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# employment & labour

Department:

Employment and Labour

REPUBLIC OF SOUTH AFRICA

CRITERIA FOR REGISTRATION AS AN ASBESTOS CONTRACTOR IN  
ACCORDANCE WITH THE ASBESTOS ABATEMENT REGULATIONS OF 2020

Chief Directorate of Occupational Health and Safety

Title:	CRITERIA FOR CONTRACTOR REGISTRATION FOR TYPE 2 AND 3 ASBESTOS WORK IN ACCORDANCE WITH THE ASBESTOS ABATEMENT REGULATIONS OF 2020	
Document number:	11/2020Asbestos/OHH	
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To apply for registration for <b><u>Type 2</u></b> asbestos work the following information should be provided	To apply for registration for <b><u>Type 3</u></b> asbestos work the following information should be provided
Section: A B C D H I	Section: A B C D E F G H I

**1. PURPOSE:** The purpose of this “criteria for contractor registration for type 2 and type 3 :”asbestos work” document is:

- To provide clear criteria for any company wishing to register as an Asbestos Contractor for type 2 OR type 3 asbestos work.
- To ensure standardization of Asbestos Contractor applications.
- To ensure legal compliance to relevant legislation.
- To provide a basis for verification by the Department of Contractors registered to perform type 2 or type 3 asbestos work.

**2. LEGAL BACKGROUND:**

In terms of the Asbestos Abatement Regulations, 2020

The following definitions are provided:

**"type 1 asbestos work"** means—

- (a) painting of asbestos cement products in a manner that does not require surface preparation and does not cause the release of asbestos fibres; or
- (b) the removal of less than 10 square metres of asbestos cement products or equivalent gutters and piping or asbestos insulating board, where removal work may not be repeated on the same site within a period of six months; and, does not require registration as a registered asbestos contractor with the chief inspector;

**"type 2 asbestos work"** means—

- (a) the repair or encapsulation of asbestos cement products in a manner that does not require surface preparation; or
- (b) the removal of asbestos cement products or asbestos insulating board; and, requires registration as a type 2 registered asbestos contractor with the chief inspector;

**"type 3 asbestos work"** means—

- (a) the removal, repair or encapsulation of any asbestos and asbestos-containing material; and, requires registration as a type 3 registered asbestos contractor with the chief inspector;

Registration shall therefore be provided by the Department of Employment and Labour to those contractors successfully applying to register as contractors conducting either type 2 or type 3 asbestos work.

Note: Registration to perform type 3 asbestos work also allows the performance of type 2 asbestos work.

### 3. TERMS AND CONDITIONS FOR REGISTRATION:

The Department of Employment and Labour reserves the right not to register any person or contractor who does not fully meet the requirements whether in part or in full.

The Department of Employment and Labour also reserves the right to withdraw the registration if it is discovered that the Registered Asbestos Contractor does not comply with the Occupational Health and safety Act (Act 85 of 1993), its regulations and these requirement for registration or it is discovered that false information was provided on this application. Any changes to key personnel or supervisors must be submitted in writing within 14 days to the Department for verification.

**Deregistration of Registered Asbestos Contractor:** The Chief Inspector may deregister any contractor who fails to comply with the requirements of the Occupational Health and Safety Act 85 of 1993 and its regulations. Once deregistered, the company will not be allowed to register for a period of three years.

Applicants are required to:

- Bind all the documents.
- Provide document in the sequence as set out in this criteria.

Note:

- Applicants will receive acknowledgement of receipt from the Department, however this does not imply automatic approval, in any way.
- If an application is not finalized within 60 days during which additional information was requested, the application will have to be closed and the organization will have to reapply.

#### 4. **COMPANY/ ORGANIZATION to register for type 2 asbestos work must provide documents and information set out in section A, B, C, D, H and I**

**COMPANY/ ORGANIZATION to register for type 3 asbestos work must provide documents and information set out in section A, B, C, D, E, F, G, H and I**

**EVALUATION CRITERIA****A. COMPANY/ ORGANIZATION INFORMATION**

(a)	Name of company	
(b)	New application or renewal	
(c)	Name of CEO or MD	
(d)	Name of responsible person	
(e)	Designated 16.2 person	
(f)	Physical and postal address	
(g)	Contact person; (this person will be the contact for the Department)	
(h)	Telephone number/s	
(i)	Fax number	
(j)	E-mail address; (The Department will make contact through this address)	
(k)	Scope of application: Indicate Type 2 or Type 3 Asbestos work	
(l)	Company registration number (CIPC)	
(m)	SARS VAT registration number	
(n)	Previous Asbestos Contractor registration number, where applicable	

**B LEGISLATIVE REQUIREMENTS (provide documents in sequence)**

Submit valid and current copies of the following:

- (a) Registration with the Unemployment Insurance Fund (UIF).
- (b) Copy of letter of "good standing" from The Compensation Fund (CF).
- (c) South African Receiver of Revenue - Tax clearance certificate.
- (d) CIPC Registration (Please ensure that the certificates are issued in the name of the company applying).
- (e) Copy of previous certificate for registered Asbestos Contractor issued by the Department of Employment and Labour – if applicable.
- (f) List asbestos projects completed in the past year

Name of client	Name of project	Duration of project	Number of personnel

### C. HEALTH RISK ASSESSMENT

A copy of the recent health risk assessment for the company.

