

Auckland Regional Public Health Service

Rātonga Hauora ā Iwi o Tamaki Makaurau



Working with the people of Auckland, Counties Manukau and Waitemata

Asbestos: Responsibilities of Property Owners and Tenants

The following has been adapted from: *Management of Asbestos in the Non-Occupational Environment: Guidelines for Public Health Services*, Ministry of Health 1997.

Please contact the duty Health Protection Officer (Environmental Health), Auckland Regional Public Health Service, ph (09) 623 4600 if you require further information about the safe management of asbestos in your home.

Role of Property Owners

Owners, and their agents, should inform occupiers of the presence of asbestos-containing materials and must act to remedy any asbestos hazards.

Statutory obligations

Property owners must:

- meet statutory obligations (eg, under the Health Act 1956, the Building Act 1991, the Health and Safety in Employment (Asbestos) Regulations 1998)
- obtain necessary building consents and any other necessary consents including those for the disposal of asbestos wastes.

Health and Safety in Employment Regulations 1998

The Health and Safety in Employment (Asbestos) Regulations 1998 are administered by the Department of Labour. We recommend that you contact the Occupational Safety and Health Service of the Department of Labour (OSH) for further information about employer and employee responsibilities under this legislation. (See the blue pages of your telephone book.)

Assessment and management of hazards

Property owners must:

- assess hazards, including damage to asbestos-containing materials or careless or incomplete removal or encapsulation.

Implementation of management plans

Property owners must:

- administer and fund abatement work, clean up, environmental sampling, and analysis
- engage certified contractors for abatement work
- monitor the performance of contractors
- ensure routine maintenance work practices prevent asbestos hazards being generated
- monitor the condition of the property and abatement work to ensure that asbestos hazards do not recur
- inform contractors, occupiers and other building users of any asbestos hazards
- advise occupiers on how to manage risks
- inform purchasers of known or suspected asbestos hazards.

Examples of property owners documenting their roles are:

- *The Management of Asbestos in Schools: A guideline for property management staff* (MfE 1993)
- *Asbestos Policy and Code of Conduct* (Housing NZ 1994).

Role of Property Occupiers (Tenants)

Tenants should advise their landlord of any potential asbestos hazard developing, minimise damage to asbestos-containing material, co-operate with the landlord in facilitating abatement work and act on advice from the health protection team regarding the avoidance of asbestos hazards.