



Government  
of South Australia

SafeWork SA

# Guide for applicants

Authorisation to use, handle or store  
prohibited or restricted carcinogens

## Introduction

A PCBU must not use, handle or store a prohibited or restricted carcinogen without authorisation from SafeWork SA. A PCBU also must not direct or allow a worker to use, handle or store a prohibited or restricted carcinogen without authorisation from SafeWork SA.

A PCBU may be an individual, a body corporate, a government agency, each partner in a partnership or an unincorporated association.

It is an offence for an unauthorised person to carry out work where authorisation is required.

The purpose of authorisations in work health and safety is to control work activities and the use of substances that are high risk. Authorisations also provide risk-based information to SafeWork SA so it can apply resources and target compliance and enforcement actions to areas of greatest risk to health and safety.

## List of carcinogens

A person must receive authorisation to use, handle or store a prohibited or restricted carcinogen.

### Prohibited carcinogens

Item	Restricted carcinogenic substance [CAS number]
1	2-Acetylaminofluorene [53-96-3]
2	Aflatoxins
3	4-Aminodiphenyl [92-67-1]
4	Benzidine [92-87-5] and its salts (including benzidine dihydrochloride [531-85-1])
5	bis(Chloromethyl) ether[542-88-1]
6	Chloromethyl methyl ether [107-30-2] (technical grade which contains bis(chloromethyl) ether)
7	4-Dimethylaminoazobenzene [60-11-7] (Dimethyl Yellow)
8	2-Naphthylamine [91-59-8] and its salts
9	4-Nitrodiphenyl [92-93-3]

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### Restricted carcinogens

Item	Restricted carcinogenic substance [CAS number]	Restricted use
1	Acrylonitrile [107-13-1]	All
2	Benzene [71-43-2]	All uses involving benzene as a feedstock containing more than 50% of benzene by volume Genuine research or analysis
3	Cyclophosphamide [50-18-0]	When used in preparation for therapeutic use in hospitals and oncological treatment facilities, and in manufacturing operations Genuine research or analysis
4	3,3'-Dichlorobenzidine [91-94-1] and its salts (including 3,3'-Dichlorobenzidine dihydrochloride [612-83-9])	All
5	Diethyl sulfate [64-67-5]	All
6	Dimethyl sulfate [77-78-1]	All
7	Ethylene dibromide [106-93-4]	When used as a fumigant Genuine research or analysis
8	4,4'-Methylene bis(2-chloroaniline) [101-14-4] MOCA	All
9	3-Propiolactone [57-57-8] (Beta- propiolactone)	All
10	o-Toluidine [95-53-4] and o-Toluidine hydrochloride [636-21-5]	All
11	Vinyl chloride monomer [75-01-4]	All

## Applying for authorisation

A PCBU who intends to use, handle or store a prohibited or restricted carcinogen may apply for authorisation through SafeWork SA. Visit the SafeWork SA website (<http://safework.sa.gov.au>) to download the application form.

Complete the form and attach all relevant documentation including a statement from a competent person verifying the adequacy of the risk management procedures.

A competent person is a person who has acquired through training, qualification or experience the knowledge and skills to carry out the task.

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When completing the form, please quote the annual quantities using:

- g – gram
- kg – kilogram
- t – tonne
- mL – millilitre
- L – Litre
- kL - kilolitre

## Duration of authorisation

The authorisation is of unlimited duration unless cancelled by SafeWork SA (see the [Cancellation section](#) for details).

## Fees

There is no fee applicable for this authorisation.

## Granting/Refusing an authorisation

When making a decision to grant an authorisation SafeWork SA will consider:

- whether a prohibited carcinogen is used, handled or stored for genuine research or analysis
- whether a restricted carcinogen is used, handled or stored for a purpose referred to in the relevant table (see table of [Restricted Carcinogens](#))
- the quantity of carcinogen to be used, handled or stored at the workplace each year, and
- the number of workers that may be exposed to the carcinogen, and
- the risk management procedure that contains hazard identification, risk control and, if elimination or substitution of the carcinogen is not reasonably practicable, the reason why. SafeWork SA requires that the risk management procedure include:
  - storage details
  - process description
  - control measures to prevent exposure
  - maintenance and testing procedures for control measures
  - atmospheric monitoring

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- biological monitoring
  - health surveillance program
  - spill and emergency procedures
  - employee training and information
  - decontamination and waste disposal
- a statement from a competent person verifying the adequacy of the risk management procedures.

