MANAGING ASBESTOS IN COMMERCIAL & NON-RESIDENTIAL PROPERTIES

ROLES AND RESPONSIBILITIES
FOR THE MANAGEMENT OF ASBESTOS & ACM

THE PROPERTY OWNER
has the primary responsibility to effectively control, manage or remove asbestos in the building to ensure all work complies with regulations. If retaining a builder to undertake demolition or refurbishment, the owner or manager has a responsibility to make all relevant documentation available to the contractor.

SUBCONTRACTORS AND WORKERS
have responsibility for managing risks associated with asbestos in the areas where they work to comply with regulations. They must follow all reasonable instructions and safe work procedures.

PRINCIPAL CONTRACTOR – USUALLY THE BUILDER
takes responsibility for asbestos when undertaking demolition or refurbishment work in the areas where work is being conducted. This may be an entire building or part of a building. If part of the building, the owner or their agent is responsible for the areas of the building where work is not being conducted.

EVERYONE IN A WORKPLACE
has the responsibility to manage asbestos safely in accordance with WH&S regulations and report any asbestos finds to the Manager on site.

LICENSED ASBESTOS REMOVALISTS
have the responsibility to manage, remove and dispose of asbestos safely and in accordance with regulations.

AGENTS OR EMPLOYEES OF THE PROPERTY OWNER
who manage the building on behalf of the owner have responsibility over the workplace and must ensure that any work complies with legislation.

INDEPENDENT CONTRACTORS OR WORKERS
who do minor routine maintenance work, or other minor work that is small scale, have a responsibility to manage asbestos in accordance with regulations in areas related to their work.

TENANTS
who lease a building or building space to conduct business do not have responsibility for asbestos because (generally) they have no control over work being conducted on the building. Should they engage contractors to perform works, tenants (PCBU) take responsibility.

Generally, persons conducting businesses or undertakings (PCBU) involving management or control of workplaces (PWM CW), are those with the power to make decisions about maintenance and any changes to the structure of the building. They have the responsibility for managing asbestos in a commercial property. However, people in various roles have shared responsibilities for management or control over a commercial or non-residential property where work is conducted and asbestos may be present. These include:

1. The property owner;
2. The property owner’s employees (if tasked with building management responsibilities);
3. A person who may not be located at the property but has been legally assigned management over the property such as an agent;
4. Anyone in control of a workplace within a property such a principal contractor or builder; and
5. If a principal contractor takes possession of a site to conduct work then they are responsible for the workplace where the work is being conducted.

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