these obligations to the DG .

Article (7) :The owner must submit a plan to the DG including forestation of the area surrounding the project using a method that ensures proper selection of trees and plants that are suitable for the conditions of the local environment and helps in increasing areas that absorb greenhouse gases from the atmosphere and in the management of and response to climate change phenomena , such as cyclones , floods and rising temperatures and sea levels , through identifying the adequate measures and procedures proposed in this regard. The plan must be reviewed and updated on

a regular basis .

Article (8) :The owner may use renewable energy sources together with practical methods and proper technologies to improve energy efficiency and rationalize its use in the project operations in accordance with the rules defined by the DG .

Article (9) :The owner shall use technologies and equipment of low greenhouse gas emissions and control such emissions through proper regular maintenance .

Article (10) :The owner must inform the DG of any changes in the ownership of the plant or in manufacturing and production operations .

Article (11) :A fee of (OMR 100/-) one hundred Omani Riyals is charged against issuing Climate Affairs License for Category One Projects listed in Annex (2) attached to these Regulations and a fee of (OMR 50/-) fifty Omani Riyals is charged against issuing Climate Affairs License for Category Two Projects listed in Annex (3) attached to these Regulations .

Article (12) :A penalty of (OMR 10/-) ten Omani Riyals is imposed against every month or so of delay with a maximum of (OMR 200/-) two hundred Oma-

ni Riyals against failure of renewing the Climate Affairs License within the specified time limit.

Article (13) : Without prejudice to any strict penalty stipulated by the Law of Conservation of the Environment and Prevention of Pollution mentioned above or in any other laws, violation of the terms and conditions of these Regulations shall be penalized with a penalty not less than (OMR 200/-) two hundred Omani Riyals for projects listed in Annex (2) and (OMR 100/-) one hundred Omani Riyals for projects listed in Annex (3) of these Regulations and not exceeding (OMR 5000/-) five thousand Omani Riyals .

Annex (1) : Greenhouse Gases

- Carbon Dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbon Compounds (HFCs)
- Perfluorocarbons (PFCs)
- Sulphur Hexafluoride (SF₆)

Annex (2) : List of Category One Projects

1- Chemical Substances Factories
2- Oil and Gas Projects
3- Power Generation and Transfer Plants
4- Petrochemicals Factories
5- Aluminum Factories
6- Pharmaceuticals Factories
7- Industrial Detergents Factories
8- Cement Factories
9- Smelting Ovens
10- Waste Incinerators
11- Asphalt Factories
12- Copper Factories
13- Oil Refineries
14- Urea Fertilizers
15- Ammonia Fertilizers
16- Factory Boilers, Furnaces and Smelting Ovens
17- Mineral Extraction and Production
18- Water Desalination Plants
19- Sanitary Waste Landfills

Annex (3) : List of Category Two Projects

1- Poultry Projects
2- Slaughterhouses
3- Livestock Pens
4- Wastewater Treatment Plants
5- Dairy Production