

Banning Asbestos

From 4 April 2014



1. What is asbestos?

Asbestos includes the minerals, and substances including the minerals, amosite, crocidolite, chrysotile, fibrous actinolite, fibrous anthophyllite and fibrous tremolite.

2. Where can asbestos be found?

Asbestos had been widely used in friction, fireproofing, insulation and building materials before the mid-1980s because of its very high tensile strength and good heat and chemical resistance properties.

Among various applications, corrugated asbestos cement sheets are most commonly found at the cages, canopies or roofing structures of old buildings. For some of the old machinery/products used in construction sites, asbestos containing parts such as brake lining, gaskets and seals may still be found.



As it is difficult for the general public to tell with certainty whether a material contains asbestos or not by its appearance or colour, it is more appropriate to take a precautionary attitude and treat it as suspected asbestos containing material.

3. Why do we need to ban asbestos?

Asbestos containing materials (ACM) pose little health risk as long as they remain intact and undisturbed. However, if they are exposed and disturbed, very fine asbestos fibres which can stay airborne for a long time will be released. Inhalation of asbestos fibres can cause serious diseases such as asbestosis, lung cancer and mesothelioma. The World Health Organisation's International Agency for Research on Cancer has thus

classified all types of asbestos as definite human carcinogen (Group 1). We therefore need to ban asbestos to better protect public health.

4. How are asbestos and ACM banned?

Under section 80 of the Air Pollution Control Ordinance, import, transshipment, supply and use of asbestos and ACM other than goods in transit and registered proprietary Chinese medicine are now banned.

Transshipment means consignment made on a through bill of lading or a through air waybill from a place outside Hong Kong to another place outside Hong Kong.

Supply includes supply without consideration, sell, and hire out.

Use means installing or spraying ACM; producing or manufacturing a product with ACM; or wrapping any article with ACM.

5. What are the considerations for granting exemption?

Application for exemption may be made in writing to the Environmental Protection Department (EPD). Exemption would be granted only under very special circumstances. In vetting the application, EPD will consider whether the exemption :

- (a) is warranted; and
- (b) would be unlikely to lead to a health risk to the community.

6. Are there any asbestos-free substitutes?

The potential health risks associated with asbestos have led to the development of substitutes which are free of asbestos. Proven and safer substitutes are now available in many applications such as building materials, friction products, brake lining, seals and gaskets.

7. Penalty

A person who illegally imports, tranships, supplies or uses asbestos or ACM commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for 6 months.

8. Illustrative examples

Example 1: The roof of Mr. Chan's house is made of corrugated asbestos cement sheets (CACS). Does Mr. Chan need to remove the roof of his house?

ACM pose little health risk as long as they remain intact and undisturbed. Therefore it is not necessary for Mr. Chan to remove the roof of his house which is made of CACS. If however the conditions of the CACS deteriorate, Mr. Chan has to hire registered asbestos professionals to remove and dispose of the CACS properly.

Example 2: Mr. Chan keeps some brand new CACS in his storeroom. Is it illegal? If some of the CACS of the existing retaining wall and fencing in his farm land were partly broken, can Mr. Chan replace the broken CACS with new CACS?

Since ACM pose little health risk as long as they remain intact and undisturbed, storage of asbestos or ACM is not banned. Mr. Chan may keep the brand new CACS in his storeroom. Nevertheless, it is illegal to install any ACM. Mr. Chan should hire registered asbestos professionals to remove and dispose of the CACS properly if the retaining wall and fencing in his farm land are broken. He may rebuild the retaining wall and fencing by materials which are free of asbestos.



Example 3: Can Mr. Chan sell the ACM now kept in his storeroom? If not, can he give the ACM to his friend as gift?

Supply of any asbestos and ACM is now banned. As the meaning of supply includes sell and supply without consideration, Mr. Chan cannot sell the ACM or give them to his friend as gift.

Example 4: Mr. Chan is a trader of Chinese medicine products. Can Mr. Chan import, tranship and sell Chinese medicine products?

If the Chinese medicine products do not contain asbestos, Mr. Chan's business is not affected. However, Mr. Chan cannot import, tranship or sell any Chinese medicine products containing asbestos (such as herbal Chinese medicine Tremolitus and Actinolitus). Nevertheless, Mr. Chan can still import, tranship or sell the registered proprietary Chinese medicine.

Example 5: Mr. Chan is a contractor of the construction industry. He has a few old transformers which contain asbestos. His construction work has just been completed and he wishes to take the transformers to another site for his new project. Can Mr. Chan relocate his old transformers?

Some old machinery such as transformer may contain asbestos. As the asbestos containing parts are embedded inside the transformer, relocation of the transformer will not disturb the asbestos inside. Therefore, relocation of machinery containing asbestos is not banned. Mr. Chan is free to take the transformers to another site for his new project.

9. Enquiry

Telephone / Facsimile: 2838 3111

Website: <http://www.epd.gov.hk>

Contact Address: 28/F, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong

