

INFORMATION SHEET

Notifications

On 1 July 2024, a national ban on the use of engineered stone benchtops, panels and slabs came into effect.

Banning the use of engineered stone will help protect Australian workers from exposure to respirable crystalline silica dust.

Working with already installed (legacy) engineered stone?

A business can carry out, or direct workers to carry out, the following in relation to legacy engineered stone:

- repair;
- minor modification;
- removal; or
- disposal.

This work is not prohibited. However, a notification framework for working with legacy engineered stone products has been introduced. From 1 July 2024, any business undertaking this type of work that involves processing engineered stone, must notify SafeWork SA via our online notification form.

What is the definition of engineered stone?

Engineered stone is defined as:

- an artificial product that contains 1% or more crystalline silica (as a weight/weight concentration)
- that is created by combining materials such as natural stone, water, resins, or pigments; and
- becomes hardened.

Engineered stone does not include the following:

- concrete and cement products
- bricks, pavers, and other similar blocks
- ceramic wall and floor tiles

- sintered stone and porcelain products (including benchtops, panels, or slabs) that do not contain resin
- roof tiles
- grout, mortar, and render
- plasterboard.

Do I need to notify SafeWork SA if I am working with engineered stone after 1 July 2024?

Yes, persons conducting a business or undertaking (PCBUs) must notify of work that involves processing engineered stone benchtops, panels or slabs.

A notification is required for work on legacy engineered stone that involves processing to:

- repair, modify or remove an engineered stone benchtop, panel or slab that is already installed, or
- dispose of an engineered stone benchtop, panel, or slab, whether it is installed or not.
- any work with legacy engineered stone must be controlled.

When to notify

A PCBU must notify SafeWork SA before any permitted work with legacy engineered stone is carried out.

If a PCBU carries out work that they did not know was permitted work with legacy engineered stone (for example, due to misidentifying the engineered stone as another type of product), the PCBU must notify SafeWork SA as soon as practicable after becoming aware of the nature of the work.

PCBUs must keep their notification form for a period of 5 years.

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How to notify

You must complete the online notification form on the SafeWork SA website.

The notification form will require the following information:

- PCBU details
- the type of work being carried out:
 - repair;
 - minor modification;
 - removal; or
 - disposal.
- a description of the work (for example, repairing kitchen benchtops); and
- the frequency and duration of the work to be conducted.

The notification may be relied on for up to 12 months.

A PCBU must do their best to anticipate the expected work in the upcoming 12 months, rather than notify for every task or project undertaken.

When do I need to re-notify SafeWork SA?

A PCBU must re-notify SafeWork SA within 30 calendar days when the following occurs:

- the PCBU becomes aware of a change to the information provided in the previous notification (for example, an increase or decrease in the frequency and/or duration of the work).
- the 12 month anniversary of the most recent notification made to SafeWork SA.

Re-notification is not required once the PCBU has ceased working with engineered stone.

Are there any transitional arrangements in South Australia?

Transitional arrangements exist within South Australia.

Contracts associated with the installation of engineered stone entered into, on, or before 31 December 2023 can be fulfilled, providing they are completed by 31 December 2024.

Meaning, if a customer placed an order before 31 Dec 2023 for a benchtop to be installed (for example, a kitchen supplier), then any contract associated with the supply and fabrication of the engineered stone to satisfy the installation before 31 Dec 2024, is eligible.

Engineered stone work being undertaken as part of the transition period does not need to be notified to SafeWork SA.

Work that is conducted throughout the transitional period must be controlled.

What does processing engineered stone mean?

Processing, in relation to engineered stone, porcelain products or sintered stone, means using power tools or other mechanical plant to crush, cut, grind, trim, sand, abrasive polish or drill the engineered stone.

What does controlled mean?

Any processing undertaken must be controlled by using one of the following:

- a water suppression (wet cutting) system
- an on-tool dust extraction system, or
- local exhaust ventilation system.

All workers who process engineered stone must be provided with and wear respiratory protective equipment.

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Are there any penalties if I fail to comply with the new Regulations?

Yes, maximum penalties apply for a number of provisions within the new Regulations.

Regulations	Offence	Individual – Maximum Penalty	Body Corporate – Maximum Penalty
Regulation 529D	A PCBU must not carry out, or direct or allow a worker to carry out, work that involves manufacturing, supplying, processing or installing engineered stone benchtops, panels or slabs.	\$8,400	\$42,000
Regulation 529G	A PCBU must notify SafeWork SA before work is carried out, or directs or allows a worker to carry out work that involves processing engineered stone benchtops, panels or slabs.	\$5,000	\$25,000
Regulation 529H	If the information given to SafeWork SA in a written notice changes, the PCBU must (within 30 calendar days) re-notify SafeWork SA	\$5,000	\$25,000
Regulation 529I	If a PCBU has previously notified SafeWork SA and 12 months has passed and the work is still being carried, the PCBU must (within 30 calendar days) re-notify SafeWork SA.	\$5,000	\$25,000
Regulation 529J	A PCBU must keep all notifications given to SafeWork SA for a period of 5 years from the day the notice is given and ensure that a copy is readily accessible.	\$5,000	\$25,000

What if I have left over slabs of engineered stone after the ban starts?

After 1 July, you will need to dispose of any engineered stone slabs in a safe and controlled manner.

You may need to notify SafeWork SA if the disposal involves any processing.

Where can I get information and support?

You can call SafeWork SA Advisory Service during business hours on **1300 365 255**. |

Alternatively, please go to the [SafeWork SA](https://www.safeworksa.gov.au) website for further information and guidance material.