



Asbestos In Imported Used Cars – FAQ's

The Australian Border Force (ABF) began profiling used cars for asbestos on March 2017. This has caused some challenges for the importing community. As we have been through the process of clearing a number of cars under the new rules, here is some information that will assist:

Q: Is asbestos a prohibited import in Australia?

A: Yes

Q: When did the ABF begin to profile used cars?

A: 5th March 2017

Q: Was there any industry consultation before changing the profile on used cars?

A: No

Q: Have the ABF given the importing community clear guidelines about how to deal with this issue?

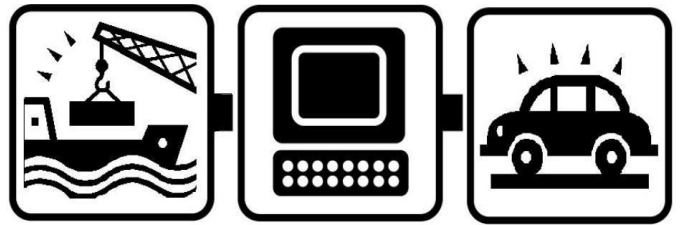
A: No. Industry groups have met with the ABF, but no clear guidelines have been given yet.

Q: Who is responsible for proving to the ABF that an imported car is free from asbestos?

A: The importer

Q: Can a simple statutory declaration be used to declare that an imported car is asbestos free?

A: No, it is not that simple. An importer must prove that they have undertaken due diligence to ensure that the car is asbestos free. Also, ABF can apply penalties for false declarations and importing asbestos.



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Q: What form can this due diligence take?

A: As set out above – there are no clear guidelines, but these are the important issues that need to be addressed when considering if a car may contain asbestos:

- When the car was built, was the manufacturer still using asbestos?
- Since the car was built has any parts in the car been replaced that may contain asbestos? (Brake pads / clutch / exhaust etc.)

To support these questions there must be proof supplied. ABF has indicated testing is the main form of proof.

Q: Can testing be arranged prior to shipping?

A: Yes, we are arranging this for clients now.

Q: Have the new regulations made it impossible to import a used car?

A: No. The challenges are greater with classic cars, but it is not impossible at all.

If you have any questions about your individual circumstances. Please contact us directly for some advice.

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