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## INTRODUCTION

The *Work Health and Safety Regulations 2012* (SA) (the WHS Regulations) provide for the licensing for asbestos removal work. It also requires notification of asbestos work; when results of air monitoring show the concentration of respirable fibres is more than 0.02 fibres/ml and before the demolition of a structure or plant in an emergency situation where asbestos is fixed or installed in the structure or plant.

## WHY YOU NEED A LICENCE

The Asbestos Removal Licences aim to protect workers with the greatest potential for asbestos exposure and to secure safe removal practices to protect building occupants and others at the workplace.

## WHY YOU NEED TO NOTIFY

Notifications of asbestos work and emergency demolition provides risk based information to SafeWork SA so it can apply resources and target compliance and enforcement actions to areas of greatest risk to health and safety.

## LICENCE TYPES

A Class A asbestos removal licence allows the licence holder to remove friable asbestos and non-friable asbestos and Asbestos Contaminated Dust (ACD). [Regulation 485].

A Class B asbestos removal licence allows the licence holder to remove more than 10 square metres of non-friable asbestos and ACD associated with the removal of more than 10 square metres of non friable asbestos. [Regulation 487]

## SCOPE

### Class A Asbestos removal licence

A Class A asbestos removal licence is required for the removal of friable asbestos or ACD. [Regulation 485].

ACM is Asbestos Containing Material and means any material or thing that, as part of its design, contains asbestos. [Regulation 5].

A Class A asbestos removal licence is not required for the removal of ACD that is associated with the removal of non-friable asbestos or is only a minor contaminant. [Regulation 486].

Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal licence is permitted if the asbestos being removed is:

- a) 10 square metres or less of non-friable asbestos (approximately the size of a small bathroom); or
- b) ACD associated with the removal of more than 10 square metres of non-friable asbestos or ACM and that is only a minor contaminant.

### Class B asbestos removal licence

A Class B asbestos removal licence is required for the removal of more than 10 square metres of non-friable asbestos or ACM; or ACD associated with the removal of more than 10 square metres of non-friable asbestos or ACM.

Class B asbestos removal licence is not required for the removal of:

- 10 square metres or less of non-friable asbestos or ACM.
- ACD associated with the removal of 10 square metres or less of non-friable asbestos or ACM.

[Regulation 487].

### **WHO MAY APPLY FOR A LICENCE**

Only a person who conducts, or proposes to conduct, a business or undertaking may apply for an asbestos removal licence. [Regulation 491 (1)]

A person is a body corporate (legal entity such as a corporation or incorporated association) or a government entity (government department or government statutory body) or an individual.

### **SUPERVISOR FOR ASBESTOS REMOVAL LICENCES**

The application for either Class A or Class B asbestos removal licence must include the name/s of the competent person/s who has been engaged to supervise the asbestos removal work. [Regulation 493 (1) (a) and 494 (1) (a)].

If the applicant is an individual who proposes to supervise the carrying out of asbestos removal work, the details must relate to the applicant. [Regulation 493 (2) and 494 (2)].

### **AGE RESTRICTIONS**

Each nominated supervisor must be at least 18 years of age. If the individual applicant is also the supervisor, then the applicant must be at least 18 years of age. [Regulation 493 (1) (b), 493 (2) and 494 (1) (b), 494 (2)].

### **EXPERIENCE AND QUALIFICATIONS**

#### **Class A asbestos removal licence**

Each nominated supervisor, including the applicant if the applicant is also the supervisor must have at least three years' experience in the removal of friable asbestos. [Regulation 493(1) (d) and Regulation 493 (2)].

Experience is demonstrated by submitting, with the application form, a description of the work undertaken over a three year period (at least) which is supported by references relevant to the three year period. For example: references from employers/licence holders or supervisors who are nominated supervisors for friable asbestos licence holders.

#### **Competencies required**

Each nominated supervisor, including the applicant if the applicant is also the supervisor must submit evidence, with their application form, of the successful completion of the following national unit/s of competency:

- Class A asbestos removal work; and
- Class B asbestos removal work; and
- Class A asbestos removal supervision

[Regulation 493 (1) (c) and 494 (2)].

### **Class B asbestos removal licence**

Each nominated supervisor, including the applicant if the applicant is also the supervisor must have at least 12 months experience in the removal of non-friable asbestos. [Regulation 494 (1) (d) and 494 (2)].

