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PROTECT PACIFIC WHALES – OCEAN VOYAGERS

The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.

FILE:	SPREP 2/23	**TO:**	SPREP National Focal Points
DATE:	18 January 2017	**CC:**	CROP Agencies
CIRCULAR:	17/03		SPREP Partner Organisations
SUBJECT:	**New Zealand Asbestos Ban and Effect on Asbestos Waste Imports**		

Dear SPREP Members,

At the 27th SPREP Meeting held in Niue in 2016 it was announced that the New Zealand Government would shortly announce a new import ban on products containing asbestos: Members had requested information on whether the new ban would have any effect on the export of asbestos wastes from Pacific Island nations to New Zealand for disposal that was previously permitted.

The New Zealand Government has now advised that although a ban of products containing asbestos came into force on 1 October through an Order in Council the new prohibition does not affect the importing of asbestos waste to New Zealand from Pacific Island Countries, either under the Basel Convention or the Waigani Convention.

Therefore the New Zealand will continue to allow the importation of asbestos waste for disposal into New Zealand in certain circumstances and when a permit has been issued by the New Zealand Environmental Protection Authority. A range of Pacific Island Countries have exported asbestos waste to New Zealand for safe disposal in the past.

The new Order in Council (asbestos ban) applies to the importing of asbestos-containing products. It does not apply to the importing of asbestos waste for disposal, which is controlled through another Order in Council (the Basel Order).

In response to questions about the policy raised at the annual meeting of the Secretariat for the Pacific Regional Environment Programming, both the Ministry's legal division and that of the Ministry for the Environment have reviewed the two Orders in Council and confirmed they apply to distinct circumstances.

Pacific Island Countries can therefore continue to seek permits from the New Zealand Environmental Protection Authority to export asbestos waste into New Zealand. A link to the New Zealand Minister for the Environment (the Honorable Nick Smith) media release is attached below for your information.

https://www.beehive.govt.nz/release/govt-moves-asbestos-containing-products

Yours faithfully,

Roger Cornforth
Acting Director General

RC/fs