

## QUESTION TAKEN ON NOTICE

### BUDGET ESTIMATES – 26 – 27 MAY 2014

#### IMMIGRATION AND BORDER PROTECTION PORTFOLIO

#### **(BE14/017) PROGRAMME – Australian Customs and Border Protection Service**

Senator Singh (L&CA 80) asked:

Senator SINGH: ...Also, what is the current government policy on the importation of asbestos into Australia?

Mr Pezzullo: There are certain items that are prohibited. I would have to refresh my memory as to the precise details. And if they are intercepted at the border we certainly work with the relevant WorkCover-type agencies or the relevant agencies that have the policy and legal ownership of the issue. But I would just have to refresh myself as to how we go about that.

Senator SINGH: So, can you take that on notice?

Mr Pezzullo: Sure. Sorry, Senator, I should have made clear—and I think I did, but just for an abundance of caution—we do not apply legislation generally. We do not sort of scour through it saying, 'That's nasty.' It has to be either regulated, prohibited or illegal under regulations pursuant to our powers, and it certainly is a regulatory scheme.

*Answer:*

The Australian Customs and Border Protection Service works closely with the Commonwealth, State and Territory Work Safety authorities to implement Australia's ban on asbestos.

The *Customs Act 1901* and the *Customs (Prohibited Import) Regulations 1956* prohibit the importation of asbestos or goods containing asbestos, unless:

- the Minister responsible for the *Workplace Health and Safety Act 2011* has granted permission to import asbestos—where the Minister is satisfied that the goods are for research, analysis or display;
- the Department of the Environment has granted permission to import asbestos—where the department is satisfied the importation is hazardous waste under the *Hazardous Waste (Regulations of Exports and Imports) Act 1989*;
- the Seafarers Safety, Rehabilitation and Compensation Authority has granted an exemption under the *Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003*;
- the goods are ships or resource installations over 150 gross tonnage containing asbestos installed before 1 January 2005 and the asbestos is not a risk to a person unless disturbed;

- the goods are raw materials containing naturally occurring traces of asbestos;  
and
- the asbestos or goods containing asbestos are being imported from the Australian Antarctic Territory.