Experience is demonstrated by submitting, with the application form, a description of the work undertaken over a 12 month period (at least) which is supported by references relevant to the 12 month period. For example: references from the employer/licence holder or supervisors who are nominated supervisor for non-friable asbestos work.

### **Competencies required**

Each nominated supervisor, including the applicant if the applicant is also the supervisor must submit evidence, with their application form, of the successfully completion of the following national units of competency:

- Class B asbestos removal work; and
- Class B asbestos removal supervision

[Regulation 494 (1) (c) and 494 (2)].

## **CERTIFIED SAFETY MANAGEMENT SYSTEM REQUIRED FOR A CLASS A ASBESTOS REMOVAL LICENCE**

Applicants for a Class A asbestos removal licence must also submit, with the application, evidence that they have a certified work health and safety management system in place at the time of lodging their application for a licence. [Regulation 493 (1) (e)].

Certified work health and safety management system means a work health and safety management system that complies with AS 4801:2001 (Occupational health and safety management systems), or an equivalent system determined by SafeWork SA. [Regulation 5].

## **PHOTOGRAPHS**

One colour passport photo to be enclosed that was taken within six months of the date of the application. [Regulation 492 (2) (b)].

## **CERTIFICATE FOR REGISTRATION FOR ASBESTOS REMOVAL LICENCE**

An applicant for an asbestos removal licence who will be trading under a business name must submit, with the application, a copy of their Certificate of Registration of Business Name. [Regulation 492 (2) (d)].

## **RESIDENCY/LOCATION**

An asbestos removal licence will not be issued if the applicant holds an equivalent licence under a WHS law of another state or territory or the Commonwealth unless the licence is due for renewal [Regulation 497 (2) (b)].

SafeWork SA must issue an asbestos licence to an applicant who:

- Resides in South Australia or if residing outside the South Australia satisfies SafeWork SA of circumstances justifying the granting of the licence [Regulation 497 (2) (c)]; or
- as a body corporate applicant, has its registered office in South Australia or if located outside South Australia satisfies SafeWork SA of circumstances justifying the granting of the licence. Regulation 497 (1) and 497 (2) (d)).

A circumstance justifying the grant of the licence would be the proximity of the residence/registered address to a state or territory or the Commonwealth WHS Regulator's office.

## **PROOF OF IDENTITY**

Applicants must provide evidence of their identity. [Regulation 492 (2) (a) and 492 (2) (b)].

Body corporate applicants for an asbestos removal licence must submit, with their application, a copy of their Certificate of Registration (Issued by Australian Securities and Investment Commission) or a copy of a Certificate of Incorporation (issued by a state or territory or the Commonwealth regulator), whichever is applicable.

Individual applicants will be required to attach a copy of both sides of the applicant's current driver's licence, which clearly shows the facial features of the applicant and must show the applicant's current address which matches that on the application.

## **DURATION OF LICENCE**

An asbestos removal licence lasts for 5 years unless cancelled earlier. [Regulation 503].

## **RECOGNITION OF INTERSTATE AUTHORISATIONS**

Each state or territory or the Commonwealth WHS Regulator will recognise a current asbestos removal licence issued by another state or territory or the Commonwealth that is being used in accordance with the terms and conditions under which it was granted. [Regulation 490].

## HOW TO APPLY FOR A LICENCE

Applications forms can be found at the SafeWork SA website: [www.safework.sa.gov.au](http://www.safework.sa.gov.au)

## FEES

Please see the SafeWork SA website for current fees: [www.safework.sa.gov.au](http://www.safework.sa.gov.au)

## GRANTING/RENEWING/REFUSING

### **What does the regulator take into account when deciding whether to grant or renew a licence**

SafeWork SA will consider the following in making a decision for the issue of an asbestos removal licence or the renewal of an asbestos removal licence:

- Whether an equivalent licence is held by the applicant under the WHS law of another state or territory or the Commonwealth and whether the licence is due for renewal.
- Whether the applicant lives in South Australia or if a body corporate applicant has its registered address in South Australia. Where the applicant resides/is located outside South Australia, the applicant must satisfy SafeWork SA that circumstances exist that justify the grant of the licence.
- Whether the applicant has provided evidence of the successful completion of the required competencies and/or other qualifications and experience.
- Whether nominated supervisors for asbestos removal licences and if the applicant is the supervisor the applicant, is at least 18 years of age.
- Whether the applicant is disqualified under a corresponding WHS law of another state or territory or the Commonwealth from holding an equivalent licence (mandatory refusal).
- Whether the applicant in making the application has given information that is false or misleading or has failed to provide information that should have been provided in the application (mandatory refusal).
- Whether the applicant is able to ensure that work or other activities to which the licence relates is carried out safely and competently in compliance with any conditions on the licence. In making its decision SafeWork SA will consider:
  - Whether the applicant has been convicted or found guilty of any offence under the WHS Act or the Regulations or under the WHS law of another state or territory or the Commonwealth; and
  - Whether the applicant or in the case of a body corporate, any officer of the body corporate has been convicted or found guilty of any offence in relation

to the unlawful disposal of hazardous waste under the *Environment Protection Act 1993 (SA)*; and

- Whether an equivalent licence or other authorisation held by the applicant or in the case of a body corporate, any officer of the body corporate has been refused or suspended or cancelled under the WHS Act or the Regulations or under the WHS law of another state or territory or the Commonwealth; and
- Whether the applicant or in the case of a body corporate, any officer of the body corporate has entered into an enforceable undertaking\* under the WHS Act or under the WHS law of another state or territory or the Commonwealth.
- The compliance record of the applicant, or in the case of a body corporate, any officer of the body corporate with respect to any matters arising under the WHS Act or the WHS Regulations or under the WHS law of another state or territory or the Commonwealth. SafeWork SA will consider the following in making a decision; current and previous suspension, cancellation or disqualification. A previous refusal of a licence by any WHS Regulator. History of compliance to any condition of the licence and/or any requirement to improve or modify performance and improvement and prohibition notices that have been issued.

[Regulation 497, 498, 499, 500].

- For the renewal of an asbestos removal licence SafeWork SA will in addition consider:
  - Whether asbestos removal work relevant to the licence type has been carried out during the preceding term of the licence. [Regulation 518 (b)].
  - Whether written evidence was submitted with the application of any training/reassessment or taken other action imposed as a condition on the licence.
  - Whether the application for renewal was submitted before the expiry of the licence.
  - Whether the applicant signed the declaration stating that the applicant or supervisor named by the applicant (as applicable) has maintained his or her competency to carry out the work covered by the licence.

[Regulation 516].

\*An enforceable undertaking is an alternative to court action for an alleged breach of the Act. It is a legal agreement in which the employer obligates to carry out specific activities to improve not only worker health and safety, but also deliver benefits to industry and the broader community.

If SafeWork SA decides to grant the licence, it must notify the applicant within 14 days after making the decision. [Regulation 497 (4)].

If SafeWork SA does not make a decision within 120 days after receiving the application, the application is taken to have been refused. [Regulation 497 (5)].

## **GRANTING OF A CONDITIONAL LICENCE**

SafeWork SA may impose conditions on an asbestos removal. Conditions that may be imposed include:

- Control measures to be implemented in carrying out of the work
- Record keeping
- Requiring the licence holder, or nominated supervisor, to undertake training or obtain information
- Provision of information to SafeWork SA.
- Nature of work or activities authorised by the licence
- Circumstances in which work may be carried out.

[Regulation 502].

The imposition of conditions on a new licence or the renewal of a licence is a reviewable decision. See section titled 'Application for review of decision' below.

### **Amendment imposed by the regulator**

SafeWork SA may, on its own initiative amend an asbestos removal licence, including varying or deleting a condition or to impose a new condition on the licence.

If SafeWork SA proposes to amend a licence it must provide written notice to the licence holder that includes reasons for the proposed amendment and advising the licence holder that they may, by a specified date (not being less than 28 days after the giving of the notice) make a submission in relation to the proposed amendment.

After the specified date SafeWork SA must:

- consider the submission, where a submission has been made, and
- decide whether or not to make the proposed amendment or a different amendment resulting from consideration of the submission received.

