



**Australian  
BORDER FORCE**

# Managing the risk of asbestos when importing a motor vehicle

## The border control

The health risks posed by exposure to asbestos are well known. Australian research has shown mesothelioma can be associated with occupational and non-occupational exposure to asbestos. The servicing of vehicle brakes and/or clutch components is listed in the top five non-occupational reasons for exposure to asbestos fibres, resulting in a mesothelioma diagnosis.<sup>1</sup>

An Australia-wide ban on the manufacture and use of all forms of asbestos took effect on 31 December 2003 to protect the Australian community. A border control for asbestos was enacted at the same time to prevent the unlawful importation of asbestos, and goods containing asbestos.

The importer of a vehicle (the 'owner' for the purposes of importation) must know the history of that vehicle to ensure it does not contain any asbestos before it is shipped. This applies whether the importation is for commercial or private purposes, or of a temporary or permanent nature.

Owners should be aware that many countries have tolerances in vehicle parts and components if the asbestos content is:

- below a certain level, or
- present as trace amounts in raw materials used for producing those parts or components.

Tolerance levels for asbestos set by other countries will not be accepted at the Australian border.

## All imported vehicles must comply

The import prohibition applies to all vehicles of any type, age or value. This includes, but is not limited to:

- Used road vehicles that require an Entry Approval, granted by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Cth) (Infrastructure), before shipment.
- Vehicles temporarily imported under a Carnet de Passages en Douane (CPD carnet).

## Granted Entry Approvals from Infrastructure

Entry Approvals granted to the importer enable the importer to take delivery of the vehicle/s after clearance is granted by the ABF under the *Customs Act 1901*. The clearance is granted by the ABF on the basis that the goods meet all requirements under customs and biosecurity related laws, including relevant border related laws that address prohibited goods.

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<sup>1</sup> [Australian Institute of Health and Welfare – Mesothelioma in Australia 2020 \(NOV2021\)](#)

An Entry Approval granted by Infrastructure is only one of a number of requirements, including the import prohibition for asbestos, which must be met to enable the release of the vehicle from customs control.

## Assurance from the owner

When the Australian Border Force (ABF) identifies an imported vehicle as at risk of containing asbestos, the owner will be required to provide sufficient assurance that the vehicle, including all parts and components, does not contain asbestos.

The owner, or reporting parties acting on behalf of the owner, declaring “no” to asbestos content in the vehicle, and all parts/components, must only do so if they are certain that it does not contain asbestos. This includes the presence of asbestos by design, or by the use of naturally contaminated ingredients during manufacture, whether original equipment manufacturer (OEM) or aftermarket in type.

Owners must obtain sufficient information and take necessary action to ensure asbestos is not present in the goods before shipment. Claims of OEM parts containing no level of asbestos content should be supported by technical evidence sourced from the relevant manufacturer. A ‘face value’ letter from the supplier, or the supplier’s mechanic, merely stating there is no asbestos content is insufficient assurance.

When at-risk parts and components for asbestos are identified and removed before shipping, the owner should retain all work records. When replacement parts and components are installed, evidence of the make, model and structural content of those new parts and components, which proves no asbestos content, should also be retained. These records should be available to provide to the ABF as required.

If sampling and testing is undertaken overseas, the owner should ensure that the process is carried out to meet Australian requirements for laboratory reporting. Refer to the ABF website ([www.abf.gov.au/asbestos](http://www.abf.gov.au/asbestos)) for more information. Overseas reports or records of work need to have sufficient detail to enable them to be specifically linked to the vehicle being imported, and any parts/components assessed, removed or replaced.

The owner is advised to carry out due diligence, including knowing the materials used in the manufacture and maintenance of the vehicle they are importing. If this matter is not taken seriously by the owner, and sufficient assurance is not provided, the owner will face delays and be responsible for costs incurred if the vehicle is held at the border for sampling and testing. If this occurs, the owner will be required to engage a qualified, independent competent person<sup>2</sup> to undertake identification of suspect parts and the removal of samples for testing. The ABF are not qualified asbestos professionals and do not physically assist to collect samples or remove asbestos containing goods.

