
FACT SHEET

Asbestos ban in Hong Kong

1. Introduction

1.1 This fact sheet provides members of the Panel on Environmental Affairs with general information on asbestos and its banning in Hong Kong and the global arena.

1.2 Asbestos is the generic name given to a group of naturally occurring fibrous silicate minerals. It exists naturally both in its raw form and as a constituent of composite materials. According to the *Air Pollution Control Ordinance* ("APCO") (Cap. 311) commenced in 1996, asbestos includes the minerals, and substances including the minerals, amosite, crocidolite, chrysotile, fibrous actinolite, fibrous anthophyllite and fibrous tremolite.

1.3 The three most common types of asbestos are: chrysotile¹ (white asbestos), amosite² (brown asbestos) and crocidolite³ (blue asbestos), the latter two are regarded as more hazardous types of asbestos.

1.4 At present, amosite and crocidolite are banned in Hong Kong. The use of asbestos-containing materials (basically chrysotile) in construction and other industries in Hong Kong has been largely replaced by asbestos-free materials, and the quantity of imported asbestos-containing materials has substantially decreased as compared to the quantity before the enforcement of *APCO*. Although most products made in Hong Kong do not contain asbestos, it is still likely to find asbestos-containing materials in unauthorized buildings or old buildings.

¹ Most asbestos used in Hong Kong is chrysotile.

² Amosite is mainly used in bonded asbestos products.

³ Crocidolite is used for insulation, especially where chemical resistance is required.

1.5 The Government explains that the import and sale of chrysotile has not been banned in Hong Kong because its health hazard is relatively lower as compared to amosite and crocidolite and the import of it has already declined significantly. To further reduce the impact of asbestos on the public, the Government is formulating a proposal for banning the import, sale and use of all forms of asbestos and asbestos-containing materials.

2. Usages of asbestos

2.1 Asbestos is strong, fireproof, corrosion resistant and good in insulation. It was commonly used in the construction, manufacturing and shipping industries before the mid-1980s⁴ in Hong Kong. Asbestos was usually used in thermal insulation, electrical insulation, sound absorption, fireproofing, building materials, friction products, building services, and sealing and jointing. One of the most common usages of asbestos was making it into corrugated cement sheets to be used in cages, canopies or roofing structures.

3. Health hazard of asbestos

3.1 While intact and undisturbed asbestos-containing materials generally do not pose a health risk, it becomes hazardous when damaged or dismantled inappropriately. When mined and processed, asbestos takes the form of very small fibres which are usually invisible to the naked eye. Since the fibres are diminutive and light, they can remain airborne for long periods if they are released from asbestos-containing materials. Once the asbestos fibres are inhaled, they may remain in human body for many years and lead to health problems.

⁴ There had not been any legislation in Hong Kong on restricting the use of asbestos-containing materials before the mid-1980s, with the materials being widely used. The *Factories and Industrial Undertakings (Asbestos) Special Regulation (Cap. 59X)* was introduced in 1986 to ban the use of amphibole asbestos including amosite and crocidolite.

3.2 Asbestos has been classified as a known human carcinogen (a substance that causes cancer) by the United States Department of Health and Human Services, the United States Environmental Protection Agency and the International Agency for Research on Cancer⁵. Studies show that exposure to asbestos may increase the risk of lung cancer and mesothelioma⁶.

3.3 Other studies also suggest an association between asbestos exposure and gastrointestinal and colorectal cancers, as well as an elevated risk for cancers of the throat, kidney, esophagus and gallbladder. Asbestos exposure may also increase the risk of asbestosis⁷ and other non-malignant lung and pleural disorders. The symptoms of asbestos-related diseases may not appear until about 10 to 40 years after the first exposure to asbestos.

4. Asbestos control in Hong Kong

Use of asbestos

4.1 Both the *Factories and Industrial Undertakings (Asbestos) Special Regulation (Cap. 59X)* introduced in 1986 and the subsequently released *Factories and Industrial Undertakings (Asbestos) Regulation (Cap. 59AD)* contain provisions relating to the enforcement of the control of the amount of asbestos particles in work area. The Regulation applies to all industrial undertakings in which any work on asbestos is carried out. It prohibits the spraying of asbestos in the work area; the use of asbestos insulation for the purpose of thermal, acoustic or other insulation; and the use of amphibole asbestos⁸ in any process.

⁵ The International Agency for Research on Cancer is a subsidiary of the World Health Organization with the mission to coordinate and conduct research on the causes of human cancer and the mechanisms of carcinogenesis, and to develop scientific strategies for cancer prevention and control.

⁶ Mesothelioma is a cancer of the lining of the chest or of the abdominal wall.

⁷ Asbestosis is the scarring of the lung with fibrosis tissue.

⁸ According to the *Factories and Industrial Undertakings (Asbestos) Regulation (Cap. 59AD)*, amphibole asbestos means any of the minerals crocidolite, amosite, fibrous actinolite, fibrous anthophyllite, fibrous tremolite and any mixture containing any of those minerals.

