



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**



Applicant Guide - Application for Asbestos Removal Licence [CLASS A and CLASS B]

Licensing Services Directorate, Department of Mines, Industry Regulation and Safety

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Disclaimer – The information contained in this guide is provided as general information only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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1. When is an Asbestos Removal Licence required?

WorkSafe WA regulates asbestos removal work and determines applications for Asbestos Removal licences. The information is based on the *Work Health and Safety Act 2020 (WA)* (the Act) and Division 3 of Part 8.10 of the *Work Health and Safety (General) Regulations 2022 (WA)* (the Regulations). For the purposes of this guide, the 'regulator' refers to the WorkSafe Western Australia Commissioner.

An asbestos removal licence of the appropriate class is required when work is as follows for each class:

Class A asbestos removal is the removal at a workplace of:

- friable asbestos;
- asbestos contaminated dust that is associated with friable asbestos.

Friable asbestos means any material that contains asbestos and is in the form of a powder or can be easily crumbled, pulverised or reduced to a powder by hand when dry.

A Class A asbestos removal licence also allows a worker to remove non-friable asbestos.

Class B asbestos removal is the removal at a workplace of:

- more than 10 square meters of non-friable asbestos;
- asbestos containing dust associated with the removal of more than 10 square meters of non-friable asbestos containing material.

Non-friable asbestos (or bonded asbestos) contains material such as cement or rubber, which stabilises the product and give it a non-friable structure.

2. Who may apply for an Asbestos Removal Licence?

You can apply for an asbestos removal licence if:

- you reside, or your registered office is located, in WA. (If outside of WA circumstances must exist that justify the grant of the licence); and
- you are a person who conducts, or proposes to conduct, a business or undertaking; and
- your nominated supervisor (which can be you) is at least 18 years of age; and
- your nominated supervisor (which can be you) has been issued a certification for the required VET course, relevant to the class of licence sought; and
- your nominated supervisor (which can be you) can provide evidence to demonstrate at least 3 years for Class A and 1 year for Class B, of relevant industry experience; and
- you have a certificated safety management plan in place (if applying for a Class A licence).

3. Applying for an Asbestos Removal Licence

Body Corporate entities and individuals may apply for an asbestos removal licence.

If you are applying as a Body Corporate, you must ensure that the name and ACN provided matches the Australian Securities and Investment Commission (ASIC) registration.

If you are applying as an individual, you must ensure that the name details provided are the same as those that appear on the identification documentation you provide. If your name has changed

you will need to provide evidence (e.g. marriage certificate, date of birth, change of name certificate etc.).

If you are trading under a business name (trading name), a Business Name Extract issued by ASIC must be provided with the application form.

4. Nominated Supervisor

An application for an asbestos removal licence must include the nomination of at least one supervisor. This person must be approved by the regulator as a competent person and must demonstrate this in a number of ways throughout the application.

The supervisor(s) must be at least 18 years of age and be able to provide evidence of being a competent person through the appropriate certification and experience.

5. Certified Safety Management Plan

Applicants must attach evidence that there is a safety management system in place, certified compliant with AS/NZS ISO 45001:2018.

Certification of safety management systems must be by a conformity assessment body accredited by JAS-ANZ (Joint Accreditation System of Australian and New Zealand).

The JAS-ANZ website has a register for searching for accredited certification and inspection bodies and certified organisations.

6. Certification

Each nominated supervisor must attach a certified copy of a Statement of Attainment for the following VET courses, or their equivalents, issued by a Registered Training Organisation (RTO):

Class	Certification
Class A	<ul style="list-style-type: none">• CPCCE4008 – Supervise asbestos removal course; and• CPCCE3015 – Remove friable asbestos
Class B	<ul style="list-style-type: none">• CPCCE4008 – Supervise asbestos removal course; and• CPCCE3014 – Remove non-friable asbestos

7. Experience

The nominated supervisor must demonstrate relevant experience in asbestos removal work applicable to the class of licence sought.

Class A nominated supervisors must satisfy the regulator they have at least three (3) years of relevant industry experience by providing – as a guide – at least 3 substantial jobs within the last 3 years. In doing so, nominated supervisors should be able to demonstrate experience in carrying out and supervising the removal of friable asbestos, describing how they developed:

- risk assessments;
- asbestos removal control plans; and
- safe work methods statements

Class B must satisfy the regulator they have at least one (1) year of relevant industry experience by providing – as a guide – at least 3 substantial jobs within the last twelve months. In doing so, nominated supervisors should be able to demonstrate experience in carrying out and supervising the removal of non-friable asbestos, describing how they developed:

- risk assessments;
- asbestos removal control plans; and
- safe work methods statements

Applicants must complete the Statement of Experience (SOE) within the application form(s) to demonstrate that the nominated supervisor meets the above criteria. The SOE forms a **critical part of the application** and must be completed in accordance with the regulator's requirements. **Each column in the SOE must be completed**, with as much detail as possible to ensure the full scope of experience is illustrated.