During an examination the ABF will supervise the collection of samples while the goods are under customs control. This does not limit an ABF officer’s ability to visually identify a potential prohibited import (asbestos) to the asbestos professional in attendance. If an ABF officer has reason to believe there are risk goods in a consignment they may direct that samples be taken of particular components.

Sampling and testing at the border can be avoided if owners provide sufficient assurance that their vehicle does not contain any asbestos. Unlawfully imported asbestos may result in prosecution action and/or fines.

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<sup>2</sup> *Competent person* – as defined within section 5 of the *Work Health and Safety Regulations 2011* (Cth). Further information can be located within the Safe Work Australia Model Code of Practice: [\*How to manage and control asbestos in the workplace\*](#).

## Vehicle parts that might contain asbestos

The most common vehicle parts and components found to contain asbestos at the border are in brakes and gaskets in locations designed to resist heat. Parts and components at risk can include:

- Insulation
- Brake pads and shoes
- Bituminous and asphalt coatings
- Seals:
  - fuel tanks
  - mastic sealants
  - windows
- Gaskets:
  - cylinder head
  - extractors
  - exhaust system
- Bonnet liners
- Valve rings
- Body seams
- Heater/air conditioner housings
- Fibrous washers
- Sound deadening material – acoustic padding
- Clutch linings
- Firewalls
- Heat shields
- Wiring wrap

Notwithstanding the parts and components at risk listed above, each vehicle is different. The ABF cannot provide technical advice as to where asbestos will be present. Factors such as the age, make, model, country of origin, maintenance history and any other relevant circumstances must be taken into account, which may result in similar vehicles being risk-assessed differently by the ABF.

Owners might need to consult OEM part suppliers, maintenance providers or records of the particular vehicle where available, to identify if the vehicle's components are likely to contain any amount of asbestos (including trace amounts). Owners should then take action to test or remove such components before importation. This highlights the necessity for the owner to know the vehicle they are importing, to understand where asbestos is likely to be present, and to be able to provide evidence of having addressed that risk. A professional assessment of the whole vehicle will assist this process.

## Re-importing Australian-based vehicles

Owners intending to temporarily export a vehicle from Australia, with the intention of re-importation, such as for the purposes of participation in an overseas rally, must be aware that:

- The importation of that vehicle back into Australia **is prohibited** if it contains any level of asbestos.
- To facilitate the return to Australia, the owner should identify any parts or components with asbestos and replace them before export.
- On that vehicle's return, the owner must be prepared to provide assurance that the vehicle does not contain any asbestos.

## The myths dispelled

- **Chrysotile (white) asbestos is safer than other forms of asbestos.**

Fact: All six asbestos mineral silicates, including chrysotile asbestos, pose a direct threat to human health when in a friable form. All six are subject to the import prohibition and the national ban.

- **Asbestos is only a problem if disturbed, therefore it's safe in a vehicle.**

Fact: Friction materials by their nature are subject to constant wear and tear. Physical wearing of materials that contain asbestos expose fibres and make them friable. Friable fibres can be shifted by air-flow onto other areas of the vehicle, or into the area where the vehicle is garaged. Maintenance may also cause

disturbance. If the person carrying out that maintenance is not trained to recognise and safely handle asbestos, or is unaware that asbestos exists in the parts/structures they are handling or maintaining, a direct risk to their health and the health of others nearby may result.

- **The border control for asbestos in vehicles is a recent change in policy.**

Fact: The asbestos border control for **all goods** is not new and has been in place since 31 December 2003. As threats to the border are identified, they will be addressed. The repeated detection of asbestos in older vehicles at the border illustrates one such threat.

