



Introduction

This occupational safety and health (OSH) newsletter has been developed to provide information and assistance to workplaces that import plant and equipment or spare parts for plant and equipment. It provides information for:

- employers
- self-employed persons
- people with control of workplaces and
- employees

The importation of items and materials containing any form of asbestos has been prohibited since 31 December 2003.

This newsletter will assist you in managing the risk of inadvertently importing asbestos containing materials (ACM) and will provide you with information on how to comply with the provisions of the *Occupational Safety and Health Act 1984* and Regulations that apply to this issue.

What are the RISKS?

In recent years, asbestos has been identified in a range of imported plant and equipment, including rail cars, scooters, quad bikes, acetylene cylinders, light vehicles, industrial processing plant and power generating plant. Components at risk of containing asbestos include brakes, clutches, friction components, exhaust gaskets and packing gaskets. Structural materials with a fibrous component should also be considered.

If work is done on asbestos containing materials or they are otherwise disturbed, and adequate control measures are not in place, workers may be exposed to asbestos containing dust. Such exposure increases workers' risk of developing an asbestos related disease.

How do I use the CHECKLIST?

The attached checklist has been developed to assist you with identifying asbestos containing materials in imported products. Use the checklist in this newsletter to assess the systems in place at your workplace.

Consider the risks, eg how likely it is someone will be exposed to asbestos containing dust, in determining the priorities for action.

The NEXT STEP

Take the next steps to ensure you comply with OSH requirements:

- work through this newsletter and checklist and implement control measures;
- review guidance material referenced in this newsletter; and
- ensure that you comply with legislative requirements and industry standards.

Remember hazards have to be controlled – you can't ignore them.

What you need to KNOW

Under the *Occupational Safety and Health Act 1984* (the Act), all parties involved with work and workplaces have responsibilities for safety and health. This includes employers, employees, self-employed persons, and others, such as people who control workplaces, design and construct buildings, and import, manufacture or supply plant or equipment for use in workplaces.

The importation of all forms of asbestos is banned under the *Customs (Prohibited Imports) Regulations 1956*.

Regulation 5.32 A of the *Occupational Safety and Health Regulations 1996* also prohibits the use of asbestos in workplaces unless it was *in situ* prior to 2004. Plant and equipment is not permitted to contain asbestos if it was manufactured or imported after 31 December 2003.

Products, plant and equipment that contain asbestos which were imported or installed in workplaces before 31 December 2003 must be managed in accordance with the *Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC: 2018(2005)]*.

Employers must:

- provide and maintain the workplace, plant and systems of work (ie procedures) so that, so far as is practicable, your employees are not exposed to asbestos hazards;
- ensure plant and equipment and spare parts imported after 31/12/2003 do not contain asbestos.
- ensure plant and equipment imported prior to 31/12/2003 is assessed to determine whether it contains asbestos.
- ensure plant and equipment imported prior to 31/12/2003 which does contain asbestos is:
 - adequately identified to notify persons that it contains asbestos,
 - managed in accordance with the Code of Practice for the Management and Control of Asbestos in Workplaces – (NOHSC 2018 – 2005). The code requires plant, equipment and items (such as spare parts) containing asbestos material to be assessed to ensure they do not pose a risk to persons who use or handle the plant, equipment or spare parts.
 - managed to ensure any work conducted on plant and equipment that contains asbestos, is done in accordance with the above code (NOHSC 2018 – 2005) to reduce the risk of exposure to respirable asbestos fibres.
- provide information, instruction and training to employees about any asbestos hazards and risks from their work;
- ensure the WorkSafe Commissioner is notified if any significant exposure to airborne asbestos has occurred at the workplace.

Employees must:

- work safely to ensure they do not expose themselves and others to asbestos hazards;
- when handling products containing asbestos or conducting work on products containing asbestos, use any protective clothing and equipment (PPE) provided to them by their employer in the way they have been instructed to use it.

Suppliers of rental and hiring goods and equipment must ensure that:

- rental and hiring goods and equipment are maintained in accordance with the manufacturer's instructions;
- manufacturer's instructions and relevant safety and health information are provided in English to the person who hires or leases the goods;
- plant and equipment (including spare parts) imported after 31 December 2003 does not contain asbestos (for further information see guidance and external publications listed below); and
- plant and equipment imported prior to 31 December 2003 that does contain asbestos must be adequately labelled to identify the presence of asbestos in the plant and equipment.

