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Refurbishment versus maintenance

Purpose

This Technical Bulletin aims to clarify the difference between the terms 'refurbishment' and 'maintenance' as used in regulation 19(2) of the Health and Safety at Work (Asbestos) Regulations 2016 (the Asbestos Regulations).

Background

Asbestos exposure is the number one workplace killer in New Zealand. Each year around 170 New Zealanders die from asbestos-related diseases, such as mesothelioma and lung cancer.

In 2016 new regulations were introduced with the goal of improving the practices of people working in and around asbestos, leading to a reduction in the number of people exposed to airborne asbestos fibres.

Construction activity such as maintenance, refurbishment or demolition can expose people to airborne asbestos fibres.

The Asbestos Regulations require a business or undertaking to identify asbestos or asbestos-containing materials (ACM) before demolition or refurbishment work on a structure or plant is carried out at a work site*. Maintenance (i.e. minor or routine maintenance work) or other minor work is not included.

This bulletin sets some context around the terms 'demolition', 'refurbishment' and 'maintenance'.

Definitions

We've used to a range of dictionary definitions to settle on the following:

- a. Demolition means 'total or part destruction of a building or structure'.
- b. Refurbishment means 'carrying out work in a building or structure with the emphasis on changing and/or upgrading it'.

- c. Maintenance means 'care and/or upkeep that is planned, routine or urgent that keeps the building or structure in a proper condition or working order'. It is 'incidental work that can be done quickly and safely within minimal control measures required to ensure safety'.

Demolition is distinct from maintenance and refurbishment.

In thinking about whether a job is maintenance or refurbishment, ask yourself what the primary purpose of the work to be carried out is.

Scenarios

Some scenarios have been listed to distinguish between maintenance and refurbishment:

1. Repair of a rotten window frame with similar materials to the original is maintenance.
2. Repairing of a rotten window frame using a new frame with different materials, but the same dimensions is maintenance.
3. Conversion of a window into a ranch slider door, or putting in a new and much larger window is refurbishment.
4. Cutting a small hole into an eave to install a cable is maintenance.
5. Removing and replacing an eave is generally deemed refurbishment.
6. Removing a vinyl tile to install a plumbing fixture is maintenance.
7. Pulling up all the vinyl tiles to replace them is refurbishment.
8. Hand-drilling a few holes into a cement sheet to attach a fitting is maintenance.
9. Removing and replacing a cement sheet is refurbishment.

* if the structure or building was constructed or installed before 1 January 2000, or asbestos has been identified, or asbestos is likely to be present from time to time.