- **Sampling and testing is the only way to ensure no asbestos content.**

Fact: Testing or removal of suspect components before shipment are the preferred options. It may be more cost effective to remove, rather than sample and test. The assurance process can include documentary evidence of manufacturing specifications to show no asbestos was used in parts and components, whether OEM or after-market. Refer to the section: **Assurance from the owner**. An ABF direction to sample and test a vehicle at the border will occur when it is judged that inadequate assurance is provided.

- **When an owner is directed to have a vehicle sampled and tested at the border, the ABF choose who can sample and test for asbestos.**

Fact: The ABF does have the power to choose but usually limits this to situations where there are concerns about probity or independence of process. The **owner is responsible** for engaging the competent person and laboratory. The ABF requires that the competent person collecting the samples is appropriately qualified because sampling must be undertaken in a manner that will not lead to exposure to asbestos, and which ensures the samples are suitable for analysis. Testing in Australia is required to be carried out at a laboratory accredited by the National Association of Testing Authorities (NATA), for asbestos analysis.

## Limited permission to import goods containing asbestos

The Minister responsible for administering the *Work, Health and Safety Act 2011* (Cth), or an authorised person, is empowered to grant permission to import asbestos, or goods containing asbestos. This is currently the Minister for Employment and Workplace Relations (the WHS Minister).

Legislated permissible purposes include research, analysis, display, or when the goods originate in an Australian external Territory, for lawful disposal. The Asbestos Safety and Eradication Agency (ASEA) is responsible for administering the import permission process for the WHS Minister.

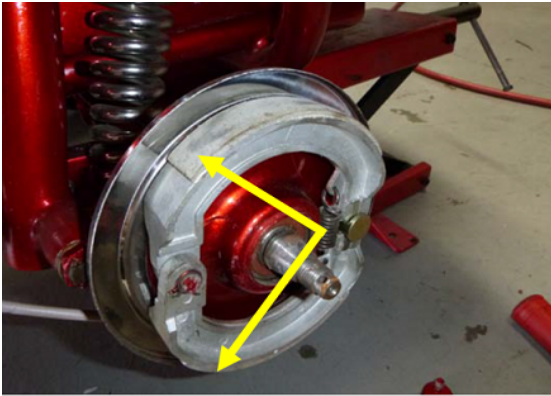
*Display* does not include attending events such as enthusiast motor shows. Import permission will not be considered for vehicles containing asbestos if intended to be driven or otherwise operated in any capacity within Australia, as this is not in line with the permissible purposes.

## In summary

The owner of the vehicle that is intended for importation into Australia needs to undertake appropriate checks to ensure that the vehicle has no parts or components which contain asbestos. Compliance with border requirements will help prevent delays or costs associated with intervention by the ABF.

- Aftermarket parts, from countries that allow asbestos in manufacturing, can be as much a risk for containing asbestos as older OEM parts.
- Remove known or suspected parts and components with asbestos before shipping to Australia.
- Inspections undertaken overseas must be in consideration of Australian requirements, not foreign tolerances.

More information with respect to the asbestos border control and border processes is located on the [ABF website](#).



**Figure 1:** Brakes on motor scooter side-car which contained asbestos



**Figure 2:** In Australia, the removal of samples for testing is undertaken by a qualified independent competent person

## Contacts

### Australian Border Force

Websites: [www.abf.gov.au](http://www.abf.gov.au)  
Website asbestos information page: [www.abf.gov.au/asbestos](http://www.abf.gov.au/asbestos)  
Telephone: 131 881

### Asbestos Safety and Eradication Agency

Website: [www.asbestossafety.gov.au](http://www.asbestossafety.gov.au)  
Email: [enquiries@asbestossafety.gov.au](mailto:enquiries@asbestossafety.gov.au)  
Telephone: 1300 326 148

### Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Website: [www.infrastructure.gov.au](http://www.infrastructure.gov.au)  
Website importing vehicles information: [www.infrastructure.gov.au/vehicles/imports](http://www.infrastructure.gov.au/vehicles/imports)  
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