
ASBESTOS UPDATE - VEHICLES (NNF 2017/059)

As members will be aware, there was **introduced on 6 March 2017** (without consultation with any sector of the industry on the basis that it was common held knowledge that certain components of vehicles were subject to asbestos testing) a **community protection question as it relates to vehicles** (whether new or used). Note, this **includes motor vehicles, off-road vehicles and motor cycles etc.** For those who deal with the motor vehicle industry in all of its forms and in relation to parts for that industry, the unintended, or perhaps intended consequence of this new CPQ, is to say the least an outcome where there clearly needed to be significant consultation with importers, stakeholders and service providers to the industry sector.

The CBFCA as well as individuals, corporate entities and other industry associations have been in touch with the DIBP on this particular aspect and the significant cost implications for industry. **The CBFCA has actioned this item with the Commander Customs Compliance and requested discussion via its Agenda at the Trade and Goods Compliance Advisory Group (CAG) meeting to be held on 17 March 2017 in Canberra.**

At this time there exists no clear methodology to overcome the significant impediments that have been imposed by the CPQ .

In addition, the CBFCA understands that there has been **certain**

unsubstantiated commentary made by others in relation to this matter to the effect that the DIBP is **considering the "suspension/withdrawal" of the CPQ.**

This is not the case, and it has been clearly set out by the DIBP through legislative requirements, supporting DIBPN 2016/30 and Fact Sheet, the compliance responsibilities of the importer (and the flow on effect of that to the importer's service provider, in the main, the licensed customs broker/brokerage).

The CBFCA would like to reiterate to members and their clients the importance of undertaking appropriate testing and assurance for automotive parts (and clearly understands the difficulty of this compliance issue with vehicles that do not have an extensive history of mechanical repairs or as to whether those repairs of key components, which could have an at best linkage, are able to be judged on the basis of available information to correctly answer the CPQ). While it would be appropriate for a reasonableness test to exist in relation to any appropriate level of protection to meet the determined risk on asbestos, this is currently not the case, and even with best endeavours, any outcome relies on certification from the importer or exporter in relation to asbestos aspects.

As all are aware, past ABF detections indicate that automotive parts such as gaskets and brake pads, present a high risk of containing asbestos.

Where the ABF are not assured that goods do not contain asbestos, testing and certification in Australia is a requirement.

Whilst it is acknowledged that there are challenges when dealing with vehicles, the policy has not changed, and assurance through testing prior to importation remains the key.

For testing undertaken overseas, the ABF will only accept testing certificates from appropriately accredited laboratories. Where testing is done overseas, the samples tested must be drawn from

the actual batch that is being imported. Where this link can't be made, further assurance including testing will be requested at the border. Additional information on testing for asbestos can be found on our website: <http://www.border.gov.au/Busi/cargo-support-trade-and-goods/importing-goods/prohibited-and-restricted/asbestos#testingforasbestos>

For members' benefit, please refer to the following link to specific information relating to the importation of vehicles: <http://www.border.gov.au/Busi/cargo-support-trade-and-goods/importing-goods/importing-motor-vehicles>

To find the list of "Goods that might contain asbestos" refer to the following link. (Note this is non-exhaustive and subject to change). <http://www.border.gov.au/Busi/cargo-support-trade-and-goods/importing-goods/prohibited-and-restricted/asbestos#goodsthatmightcontainsbestos>



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