The risk assessment must clearly indicate at least the following:

- (a) where and when an asbestos risk may be encountered;
- (b) a risk rating;
- (c) control measures implemented;
- (d) who conducted the risk assessment;
- (e) date risk assessment was performed.

### D. PERSONNEL

Provide an organogram of the company/organization and specifically specify the Asbestos Team/s

- (a) The organogram should depict descriptions for each position, name and identity number of asbestos workers.
- (b) Copies of the legal appointments in terms of the Occupational Health and Safety Act, 85 of 1993. Include the following:
  - 16.2 Designated person (specifying duties assigned)
  - First Aider; (If more than one, provide all appointment letters)
  - Health and Safety Representatives (irrespective of the number of workforce);
  - Construction / Asbestos Supervisor;
- (c) Provide proof of agreement between the company registering as a contractor and the OH AIA, for the current period of registration.

**NB!!** All the above mentioned persons appointed/designated in terms of the Act must be fully trained and informed of their responsibilities and authorities. They must accept in writing their various appointments. They must be knowledgeable with regards to Asbestos and the regulations. The time period for the appointment should be indicated on the appointment letter.

### E. EDUCATION & TRAINING

Provide documentation on the following:

- (a) The applicable qualifications and proof of experience of the Asbestos / Construction Supervisor
- (b) Proof of level 2 trained First Aider/s (certified training certificates)
- (c) Copy of training certificate for the Occupational Health and Safety (OHS) Representatives (certified training certificates)
- (d) Copies of training certificates provided to asbestos workers by an Competent person

**NB!** If more than one Asbestos Team will be utilized, a First Aider and OHS Representative should be trained and appointed for each team.

## F. EQUIPMENT

A list of the type of equipment that will be used must be submitted:

### Personal protective equipment

#### (a) Respiratory Protective Equipment

- i. Type of the respiratory protective equipment, minimum FFP2. (Brand and model), homologated by SABS;

#### (b) Personal protective clothing

List of protective clothing provided: This list should at least include the following:

- i. Safety helmets – type & model
- ii. Steel toe-capped protective footwear type & model
- iii. Eye/face protection type & model
- iv. Suitable one-piece plastic overalls, specific for asbestos work.
- v. Gloves, that can not retain asbestos fibers. (type & model)
- vi. Other appropriate PPE: type & model

## G. EQUIPMENT TO BE USED FOR TYPE 3 ASBESTOS WORK

Appropriate for asbestos work.

- (a) Vacuum cleaner, with the capacity and efficiency (HEPA- filter);
- (b) Removal tools
- (c) Injection / wetting system
- (d) Filtrations system for used water.
- (e) Decontamination unit
- (f) Other tools and equipment.

## H. MEDICAL SURVEILLANCE

- Copy of the written medical program drawn up by an Occupational Medicine Practitioner.
- Provide copies of medical certificates for all Asbestos Team members issued by an Occupational Medicine Practitioner. Medical fitness certificate should state the person is medically fit to work in an asbestos environment.
- Each employee should be identified as an asbestos worker on the medical certificate
- Contact details of the Occupational Medicine Practitioner.

## I. DISPOSAL METHODS

- (a) Describe the disposal method (Standard operating procedure) to be used on the site;
- (b) Transport registration in accordance with the Road Traffic Safety Act;
- (c) Name of the site of final disposal and
- (d) Copy of the approval certificate of the final disposal site.



**Submitting the application file:**

A hard copy application for registration should be timeously (at least 30 to 45 days before expiry of current certificate for renewals) hand-delivered or posted to the Department of Employment and Labour for attention of the **Chief Inspector: OHS**.

<b>Postal Address</b>	<b>Private Bag X 117 PRETORIA 0001</b>
<b>Physical Address</b>	<b>215 Francis Baard Street Occupational Health and Safety Laboria House PRETORIA</b>

**Registration to perform type 2 or type 3 asbestos work shall be valid for a period of 3 years (36 months).**

**Old registration certificate issued under the Asbestos Regulations 2002, shall remain valid for type 2 asbestos work only until the expiry date on the certificate.**