



Consultation on the requirements for competent persons in relation to asbestos-related tasks

Cover sheet and consultation questions for submissions provided by email or post

When making your submission by:

- email to occhygiene@swa.gov.au
- or post to

Consultation – Competent Persons for Asbestos-related Tasks
Safe Work Australia
GPO Box 641
Canberra ACT 2601

Please complete the following form, answer the consultation questions, and include the form with your submission. Submissions will be accepted until **11.59 pm (AEST) on Sunday 1st October 2023**.

1. Your details

(Please leave blank if you wish to remain anonymous)

Title, First Name, Surname: [REDACTED]

Organisation name, if applicable: Asbestos Audits Queensland

Email: [REDACTED]

Contact number, including area code: [REDACTED]

2. This submission is written on behalf of an:

☒ Individual ☒ Organisation

3. Which of the following categories best describes you? Choose more than one if applicable.

- ☒ Person conducting a business or undertaking/ employer
- ☐ Building trades
 - ☐ Demolition businesses
 - ☐ Asbestos removalists
 - ☐ Asbestos assessors
- ☐ Workers

- ☐ Building trades
- ☐ Workers
- ☐ Asbestos remediation / removal
- ☐ Persons with management or control of workplaces where asbestos has been identified
- ☐ Health and safety representative
- ☐ Industry representative
- ☐ Occupational hygienist
- ☐ Community organisation or member of a local community
- ☐ Professional or peak body representative
- ☐ Government agency representative
- ☐ Trade union representative
- ☐ Other – please specify: **COMPETENT PERSON!**

4. Which jurisdiction is your workplace in? Choose more than one if applicable.

- ☐ Commonwealth
- ☐ Australian Capital Territory
- ☐ New South Wales
- ☐ Northern Territory
- ☐ Queensland
- ☐ South Australia
- ☐ Tasmania
- ☐ Victoria
- ☐ Western Australia
- ☐ Outside of Australia

5. What industry do you operate in? Choose more than one if applicable.

- ☐ Agriculture, Forestry and Fishing
- ☐ Mining
- ☐ Manufacturing
- ☐ Electricity, Gas, Water and Waste Services
- ☐ Construction
- ☐ Wholesale trade
- ☐ Retail trade
- ☐ Accommodation and Food Services
- ☐ Transport, Postal and Warehousing
- ☐ Information Media and Telecommunications
- ☐ Financial and Insurance Services

- ☐ Rental, Hiring and Real Estate Services
- ☐ Professional, Scientific and Technical Services
- ☐ Administrative and Support Services
- ☐ Public Administration and Safety
- ☐ Education and Training
- ☐ Health Care and Social Assistance
- ☐ Arts and Recreation Services
- ☒ Other Services - please specify: **Asbestos Auditing**

Publication of submission

Select one:

- ☒ Publish my submission online
(your organisation or individual name will be identified along with your submission)
- ☐ Do not publish my submission online
- ☐ Publish my submission online anonymously.

Note: by selecting "publish my submission online" or "publish my submission online anonymously", you accept Safe Work Australia:

- has the right to decline to publish a submission online if does not meet Australian Government accessibility requirements, and
- may change or convert a submission to conform with [accessibility requirements](#).

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- ☒ I have read and understand the Engage [terms and conditions](https://engage.swa.gov.au/terms) (<https://engage.swa.gov.au/terms>) for making this submission.
- ☒ I have read and understand the below Privacy Collection Notice and other terms listed below.

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If you do not wish to disclose your personal information, you can choose not to include identifying information on the cover sheet and in your submission. However, if we are not able to collect your personal information, we will not be able to contact you for any further

consultation if required. If you choose not to provide details about your occupation, this may limit our understanding of the implementation potential options across different workplaces and industries.

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Consultation questions

These consultation questions are aimed at understanding the nature and extent of any issues with the term “competent person” as it relates to asbestos-related tasks. There is no requirement to answer all the questions; and stakeholders are welcome to provide other feedback relevant to the requirements for competent persons for asbestos-related tasks. Wherever possible, please include reference to the relevant regulation number in the model WHS Regulations in your response.

Q.1 Do you have a clear understanding of the definitions of a competent person for asbestos-related tasks? How could any misunderstandings be addressed or clarified?

Yes I understand and my recommendation is to change the term for asbestos assessor- maybe asbestos clearance inspector or removal inspector something else because it is misleading, you don't have to have an asbestos assessor licence to be a competent person yet a lot of the public believe that is the case. We have even had work cancelled because the client believed he HAD to have an asbestos assessor.

Q.2 Do you see a benefit in aligning the training, qualification and experience requirements of competent persons, licensed asbestos assessors and asbestos removal supervisors for asbestos-related tasks? If so, what do you think the training, qualification and experience requirements should be? Please provide information and reasons to support your response.

No all you would be doing is burdening people with other task skills that they don't need or want. If all competent persons have to do asbestos assessor type training it will be forcing competent persons to take on additional business risk as well. Maintaining competency as an assessor means doing asbestos removal clearances and monitoring at regular intervals as a requirement for keeping their licence. We as a small business operator are not willing to sign off on some dodgy employment agency service asbestos removal work just to maintain currency to keep the licence. Also the required public liability and professional indemnity insurances will skyrocket for that very reason- taking professional responsibility for someone else work.

What would be the point in making asbestos removal supervisors learn the asbestos assessor microscopy and fibre counting tasks. That would not be appreciated by them as an industry group I'm sure. Also there would be an inherent conflict of interest between the Asbestos removalist supervisor being able to then carry out clearance inspections.

Q.3 Are there any other issues regarding the definition and requirements of competent persons for asbestos-related tasks that should be considered? Please provide information and reasons to support your response.

They should be across Australia uniform requirements not state by state as again we see states going their own way again (Canberra)

Experience and knowledge of asbestos cannot simply assumed or given by a Licence, the experience requirement must always remain. Also noted that competent person wasn't even listed in YOUR list above?