All experience documented on the SOE (for both Class A and B applications) must be independently verified and signed as a true record by a relevant, credible, and independent person (referee). Applicants should not detail experience that cannot be verified, and must arrange for the relevant employer/client/contractor to verify the SOE in the appropriate area. Alternatively, applicants can attach a statement of verification (written reference) by a referee to the application form.

A credible and independent person is in a position and has the skills to assess the scope and quality of the experience you are claiming.

For experience gained while employed, a credible and independent referee is the nominated supervisor's employer or an authorised representative of the nominated supervisor's employer.

A credible and independent referee is not:

- a relative;
- under potential conflict (your employee);
- a co-worker or subordinate worker; or
- an office manager or HR manager.

Credible and independent referees may be contacted by Licensing Services to verify experience.

Written references must outline and verify experience, and must include the following details of experience:

- explanation of the referee's relationship and the capacity to independently verify and endorse the Applicant's experience
- all details within the SOE as listed above (e.g. dates employed, equipment used etc.).

8. Probity Questions

The probity questions listed in the application form must be answered. If you answer 'yes' to any of those questions, you must attach details. A 'yes' response will be considered by the WorkSafe Western Australia Commissioner (Commissioner) on the facts and information provided.

An enforceable undertaking legally binds an offender who has been found guilty of an offence under the OSH or WHS Acts and a penalty has been imposed by the court. The undertaking is entered into with the Commissioner and is an alternative to the payment of fines.

A list of the corresponding WHS laws across Australia can be found at the end of this Applicant Guide.

9. Declaration

As part of the application, you must declare that the information is true and correct, and cannot be found to be providing false and misleading information. In addition, you will be required to give consent to the Commissioner, or persons so directed, to obtain on your behalf any document, record, file, or information that may be necessary and relevant to consider your application

10. Application fee

The relevant fees are published on the WorkSafe website. Your application cannot be processed until payment has been received. You must complete the credit card details at the top of the form prior to submitting.

DMIRS cannot receive payment details by email, so you must submit your application in person or by mail.

If your application is withdrawn, lapsed, or refused, the licence portion paid in respect of the application, may be refunded to you at the discretion of the Commissioner, or his delegate.

11. Identification

To establish proof of identity the nominated supervisor must provide **ONE primary document or at least THREE secondary** documents and a document must include at least name and date of birth.

CREDIT/DEBIT CARDS OR BANK STATEMENTS CANNOT BE ACCEPTED FOR PROOF OF IDENTIFICATION

Primary Identification	Secondary Identification
Australian Passport – Current or expired within the last two years, but not cancelled	Birth certificate or certified extract
A current driver's licence, learners permit or any other photographic identity document issued under Australian Law	Australian Citizenship or naturalisation document
International Passport or other documents with same characteristics of Passport Current, not expired or cancelled	Current entitlement card issued by a State or Commonwealth Government department (for example, a Medicare, Pension, Health or Veteran)
Current International Driver's Licence or an overseas driver's licence recognised by the WA Department of Transport (in English or translated in English)	Utility bill (for example Telephone, gas or electricity account) not more than 12 months old
Police and Defence identification cards	Water, local rate notice or land valuation notice not more than 12 months old
State or Commonwealth employee photo identification card with DOB	Electoral enrolment card or other evidence of enrolment not more than two years old
Western Australian Photo Card (formerly Proof of Age)	Student Identification Card (Secondary/Tertiary)
WA Recreational Skipper's Ticket issued by Department of Transport	Valid Government issued Certificate of Competency/OHS Certification Australia card
Student Smartrider with photo (issued through School)	Certificate or statement of accomplishment or enrolment from a recognised educational institution

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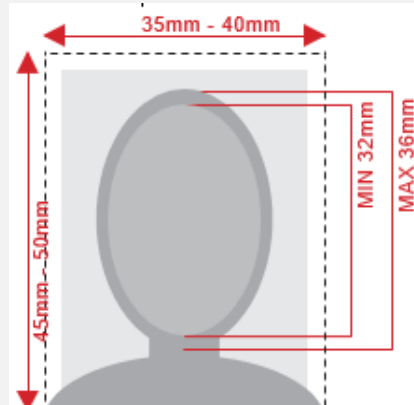
Western Australian current Working with Children Card	Letter from the principal of a recognised educational institution (not older than 12 months)
Western Australian Firearms Identification card	Maritime Security Identification Card (MSIC) or Aviation Security Identification Card (ASIC)
Current Document of Identity issued by the Department of Corrective Services for prisoners (will be accepted as only form of ID if no other can be supplied)	Current motor vehicle registration or insurance papers (not older than 12 months)
	Property Lease agreement (not older than 12 months)

12. Passport sized photograph

Individual applicants must provide one (1) passport quality photograph with your application which will be printed on your plastic credit card sized Accreditation.