Within 14 days after making a decision SafeWork SA must provide written notice to the licence holder that:

- Sets out the amendment; and
- If a submission was made in relation to the proposed amendment, sets out the reasons for making the amendment; and



- Specifies the date (not being less than 28 days after the licence holder is given notice) on which the amendment takes effect. [Regulation 508]

A decision to amend a licence is a reviewable decision. [Regulation 676]

## **REFUSING TO GRANT OR RENEW AN ASBESTOS REMOVAL LICENCE**

SafeWork SA will not issue a licence or renew a licence if satisfied that the applicant:

- Has been disqualified under the WHS Law of another state or territory or the Commonwealth from holding an equivalent licence. [Regulation 497 (3) (a)].
- In making the application has given information that is false or misleading or did not provide information that should have been provided. [Regulation 497 (3) (b)].

If SafeWork SA proposes to refuse to grant the licence or renewal, it must provide written notice to the applicant:

- Informing the applicant of the reasons for the proposed refusal; and
- Advising the applicant that they may, by a specified date (being not less than 28 days after giving the notice) make a submission in relation to the proposed refusal.

After the specified date SafeWork SA must:

- If the applicant has made a submission, consider the submission; and
- Whether or not the applicant has made a submission, decide whether to grant or refuse to grant the licence; and
- Within 14 days after making the decision, give the applicant written notice of the decision including reasons for the decision.

[Regulation 501]

The refusal to grant a licence or renew a licence is a reviewable decision. [Regulation 676]

## **OBLIGATIONS**

### **Change of details**

The licensed asbestos removalist must advise SafeWork SA of any changes to their details within 14 days of becoming aware of the change. This includes, for a licensed removalist (changes to details of nominated supervisors). [Regulation 506].

### **Supervisor on site**

A licensed asbestos removalist must ensure that the nominated supervisor for the removal work is present at the site whenever friable asbestos removal work is being carried out and is readily available to attend the site for non-friable asbestos removal work. [Regulation 459].

### **Asbestos removal workers to be trained**

A licensed asbestos removalist must not allow a worker to carry out asbestos removal work unless the worker holds a certification in the appropriate unit of competency relevant to the work and must provide site specific training to the worker. [Regulation 460].

### **Replacement licence document**

A licence holder of an asbestos removalist licence must give written notice to SafeWork SA as soon as practicable if the licence is lost, stolen or destroyed, and may apply for a replacement licence. An application for a replacement licence must include a declaration describing the circumstances in which the original document was lost, stolen or destroyed. [Regulation 513].

A decision to refuse to issue a replacement asbestos removalist document is a reviewable decision.[Regulation 676]

### **CANCELLATIONS/SUSPENSIONS OF A LICENCE**

SafeWork SA may suspend or cancel an asbestos removal licence if satisfied about one or more of the following:

- The licence holder has failed to ensure that the work or other activities authorised by the licence were carried out safely and competently;
- The licence holder has failed to comply with a condition of the licence;
- The licence holder has given false or misleading information or failed to give information that should have been given in the application for the grant of a licence or renewal of the licence or where requested by SafeWork SA.
- The licence holder of an asbestos removal licence does not have a qualified nominated asbestos removal supervisor.
- In relation to a Class A asbestos removal licence, the licence holder has failed to have a certified safety management system in place.
- In relation to an asbestos removal licence, the licence was granted or renewed on the basis of certification that was obtained on the basis of the giving of false or misleading information by any person or body. [Regulation 520]

In making a decision regarding these first two points above, SafeWork SA must take into account any relevant matter, including:

- Any offence under the WHS Act or Regulations or under the WHS laws of another state or territory or the Commonwealth, of which the licence holder has been convicted or found guilty;
- Any suspensions or cancellations, and refusals to grant any conditions, of an equivalent licence or other authorisations held under the WHS Act or Regulations or

under the WHS laws of another state or territory or the Commonwealth; [Regulation 521 (2) (b) (i & ii)]

- Any enforceable undertaking that has been entered into by the licence holder under the WHS Act or the WHS Act of another state or territory or the Commonwealth;
- The licence holder's record (compliance record) in relation to any matters arising under the WHS Act or Regulations or under the WHS laws of another state or territory or the Commonwealth.

[Regulation 521].

### **Notice to and submissions by the licence holder (prior notice)**

Before suspending or cancelling an asbestos removal licence SafeWork SA must:

- Give the licence holder written notice of the proposed suspension, cancellation or disqualification that outlines all relevant allegations, facts and circumstances known to SafeWork SA.
- Give the licence holder not less than 28 days to make submissions to SafeWork SA in relation to the proposed suspension or cancellation and any proposed disqualification.

