

## QUESTION TAKEN ON NOTICE

### BUDGET ESTIMATES – 26 – 27 MAY 2014

#### IMMIGRATION AND BORDER PROTECTION PORTFOLIO

#### **(BE14/209) PROGRAMME – Australian Customs and Border Protection Service**

Senator Carr (Written) asked:

What financial resources are currently allocated to the enforcement of Australia's asbestos Ban?

- a. Please outline the budget portfolio and process from which these funds are appropriated.
- b. When was the asbestos ban implemented?
- c. What is the applicable legislation?
- d. What were the circumstances that led to the initial ban?
- e. What was the policy prior to the ban?
- f. How many prosecutions has the Commonwealth DPP initiated since the ban to date?
- g. How many of these were successful?
- h. Of those that were successful (if any), what sanctions were applied?

*Answer:*

- a. The Australian Customs and Border Protection Service (ACBPS) enforcement activity resources cannot be disaggregated to determine those attributed to enforcing Australia's asbestos ban. This is because intervention activities are undertaken in relation to the full range of border related risks at any one time.
- b. The ban on asbestos was implemented on 31 December 2003.
- c. *Customs (Prohibited Imports) Regulations 1956* Regulations 4C and the *Customs (Prohibited Exports) Regulations 1958* Regulation 4.
- d. The ban was implemented as part of a whole of government approach to prevent asbestos related diseases. The Commonwealth, States and Territories agreed to prohibit the use of chrysotile or goods containing chrysotile in a workplace and agreed to phase out the use of these goods by specific dates. ACBPS prohibits the import and export of goods containing asbestos without prior permission. Permission is generally only granted in very limited circumstances.
- e. There were no ACBPS import or export prohibitions on asbestos prior to 31 December 2003.

- f. The Commonwealth Department of Public Prosecutions has not initiated any prosecutions since the ban. The Australian Government Solicitor generally acts for Australian Customs and Border Protection Service in asbestos proceedings.
- g. Not applicable.
- h. Not applicable.