SafeWork SA also may request additional information to assist in the decision process.

### Granting of a conditional authorisation

SafeWork SA may impose any condition it considers necessary on an authorisation to achieve the objectives of the Act or Regulations.

### Refusing to grant an authorisation

SafeWork SA must refuse an authorisation if it does not meet the conditions set out in the [Regulations](#) (for example, a prohibited carcinogen will not be used for genuine research or analysis).

A decision to refuse to grant an authorisation to use, handle or store a prohibited or restricted carcinogen is a reviewable decision.

## Obligations

### Changes to information provided

An applicant must notify us in writing of any change to the information provided in the application for authorisation as soon as they become aware of the change.

### Records to be kept

For 30 years after the authorisation ends, the authorisation holder must keep:

- a copy of the authorisation including any conditions imposed, and
- the full name, date of birth and address of any worker likely to be exposed during the period of the authorisation.

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### Statement of exposure

The authorisation holder must give any worker leaving their employment with a written statement detailing:

- the name of the prohibited or restricted carcinogen to which the worker may have been exposed during their engagement
- the time the worker may have been exposed
- how and where the worker may obtain records of the possible exposure, and
- whether the worker should undertake regular health assessments, and the relevant tests to undertake.

### Cancellation

SafeWork SA may cancel an authorisation to use, handle or store a prohibited or restricted carcinogen if satisfied that:

- the person given the authorisation has not complied with a condition of the authorisation, or
- the risk to health and safety of a worker using, handling or storing a prohibited or restricted carcinogen has changed since the authorisation was given.

The decision to cancel an authorisation to use, handle or store a prohibited or restricted carcinogen is a reviewable decision.

### Application for review of decision

The applicant is the eligible person to request a review of a decision to refuse to **grant an authorisation** to use, handle or store a prohibited or restricted carcinogen.

The authorisation holder is the eligible person to request a review of a decision to **cancel an authorisation** to use, handle or store a prohibited or restricted carcinogen.

See the table under [Regulation 676 \(Chapter 11\)](#) which sets out decisions that are reviewable.

### Internal review

An internal review allows an applicant to seek a review of a SafeWork SA decision. An officer who was not involved in the original decision undertakes the review.

The eligible person must lodge their request for a review within 28 days of the day they first became aware of the decision, or a longer period as SafeWork SA allows.

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An application form to request a review of a decision is available on the SafeWork SA website.

The internal reviewer may:

- confirm or vary the reviewable decision, or
- set aside the reviewable decision and substitute another decision that the internal reviewer considers appropriate.

If the reviewable decision is not varied or set aside within 14 days, the reviewable decision is taken to have been confirmed.

SafeWork SA will give the applicant written notice of the decision on the internal review and reasons for the decision within 14 days of making the decision.

An application for an internal review does not affect the operation of the original decision or prevent the taking of any lawful action to implement or enforce the decision.

Once the decision on internal review is made any new decision then takes effect.

### External review

If the applicant or authorisation holder is not satisfied with the decision on internal review, they can apply to the Industrial Relations Court of South Australia for an external review of the decision.

### Legislation

Applicants should be familiar with the contents of the [Work Health and Safety Act 2012 \(SA\)](#) and the [Work Health and Safety Regulations 2012 \(SA\)](#). Links to both documents are available on the [SafeWork SA website](#). Alternatively visit [legislation.sa.gov.au](http://legislation.sa.gov.au).

### Further information

For further information please contact SafeWork SA.

**Visit:** [safework.sa.gov.au](http://safework.sa.gov.au)

**Call:** 1300 365 255

**Email:** [help@safework.sa.gov.au](mailto:help@safework.sa.gov.au)

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