

TO:

Rt Hon. Christopher Luxon, Prime Minister

Hon. Brooke van Velden, Minister for Workplace Relations and Safety

Hon. Simeon Brown, Minister for Health

Hon. Casey Costello, Minister for Customs

Hon. Scott Simpson, Minister for ACC

Hon. David Seymour, Minister for Regulation

Hon. Erica Stanford, Minister for Education

21 November 2025

Dear Prime Minister,

Request for urgent review into regulatory system failures resulting in asbestos-containing products in workplaces, ECEs, and schools

On behalf of the 47 individuals and organisations listed below, we are requesting an urgent, system-wide investigation and review into the significant asbestos regulatory system failures.

These failures have allowed fibre boards¹ and coloured sand products² containing asbestos to be imported into New Zealand and subsequently used in workplaces, schools, early childhood education centres (ECEs), community settings, and private homes.³

Within the space of 4 months there have been two unrelated products, both containing asbestos, that have entered workplaces and education settings, risking unnecessary and dangerous exposure for workers and children to the most well-known occupational health hazard and killer. Asbestos exposure kills approximately 220 people per year.⁴

This represents a profound breach of trust and duty, not just by the individual actors responsible for the manufacturing, importation and distribution of the asbestos containing products, but also in the regulatory systems designed to protect workers and children.

These two examples demonstrate:

- 1) The current regulatory settings are not fit for purpose, and/or
- 2) There has been serious and sustained breakdown across border controls, product assurance, market surveillance, and regulatory oversight.

This has potentially exposed workers and children to a known carcinogen that is strictly prohibited under New Zealand law.

Entry and distribution of asbestos-containing products into the New Zealand market constitutes a clear and alarming failure against the importation ban and the statutory duties imposed by the Health and Safety at Work Act (HSWA). While the Regulators will be considering the legal obligations of the individual actors within this system, it is clear there is also a wider regulatory system design issue that must be addressed.

1 [Fire safety doors response | WorkSafe](#)

2 [Asbestos in coloured sand | WorkSafe](#)

3 Other recent examples of these failures occurring include asbestos being found in new locomotive freight trains ([Asbestos found in new freight trains - NZ Herald](#)) and Great Wall utes ([NZ bypasses recall for asbestos use - NZ Herald](#)).

4 [More must be done to manage asbestos risks | WorkSafe](#)

URGENT REVIEW REQUIRED

Given the legal and public health implications, there should be a broad formal investigation into how the fibre boards and asbestos-containing sand entered New Zealand, including:

- Whether there have been failures in border testing and declarations.
- Whether there have been failures in oversight of import controls and supplier assurance.
- Whether the allocation of roles and responsibilities across cross-government departments and agencies enables and ensures that there are sufficient resourcing, attention, and oversight of the system and the controls in place.
- Whether there have been failures in the monitoring of high-risk products entering the market; and
- Irrespective of the above, whether the system itself has the right level of controls in place to ensure such products do not enter the market.

The review must consider the existing frameworks with a view to improving:

- Border testing procedures.
- Importer and supplier declaration systems.
- Market surveillance and proactive product testing.
- Oversight of high-risk consumer products that enter workplaces.
- Cross-agency collaboration and consistency.
- How asbestos exposure records will be kept;⁵ and
- Whether the assumption in the HSWA regulatory regime that there is no asbestos in the built environment after 2000 can remain.⁶

It is critical that all relevant stakeholders are included in this review, ensuring the voice of occupational health professionals, workers, business, and other impacted communities.

The review must also consider the current settings within the Accident Compensation scheme, including whether those exposed to asbestos will be able to access cover and entitlements should they suffer health consequences in the future arising from their exposure.

EXPECTATIONS AND ACCOUNTABILITY

New Zealanders are entitled to full transparency, accountability, and corrective action. The scale of these failures has allowed banned carcinogenic materials to reach workers and children. This demands swift and decisive intervention at a Ministerial and system-wide level.

⁵ [Asbestos exposure register | WorkSafe](#). We note the exposure register has been closed. Exposure records are vitally important to access treatment and entitlements under the Accident Compensation scheme.

⁶ [Health and Safety at Work \(Asbestos\) Regulations 2016 \(LI 2016/15\) \(as at 30 March 2025\) 19 Application of this subpart – New Zealand Legislation](#)

We therefore request confirmation that:

1. An urgent regulatory review will be initiated.
2. An investigation into system failures will be undertaken; and
3. Indicative timeframes for public reporting will be provided.

Ngā mihi,

<u>ACC Futures Coalition</u>	<u>Kindergartens Aotearoa</u>	Prof Joanne Crawford Workplace Health and Safety, Te Herenga Waka Victoria University of Wellington
Anna Osborne & Sonya Rockhouse	<u>Manufacturing and Construction Workers Union</u>	<u>Public Health Communication Centre Aotearoa (PHCC) University of Otago</u>
<u>Asthma and Respiratory Foundation New Zealand</u>	<u>Maritime Union of New Zealand</u>	<u>Public Service Association</u>
<u>Association of Salaried Medical Specialists Toi Mata Hauora</u>	<u>MinEx</u>	<u>Rail and Maritime Transport Union</u>
Benjamin Alford Aerem Ltd	<u>New Zealand Council of Trade Unions Te Kauae Kaimahi</u>	Rob Campbell CNZM
<u>Construction Health and Safety New Zealand</u>	<u>New Zealand Institute of Safety Management</u>	Ross Wilson
<u>Dairy Workers Union Te Runanga Wai U</u>	<u>New Zealand Kindergartens Te Pūtahi Kura Puhou O Aotearoa</u>	Shopcare
Dave Letele Social Action Advocate	<u>New Zealand Nurses Organisation</u>	<u>Taxpro</u>
Dr Bill Rosenberg	<u>New Zealand Occupational Hygiene Society</u>	<u>Te Akatea New Zealand Māori Principals Association</u>
Dr Chris Peace Workplace Health and Safety, Te Herenga Waka Victoria University of Wellington	<u>New Zealand Pasifika Principals Association</u>	<u>Te Rito Maioha Early Childhood New Zealand</u>
Dr Danaë Anderson Workplace Health and Safety, Te Herenga Waka Victoria University of Wellington	<u>New Zealand Principals' Federation - Ngā Tumauaki o Aotearoa</u>	<u>Tertiary Education Union Te Hautū Kahurangi o Aotearoa</u>
<u>Dr David Galler Intensive Care Specialist</u>	<u>New Zealand Professional Firefighters Union</u>	<u>The Australian and New Zealand Society of Occupational Medicine</u>
Dr Rebbecca Lilley Department of Preventive and Social Medicine, Ōtākou Whakaihu Waka University of Otago	<u>New Zealand School Boards Association</u>	<u>Unite Union</u>
<u>E tū</u>	<u>Ngā Puna Kōhungahunga o Te Kōhao</u>	<u>Whānau Manaaki Kindergarten Association</u>
<u>Faculty of Asbestos Management Australia and New Zealand</u>	<u>Ngā Puna Reo o Aotearoa</u>	<u>Wise Network</u>
<u>Health and Safety Association New Zealand</u>	<u>NZEI Te Riu Roa</u>	<u>Workers First Union</u>
<u>Inspired Kindergartens</u>	<u>Post Primary Teachers Association Te Wehengarua</u>	