Import and sale of asbestos

4.2 The import and sale of amosite and crocidolite have been banned in Hong Kong after the commencement of *APCO* in 1996. A person shall not import into Hong Kong or sell any quantity of amosite or crocidolite or any substance or item made with or containing amosite or crocidolite. Failing to comply with *APCO* commits an offence and is liable to a fine of HK\$200,000 and imprisonment for six months.

4.3 The *Hazardous Chemicals Control Ordinance (Cap. 595)* introduced by the Environmental Protection Department ("EPD") in 2008 further regulates, through a permit system, the import, export, manufacture and use of non-pesticide hazardous chemicals that have potentially harmful or adverse effects on human health or the environment. Any person importing, exporting, manufacturing or using a scheduled chemical⁹ must hold a valid permit for that chemical issued by EPD. In addition, under the *Import and Export Ordinance (Cap. 60)*, every shipment of scheduled chemicals entering or leaving Hong Kong also requires an import/export licence issued by EPD under delegation from the Trade and Industry Department.

Control on the removal of asbestos-containing materials

4.4 As asbestos becomes hazardous when damaged, proper handling and removal of asbestos-containing materials are vital to reducing the release of asbestos fibres. *APCO* provides statutory control on the removal of asbestos-containing materials. Under *APCO*, the owner of premises which contain or may reasonably be suspected of containing asbestos-containing materials should follow the predetermined procedures to remove such materials when carrying out maintenance, renovation, demolition or any other work in the premises. A person who does not comply with *APCO* commits an offence and is liable to a fine of HK\$200,000 and imprisonment for six months. The procedures of removing asbestos-containing materials are:

- (a) employing a registered asbestos consultant to conduct an asbestos investigation and prepare an asbestos investigation report and an asbestos abatement plan;

⁹ Scheduled chemicals include five types of asbestos: actinolite, anthophyllite, amosite, crocidolite and tremolite.

- (b) submitting the asbestos investigation report and the asbestos abatement plan to EPD at least 28 days before the work on asbestos-containing materials begins;
- (c) notifying EPD of the date of commencement of the work on asbestos-containing materials at least 28 days in advance;
- (d) employing a registered asbestos contractor to carry out the asbestos work according to the asbestos abatement plan;
- (e) employing a registered asbestos supervisor to supervise the implementation of the asbestos abatement plan and the work of the registered asbestos contractor; and
- (f) employing a registered asbestos laboratory to conduct sampling and analysis for the asbestos work.

5. International control of asbestos

5.1 Each country adopts its own rules and regulations on the manufacture, use, import and export of asbestos, and the schedule of enforcement also varies among countries.

5.2 In the late 1970s, the Nordic countries of Sweden, Norway, Finland and Denmark were the first to ban the manufacture and use of asbestos. More countries joined the banning of asbestos in the 1980s and 1990s. In most instances, the control of asbestos-containing materials starts with the banning of crocidolite and amosite, and some countries may also ban chrysotile and all other types of asbestos-containing materials in a later stage.

5.3 According to the International Ban Asbestos Secretariat¹⁰, there are less than one-third of the countries in the world¹¹ which have prohibited the use of all types of asbestos.

5.4 The Asbestos Convention passed by the International Labour Organization¹² in 1986 applies to all activities involving the exposure of workers to asbestos in the course of work. Under the Convention, national laws or regulations of the ratified countries shall prescribe the measures to be taken for the prevention and control of, and protection of workers against health hazards due to occupational exposure to asbestos. The national laws or regulations shall also provide for the necessary measures to ensure effective enforcement of and compliance with the provision of the Convention. The Convention also states that the use of crocidolite and products containing asbestos fibre as well as the spraying of all forms of asbestos shall be prohibited.

5.5 As of April 2011, 33 countries including Canada, Germany, Finland, Japan, South Korea, Spain and Switzerland ratified the Asbestos Convention 1986. With the ratification of the Convention, the member nations are obliged to apply the stipulations of the agreement and to submit themselves to the international controls. In the meantime, both the Mainland China and Hong Kong have not ratified the Convention.

¹⁰ The International Ban Asbestos Secretariat, established in 2000, provides a conduit for the exchange of information between groups and individuals working to achieve a global asbestos ban and seeking to alleviate the damage caused by widespread asbestos use.

¹¹ As of January 2011, there were 55 countries which banned the use of all types of asbestos. The 55 countries were: Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Brunei, Bulgaria, Chile, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Gabon, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, South Korea, Kuwait, Latvia, Lithuania, Luxembourg, Malta, Mongolia, Mozambique, Netherlands, New Caledonia, Norway, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, United Kingdom, and Uruguay.

¹² The International Labour Organization, founded in 1919, is a forum for the development of common measures for governments, employers and unions to support social fairness and to improve living conditions throughout the world.

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Research Division
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Tel: 2869 9695

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