Further INFORMATION

Further information and guidance is available from www.worksafe.wa.gov.au

Codes of practice

- [Code of practice for the management and control of asbestos in workplaces \[NOHSC: 2018\(2005\)\]](#)
- [Code of practice for the safe removal of asbestos \[NOHSC: 2002\(2005\)\]](#)

Guidance notes

- [Asbestos materials in the automotive maintenance and repair industry](#)

Guidance

- [Checklist for removal of non-friable ACM](#)
- [Asbestos health surveillance – guide for employers](#)
- [Finding and selecting an asbestos licence holder](#)

External publications

- The Asbestos and Eradication Agency - [Raising awareness about the risks of imported products containing asbestos](#)
- Department of Immigration and Border Protection - [Information about prohibited asbestos imports](#);
- National Association of Testing Authorities (NATA) - [Information on working with accredited asbestos facilities for import/export](#).

Safety Alerts

- [3/2010 – Asbestos gaskets in imported plant](#)
- [13/2012 – Asbestos gaskets in vehicles](#)
- [4/2016 – Asbestos in imported building products](#)
- [2/2017 – Asbestos found in imported friction wear plates in rail carriages](#)

Checklist

Systems in place to prevent or manage importation of asbestos in plant		
safety checklist		
	yes	no
Have you imported plant or components (spare parts) that could contain fibrous materials, since 31 December 2003? If yes, proceed with following questions.		
Has plant or components imported since 31 December 2003 that may contain fibrous materials been examined by a NATA accredited or equivalent laboratory, and is a copy of results available?		
Is a sample from each batch of imported plant or components, examined by a NATA accredited or equivalent laboratory?		
Are copies of test results available at the workplace?		
If testing of at-risk imported plant or components has not been conducted previously, is testing being arranged now?		
If asbestos has been identified in plant or plant components imported since 31 December 2003, is a removal plan in place?		
If asbestos has been identified in plant or plant components imported since 31 December 2003, has a risk assessment been carried out by a competent person (eg an occupational hygienist) to identify and assess potential exposure to airborne asbestos fibres?		
Have any work activities been conducted at the workplace that may expose workers to significant levels of airborne asbestos fibres?		
If significant exposure to airborne asbestos fibres has occurred at the workplace, is a health surveillance program in place for exposed workers?		
If significant asbestos exposures have occurred, has WorkSafe been notified?		
Have staff with management and/or purchasing roles been provided with information and training in relation to preventing the importation of items containing ACM?		

Managing ACM that was imported or <i>in situ</i> prior to 31 December 2003		
safety checklist		
	yes	no
Did you import plant and equipment or spare parts prior to 31 December 2003?		
Have you examined or assessed plant, equipment or spare parts that were imported prior to 31 December 2003 to determine if it contains asbestos, and assessed its current condition?		
If there are asbestos containing materials at the workplace that were in situ prior to 31 December 2003, is there an asbestos register at the workplace?		
If there are asbestos containing materials at the workplace that were in situ prior to 31 December 2003, is the ACM identified with a label or signage where practicable?		
Are safe work procedures in place to prevent worker exposure to asbestos dust during plant or building maintenance tasks?		
If there are asbestos containing materials at the workplace that were in situ prior to 31 December 2003, have high risk items been prioritised for removal or other practicable control measures?		
Have staff been trained in relation to their role in managing <i>in situ</i> ACM?		
If significant exposures to airborne asbestos fibres has occurred, is a health surveillance program in place?		
If significant asbestos exposures have occurred, has WorkSafe been notified?		

Asbestos removal safety checklist

	yes	no
Is friable ACM removed only by an unrestricted licensed asbestos removalist?		
If more than 10 square metres of non-friable ACM is removed from the workplace, is the work done by a restricted or unrestricted licenced asbestos removalist?		
Is a safe system of work, consistent with Part 9 of the <i>Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002(2005)]</i> used for removal of 10 square metres or less of non-friable ACM?		
If friable ACM is removed at or from the workplace, is an independent competent person engaged to conduct a clearance following the removal process?		
If non-friable ACM is removed at or from the workplace, is an inspection conducted after the removal process is complete, to ensure no visible ACM remains?		
A more detailed checklist on removal of non-friable ACM is available: http://www.commerce.wa.gov.au/publications/removal-checklist-non-friable-asbestos		

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