[Regulation 522].

### **Notice of the decision**

SafeWork SA must give the licence holder written notice of a decision to suspend or cancel an asbestos removal licence within 14 days after the decision is made. The notice must state that the licence is to be suspended or cancelled and:

- If the licence is to be suspended, state when the suspension begins and ends and the reasons for the suspension;
- If suspended, whether the licence holder is required to obtain retraining or reassessment or take any other action before the suspension ends; and
- Any class of licence or authorisation under the WHS Regulations that the licence holder must not apply for during the suspension.

If the licence is to be cancelled, the notice must state when the cancellation takes effect and the reasons for the cancellation and whether or not the licence holder is disqualified from applying for a further licence.

If the licence holder is disqualified from obtaining a further licence or authorisation the notice must state:

- When the disqualification begins and ends and the reasons for the disqualification and whether or not the disqualification ending is conditional upon

the licence holder obtaining retraining or reassessment or taking any other action and any class of licence or authorisation under the WHS Regulations that the licence holder is disqualified from applying for.

The notice must also state when the licence document must be returned to SafeWork SA. [Regulation 523].

### **Immediate suspension**

SafeWork SA may immediately suspend an asbestos removal licence without giving prior notice, if satisfied that:

- Work carried out under the licence should cease because the work may involve an imminent serious risk to the health and safety of any person; or
- Another state or territory or the Commonwealth regulator has suspended an equivalent licence held by the licence holder.

[Regulation 524 (1)]

If SafeWork SA decides to immediately suspend the licence, it must give the licence holder written notice of the suspension and the reasons for the suspension. The suspension of the licence takes effect on the giving of the notice. [Regulation 524 (2)]

SafeWork SA may, in addition to the notice of suspension under regulation 524 (2), give notice to the licence holder giving them not less than 28 days to make a submission in relation to the suspension. SafeWork SA must issue this notice within 14 days of the notice advising of the suspension. [Regulation 524 (3)].

If SafeWork SA does not give notice under Regulation 524 (3), the suspension of the licence ends at the end of the 14 days. If notice is given the licence remains suspended until a decision is made. [Regulation 524 (4)].

SafeWork SA must return the licence document to the licence holder within 14 days after the licence suspension ends. [Regulation 526].

A decision to suspend or cancel a licence or to disqualify a licence holder from applying for a further licence is a reviewable decision. [Regulation 676].

### **NOTIFICATION OF ASBESTOS REMOVAL WORK**

A licensed asbestos removalist must give written notice of asbestos removal work to SafeWork SA at least five days before the following asbestos removal work is started:

- Friable asbestos; or
- More than 10 square metres of non-friable asbestos.

Five days notice of asbestos removal work is not required and asbestos removal can be started immediately where there is:

- A sudden and unexpected event that may cause persons to be exposed. Example: the discovery of asbestos on or near a roadway and requiring immediate removal to minimise disruption to traffic; or
- An unexpected breakdown of an essential service that requires immediate asbestos removal work to allow the service to continue.

Essential services means the supply of gas, water, sewerage, telecommunications, electricity and similar services; or chemicals, fuel and refrigerant in pipes or lines. [Regulation 5]

Where asbestos removal is required immediately SafeWork SA must be notified:

- Immediately by telephone; and
- In writing within 24 hours after SafeWork SA is notified by telephone. [Regulation 466].

### **NOTIFICATION OF RESPIRABLE ASBESTOS FIBRE LEVEL OF MORE THAN 0.02 FIBRES/ML**

The licensed asbestos removalist must notify SafeWork SA immediately by telephone or fax when the results of air monitoring show the concentration of respirable asbestos fibres is more than 0.02 fibres/ml. [Regulation 476 (1) (b) (ii)].

### **EMERGENCY DEMOLITION NOTIFICATION**

Although the WHS Regulations do not require SafeWork SA to be notified of demolition in all cases, there are special requirements for notification where an emergency has occurred and asbestos is involved. Specifically, certain persons are required to notify SafeWork SA for the demolition of a structure or plant:

- That was constructed or installed before 31 December 2003 [Regulation 447 (1)]; and
- Is located in either a workplace or a domestic premises where an emergency has occurred; and
- The structure or plant must be demolished; and
- Asbestos is fixed to or installed in the structure or plant before the emergency occurred.

[Regulation 454 (1) and 455 (1)].

Emergency occurs if a structure or plant is structurally unsound or collapse of the structure or plant is imminent. [Regulation 454 (4) and 455 (4)].

### **Who must notify and when**

In relation to a workplace the person with management or control of the workplace must notify SafeWork SA immediately in writing after they become aware of the emergency and before demolition is commenced. [Regulation 454 (3)]

In relation to domestic premises the person who is to carry out the demolition of the premises must notify SafeWork SA in writing immediately after the person becomes aware of the emergency and before demolition is commenced. [Regulation 455 (3)].

## **INFORMATION TO BE PROVIDED TO THE REGULATOR**

### **Notification of asbestos removal work**

Where asbestos is required to be removed immediately, the licensed asbestos removalist must telephone SafeWork SA immediately and should provide the following information:

- Name of the licensed removalist.
- Address of the workplace where the asbestos is to be removed.
- Reason for the immediate need to remove the asbestos.

A written notification for asbestos removal work requires the following information to be provided to SafeWork SA:

Licensed removalist details:

- Name that appears on the asbestos removalist licence and their registered business (trading) name;
- State/Territory or Commonwealth that issued the licence.
- Australian Business Number (ABN);
- Licence number;
- Licence class (either Class A or Class B);
- Business contact details.

Supervisor details:

- Name and business contact details of the supervisor for the asbestos removal work;

Competent person or licensed assessor details:

- The name of the competent person or licensed asbestos assessor engaged to carry out a clearance inspection and issue a clearance certificate.

Note: Friable asbestos removal (Class A asbestos removal work) requires a licensed assessor to undertake the clearance inspection and issue the clearance certificate.

Non-friable asbestos removal work (Class B asbestos removal work) only requires a

competent person to undertake the clearance inspection and issue the clearance certificate.

Details of the person for whom the work is being carried out:

- Name and contact details.

Details of the workplace (site) where the notifiable asbestos is to be removed:

- Name of the person or organisation conducting a business or who has control of the workplace and the registered business (trading) name;
- Address of the workplace. If the workplace is large, the specific location of the asbestos to be removed ;
- The kind of workplace.

Notification details:

- The notification must be dated.

Date when asbestos removal is to be undertaken:

- The date when the asbestos removal work is expected to commence; and
- The date when the asbestos removal work is expected to finish.

Details of the asbestos:

- Type of asbestos to be removed (friable or non-friable); and
- Estimated quantity of asbestos to be removed.

Details of work methods:

- The number of workers to be used for the asbestos removal work;
- For each worker, the details of their competency in carrying out asbestos removal work; and
- If friable asbestos is to be removed, the method to be used to enclose the removal area.

[Regulation 466].

### **Immediate notification of respirable asbestos fibres**

A licensed removalist should provide the following information when making an immediate or telephone notification to SafeWork SA for air monitoring results of more than 0.02 fibres/ml:

- Name of licensed removalist;
- Address of worksite;
- Date on which the notification of the asbestos removal was made to SafeWork SA; and

The submission of a copy of the air monitoring results, as soon as practical.

### **Written notification of a demolition emergency**

A person should provide the following information when making a written notification for emergency work:

- Name and contact details of the person with management or control of the workplace or name of person who will be carrying out the demolition at a domestic premises.
- Address of the worksite or domestic premises; and
- Nature of the emergency.

## **APPLICATION FOR A REVIEW OF DECISION**

The table in Regulation 676 sets out decisions that are reviewable (reviewable decisions) and who is eligible (eligible person) to apply for the review of a reviewable decision.

The applicant is the eligible person to request a review of a decision to refuse to grant or refuse to renew a licence and for the imposition of a condition on a licence or the imposition of a condition on the renewal of a licence [Regulation 501 & 502] and for the refusal to issue a replacement licence document [Regulation 513 (6)].

The licence holder is the eligible person to request a review of the decision to cancel or suspend a licence or a decision to disqualify the licence holder from applying for another licence [Regulation 520] and for the decision, initiated by SafeWork SA to amend a licence [Regulation 508].

