

South Australia

## **Dust Diseases Variation Regulations 2009**

under the *Dust Diseases Act 2005*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Dust Diseases Variation Regulations 2009*.

#### **2—Commencement**

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Dust Diseases Regulations 2006***

#### **4—Variation of regulation 4—Prescribed industrial and commercial processes—section 8(2)**

- (1) Regulation 4(1)—delete "column 1 of the table in Schedule 1" and substitute:  
column 2 of the table in Schedule 1 clause 2
  - (2) Regulation 4(2)—delete "column 2 of the table in Schedule 1" and substitute:  
column 3 of the table in Schedule 1 clause 2
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## 5—Substitution of Schedule 1

Schedule 1—delete Schedule 1 and insert:

### Schedule 1—Prescribed industrial and commercial processes (regulation 4)

#### 1—Interpretation

In this Schedule—

*prescribed business* means a business (whether incorporated or otherwise) that, at the time the relevant industrial or commercial process occurred, employed more than 20 persons.

#### 2—Prescribed industrial and commercial processes

	<u>Industrial or commercial process</u>	<u>Relevant date</u>
1	Mining or milling of asbestos, or associated packing or transportation of asbestos	1 January 1940
2	Manufacture of products containing asbestos	1 January 1940
3	Packing or transportation of products containing asbestos by the manufacturer of the products	1 January 1940
4	Sale or supply of products containing asbestos by the manufacturer of the products	1 January 1940
5	Use of products containing asbestos by the manufacturer of the products	1 January 1940
6	Design of any object or thing containing asbestos or products containing asbestos—	
	(a) in the case of a prescribed business	1 January 1960
	(b) in any other case	1 July 1971
7	Sale (whether wholesale or retail) or other supply of products containing asbestos by a person other than the manufacturer of the product—	
	(a) in the case of a prescribed business	1 January 1960
	(b) in any other case	1 July 1971
8	Installation of products containing asbestos (whether in buildings, plant and equipment, vehicles or vessels or otherwise)—	
	(a) in the case of a prescribed business	1 January 1960
	(b) in any other case	1 July 1971
9	Use of products containing asbestos by a person other than the manufacturer of the product—	
	(a) in the case of a prescribed business	1 January 1960
	(b) in any other case	1 July 1971

<b>Industrial or commercial process</b>	<b>Relevant date</b>
10 Any industrial or commercial process involving asbestos or products containing asbestos (not being a process referred to in items 1 to 9 above, and not including where the only involvement of asbestos or products containing asbestos in the process is the presence of asbestos or the product in a structure comprising or forming part of the premises in which the process occurred)	1 January 1976

**Made by the Governor**

with the advice and consent of the Executive Council  
on 29 October 2009

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