

SOUTH AUSTRALIA

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE
(SYNTHETIC MINERAL FIBRES) REGULATIONS 1991**

**REGULATIONS UNDER THE OCCUPATIONAL HEALTH,
SAFETY AND WELFARE ACT 1986**

*Occupational Health, Safety and Welfare
(Synthetic Mineral Fibres) Regulations 1991*

being

No. 21 of 1991: *Gaz.* 28 February 1991, p. 722¹

¹ Came into operation 1 May 1991: reg. 2.

Citation

1. These regulations may be cited as the *Occupational Health, Safety and Welfare (Synthetic Mineral Fibres) Regulations 1991*.

Commencement

2. These regulations will come into operation on 1 May 1991.

Object

3. The object of these regulations is to minimize risks to health caused by exposure to synthetic mineral fibres in the workplace.

Interpretation

4. (1) In these regulations—

"inspirable fibrous dust" means particles of synthetic mineral fibre in the form of inspirable dust described by Australian Standard 3640:

"respirable fibre" means a particle of synthetic mineral fibre that has—

(a) a diameter less than three micrometres;

(b) a length greater than five micrometres;

and

(c) a length to width ratio greater than 3:1:

"synthetic mineral fibre" means—

(a) mineral wool, including rockwool and slagwool;

(b) glassfibre, including superfine glassfibre, glasswool and reinforcing filament;

and

(c) any form of ceramic fibre.

(2) A reference in these regulations to a standard or guidance note will be taken to be a reference to that standard or guidance note as in force from time to time, and if that standard or guidance note is revoked and remade (with or without modifications), includes a reference to the new standard or guidance note in force from time to time.

Note: For definition of divisional penalties see Appendix.

Exposure controls

5. (1) Where synthetic mineral fibres are used or encountered in the workplace, steps must be taken to ensure, so far as is reasonably practicable, that exposure to, or contact with, the fibres is controlled so as to eliminate or minimize any risk to health.

3.

(2) Without derogating from the requirements of subregulation (1), a person at work must not be exposed to airborne synthetic mineral fibres in excess of the following standards:

- (a) 0.5 respirable fibre per millilitre of air;
- (b) 2 milligrams of inspirable fibrous dust per cubic metre of air.

(3) The amount of airborne synthetic mineral fibres to which a person is exposed will be taken to be the Time Weighted Average concentration of those fibres, as measured in accordance with—

- (a) in the case of respirable fibre—the *Guidance Note on the Membrane Filter Method for the Estimation of Airborne Synthetic Mineral Fibres* published by the National Occupational Health and Safety Commission;
- (b) in the case of inspirable fibrous dust—Australian Standard 3640.

Duty of employers

6. It is the duty of an employer who undertakes work that involves any person using or being exposed to synthetic mineral fibres to ensure compliance with these regulations and in the event of a contravention of, or failure to comply with, a provision of these regulations, the employer is guilty of an offence.

Penalty: Division 6 fine.

Duty of employees

7. An employee who carries out any work that involves the use of, or exposure to, synthetic mineral fibres must, so far as is reasonable (but without derogating from any common law right)—

- (a) do all such things as are required of him or her to ensure compliance with these regulations;
- and
- (b) immediately report to his or her employer the condition of any plant, materials or substance, the state of any working conditions, or any other situation that is, or is likely to become, a source of danger to himself or herself, or to another person.

Penalty: Division 7 fine.

NOTE - The Code of Practice "Approved Code of Practice for the Safe Use of Synthetic Mineral Fibres" (Published in conjunction with this regulation - see *Government Gazette*) specifically relates to the provision of occupational health in relation to synthetic mineral fibres.

4.

APPENDIX

Divisional Penalties

At the date of publication of this reprint divisional penalties are, as provided by section 28a of the *Acts Interpretation Act, 1915*, as follows:

Division	Maximum imprisonment	Maximum fine
1	15 years	\$60 000
2	10 years	\$40 000
3	7 years	\$30 000
4	4 years	\$15 000
5	2 years	\$8 000
6	1 year	\$4 000
7	6 months	\$2 000
8	3 months	\$1 000
9	-	\$500
10	-	\$200
11	-	\$100
12	-	\$50

Note: This appendix is provided for convenience of reference only.