Your photograph must:

- be in colour;
- be no more than 6 months old;
- be within 45-50mm high and 35-40mm wide;
- show your head and top of your shoulders close up so the measurement of the face from the bottom of the chin to the crown (i.e. top of head without hair) is between 32-36mm;
- show natural skin tones and colours – no flash reflection and no red eye;
- show you with a natural expression and mouth closed (i.e. not smiling);
- have a plain, light-coloured background (e.g. white, cream or pale blue);
- show you facing and looking directly at the camera;
- not show you looking over one shoulder (portrait style), or with head tilted;
- show you without hat or head covering unless worn for religious reasons; and
- show your eyes open and clearly visible, and only with glasses if you regularly wear them e.g. no sunglasses.

<p>Secure one (1) passport sized photograph face up.</p> <p>The photograph must be clear, less than six (6) months old and must show just your head and shoulders.</p> <p>Ensure that your name and date of birth is printed on the back.</p>	 <p>The diagram shows a grey silhouette of a person's head and shoulders within a dashed rectangular border. Red dimension lines indicate the required size: the width is 35mm to 40mm, the total height is 45mm to 50mm, and the height of the face (from chin to crown) is a minimum of 32mm and a maximum of 36mm.</p>
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13. Approved applications

Your application will be reviewed by the Commissioner's delegate. If the application requirements have been met, your application will be granted, your licence will be issued, and you will be supplied licence document by email.

If you are issued a Class B asbestos removal licence as an individual, you will also be issued a plastic credit card sized licence document.

An asbestos removal licence take effect on the day it is granted and, unless cancelled, expires 5 years after that day.

14. Incomplete applications

Licensing Services do not accept incomplete applications. It is important that you ensure the necessary documentation is provided in support of your application, in order for it to be accepted. Incomplete applications will be returned to the applicant, without action.

15. Insufficient information to make a decision

If an application is accepted by WorkSafe, but does not contain enough information for a decision to be made, the applicant may be asked in writing to provide additional information. The applicant will have 28 days to provide additional information. Information that isn't received by the date specified will result in the application being taken to be withdrawn.

16. How do I renew my licence?

You may apply to renew your licence through the online renewal portal on the WorkSafe website. Applications for renewal must be received by WorkSafe **before the expiry** of the licence as there are no grace periods for late renewal.

Renewal reminders will be sent as a courtesy as long as there is an email address and mobile number recorded on file.

17. How do I keep my details up to date?

The licence holder must notify the Commissioner of a change of residential address, and other contact details, within 14 days of the change occurring.

The licence holder may do this by emailing WorkSafe at WorkSafeLicensing@dmirs.wa.gov.au with their licence number, full name, date of birth, previous details (e.g. previous address) and new details (e.g. updated address). Alternatively the licence holder may also call WorkSafe to update their details. A three point identification check will be carried out before any personal details are changed.

18. What happens if I lose my licence document?

You must notify the Commissioner if the licence document is lost, stolen or destroyed. An application for a replacement licence document must be lodged using the online portal, where you will be required to complete a declaration describing the circumstances in which the original document was lost, stolen or destroyed.

You will need to use the same email address and/or mobile number recorded against your licence record, so that when prompted, Licensing Services can SMS and/or email you your personal, one-time security access code.

19. Defined terms

Corresponding WHS law means any of the following legislation:

Commonwealth

- *Work Health and Safety Act 2011*; and
- *Occupational Health and Safety (Maritime Industry) Act 1993*

Northern Territory

- *Work Health and Safety (National Uniform Legislation) Act 2011*

New South Wales

- *Work Health and Safety Act 2011*; and
- *Work Health and Safety (Mines and Petroleum Sites) Act 2013*

Queensland

- *Work Health and Safety Act 2011*;
- *Coal Mining Safety and Health Act 1999*; and
- *Mining and Quarrying Safety and Health Act 1999*

South Australia

- *Work Health and Safety Act 2012*

Tasmania

- *Work Health and Safety Act 2012*

Australian Capital Territory

- *Work Health and Safety Act 2011*

Victoria

- *Occupational Health and Safety Act 2004*