### **Internal review**

A written application for the internal review of a reviewable decision is made using the application form provided by SafeWork SA. The application must be lodged with 28 days of the day on which the decision first came to the eligible person's notice or such longer period as SafeWork SA allows. [Regulation 678 (1)].

The internal reviewer may:

- confirm or vary the reviewable decision; or
- set aside the reviewable decision and substitute another decision that the internal reviewer considers appropriate.

[Regulation 680 (2)].

If the reviewable decision is not varied or set aside within the 14 day period the internal decision is taken to have been confirmed. [Regulation 680 (6)].

SafeWork SA will give the applicant written notice of the decision and reasons for the decision. [Regulation 681].



An application for an internal review does not affect the operation of the reviewable decision or prevent the taking of any lawful action to implement or enforce the decision. [Regulation 682].

## External review

If the applicant or licence holder is not satisfied with the internal review process, they can apply to the Industrial Relations Court of South Australia. [Regulation 683]

## FURTHER INFORMATION

For further information please contact SafeWork SA:

**VISIT** [www.safework.sa.gov.au](http://www.safework.sa.gov.au)

**CALL** SafeWork SA Help Centre on 1300 365 255

## LEGISLATION

The *Work Health and Safety Act 2012* (SA); and

The *Work Health and Safety Regulations 2012* (SA) can be found on the SafeWork SA website: [www.safework.sa.gov.au](http://www.safework.sa.gov.au)

## LIST OF JURISDICTION CONTACTS

Jurisdiction	Name of regulator	Telephone	Website
South Australia	SafeWork SA	1300 365 255	<a href="http://www.safework.sa.gov.au">www.safework.sa.gov.au</a>
New South Wales	WorkCover NSW	13 10 50	<a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a>
Victoria	WorkSafe Victoria	1800 136 089	<a href="http://www.worksafe.vic.gov.au">www.worksafe.vic.gov.au</a>
Queensland	Workplace Health and Safety Qld	1300 369 915	<a href="http://www.justice.qld.gov.au">www.justice.qld.gov.au</a>
Western Australia	WorkSafe WA	1300 307 877	<a href="http://www.worksafe.wa.gov.au">www.worksafe.wa.gov.au</a>
Australian Capital Territory	WorkSafe ACT	(02) 6207 3000	<a href="http://www.worksafety.act.gov.au">www.worksafety.act.gov.au</a>
Tasmania	Workplace Standards TAS	1300 366 322 (inside Tasmania) (03) 62337657 (outside Tasmania)	<a href="http://www.wst.tas.gov.au">www.wst.tas.gov.au</a>
Commonwealth	Comcare	1300 366 979	<a href="http://www.comcare.gov.au">www.comcare.gov.au</a>
Northern Territory	NT WorkSafe	1800 019 115	<a href="http://www.nt.gov.au/justice/worksafe">http://www.nt.gov.au/justice/worksafe</a>

## CHECKLISTS

<b>Checklist for asbestos removal licence</b>	
	<p>Application form is complete including a signature in the declaration.</p> <p>The declaration must be signed by each individual in the partnership or unincorporated association. Copy and complete the declaration for each individual and submit with the application form.</p>
	<p>Fee has been submitted</p>
	<p>Certified copy of registration of business name has been submitted, if applicable</p>
	<p>Body corporate applicants to submit a copy of their Certificate of Registration (Issued by Australian Securities and Investment Commission) or a certified copy of a Certificate of Incorporation (issued by the State/Territory Regulator), whichever is applicable.</p>
	<p>Supervisors have been nominated and details provided.</p>
	<p>For each supervisor nominated, a certified copy of the document showing successful completion of the national units of competency for the relevant asbestos removal work and asbestos removal supervision has been submitted.</p>
	<p>Description of the work performed that is supported by references over a three year period for friable or Class A asbestos removal licence or a 12 month period for non-friable or Class B asbestos removal licence for each nominated supervisor has been submitted.</p>
	<p>References supporting work experience may be from employers/licence holders or supervisors who are nominated supervisor for friable asbestos work for a Class A asbestos removal licence application or non-friable asbestos work for a Class B asbestos removal licence application.</p>
	<p>Evidence of a certified safety management system that complies with AS 4801:2001. Only required for Class A asbestos applications and renewals.</p>