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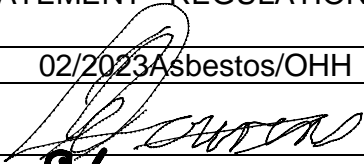

# employment & labour

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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**

<i>Title:</i>	CRITERIA FOR CONTRACTOR REGISTRATION FOR TYPE 2 AND 3 ASBESTOS WORK IN ACCORDANCE WITH THE ASBESTOS ABATEMENT REGULATIONS OF 2020, AS AMENDED	
<i>Document number:</i>	02/2023Asbestos/OHH	
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<i>Approved by:</i>	Bulelwa Huna Senior Specialist	
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<i>Next review date:</i>	This document will be reviewed every four (4) years. Review will take place more frequently if changes occur in the industry or the relevant regulations.	

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**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 basis for verification by the Department of Employment and Labour (hereafter the Department) of Contractors registered to perform type 2 or type 3 asbestos work.

**2.-DEFINITIONS:**

In terms of the Asbestos Abatement Regulations as amended, 2020

The following terms are defined:

**2.1 "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;

**2.2 "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;

**2.3 "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;

**3. TERMS AND CONDITIONS FOR REGISTRATION:**

**3.1** 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.

**3.2** 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 requirements 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.

**3.3** 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 four years.

**3.4** Applicants are required to:

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

**3.5** COMPANY/ ORGANIZATION to register for type 2 asbestos work must provide documents and information set out in section A, B, C, D, E, G, 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

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

**3.7** Registration to perform type 3 asbestos work also allows the performance of type 2 asbestos work.

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

**3.9** With reference to *Government Gazette Notice No. 11465 of 29 July 2022*. A fee of **R400** should be paid when applying for registration. For a reissue (due to loss) a fee of R600 is charged.

**Account details -**

**Account Name:** Department of Employment and Labour  
**Bank:** First National Bank  
**Account Number:** 62025135577  
**Branch Code:** 253145  
**Reference:** OHS:RAC: *company name*

## 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 Indicate with an "X"	Type 2	Type 3
(l)	Company registration number (CIPC)		
(m)	SARS VAT registration number (PIN)		
(n)	Previous Asbestos Contractor registration number, where applicable		

### B. LEGISLATIVE REQUIREMENTS (provide documents in sequence)

Submit valid and current copies of the following:

- (i) Provide proof of payment and registration with the Unemployment Insurance Fund (UIF).
- (ii) Copy of letter of "good standing" from The Compensation Fund (CF) indicating Asbestos work under the nature of business.
- (iii) South African Receiver of Revenue – PIN (Personal identification number, assigned by SARS) and status.
- (iv) CIPC Registration (Please ensure that the certificates are issued in the name of the company applying).

- (v) Copy of previous certificate for Registered Asbestos Contractor issued by the Department of Employment and Labour – if applicable.

Ensure that applications are sent two months before the expiry date of the current certificate(vi) List asbestos projects completed in the past year-where available:

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

### C. HEALTH RISK ASSESSMENT

Provide a copy of the up to date (no older than 2 years) health risk assessment for the company.

The risk assessment must clearly indicate at least the following:

- (i) health impacts.
- (ii) number of persons potentially exposed
- (iii) condition of asbestos containing material.
- (iv) where and when an asbestos risk may be encountered.
- (v) a risk rating.
- (vi) control measures implemented.
- (vii) who conducted the risk assessment.
- (viii) date risk assessment was performed.

**Note:** Regulation 5 of the Regulations, 2020 serves as a guideline for risk assessment for RAC.

### D. PERSONNEL

- (i) Provide an organogram of the company/organization and specifically specify the Asbestos Team/s
- (ii) The organogram should depict descriptions for each position, name and identity number of asbestos workers.
- (iii) Provide copies of the legal appointments in terms of the Occupational Health and Safety Act, 85 of 1993:
  - a) 16.2 Designated person (specifying duties assigned).
  - b) Health and Safety Representatives (in accordance to Regulation 12 (1) (b) of the Asbestos Abatement Regulation 2020, as amended).
  - c) Construction / Asbestos Supervisor.

**Note:** All the above mentioned persons appointed/designated in terms of the OHSAct, 85 of 1993 must be fully trained and informed of their responsibilities and authorities. They must accept in writing their various appointments. They must be knowledgeable about asbestos and the relevant regulations. The period for the appointment should be indicated on the appointment letter.

## E. EDUCATION & TRAINING

Provide documentation on the following:

- (i) The applicable qualifications and proof of experience of the Asbestos / Construction Supervisor
- (ii) Proof of first aid training certificate issued under the relevant unit standard (SAQA- 120496: Perform risk-based primary emergency or first aid in the workplace or 376480 provide first aid as an advanced first responder)
- (iii) Approved first aid certificate for the training institution issued by the Department.
- (iv) Copy of training certificate for the Occupational Health and Safety (OHS) Representatives (training certificates).
- (v) The OHS training certificate should be issued less than 5 years from date of application.
- (vi) Copies of training certificates provided to asbestos workers by competent person.

**Note:** 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

Information about the type of equipment that will be used must be submitted:

- (i) Respiratory Protective Equipment
  - a) Type of the respiratory protective equipment, minimum FFP2. (Provide brand and models).
- (ii) Personal protective clothing
 

Provide data sheets of protective clothing: This should at least include the following:

  - a) Safety helmets – type & model.
  - b) Steel toe-capped protective footwear type & model.
  - c) Eye/face protection type & model.
  - d) Suitable one-piece impermeable overalls, specific for asbestos work.
  - e) Gloves, that can not retain asbestos fibers. (type & model).
  - f) Other appropriate PPE.

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

Appropriate for asbestos work.

- (i) Data sheet or specifications for the vacuum cleaner.
- (ii) List or pictures of removal tools.
- (iii) Injection / wetting system.
- (iv) Filtrations system for used water.
- (v) Pictures or information sheet of the decontamination unit.
- (vi) Other tools and equipment.



## H. MEDICAL SURVEILLANCE

- (i) Copy of the written medical program drawn up by an Occupational Medicine Practitioner.
- (ii) Provide copies of medical certificates for all Asbestos Team members issued by an Occupational Medicine Practitioner.
- (iii) Each employee should be identified as an asbestos worker on the medical certificate.
- (iv) Contact details of the Occupational Medicine Practitioner.

## I. EXPOSURE MONITORING (Only applicable to renewals)

- (i) Provide past exposure monitoring procedures.
- (ii) Provide clearance certificate.

## J. DISPOSAL METHODS

- (i) Describe the disposal method (Standard operating procedure) to be used on the site.
- (ii) Transport registration in accordance with the Road Traffic Safety Act.
- (iii) Transport permit should be approved for transportation of hazardous waste.
- (iv) Name of the site of final disposal.
- (v) Copy of the approval certificate of the final disposal site.

### 5. Submitting the application file:

A hard copy application for registration should be timeously delivered to the Department of Employment and Labour for attention of the

**Chief Inspector: OHS.**

at

<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 CBD</b>