
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 33

**Control of Asbestos at Work
Regulations (Northern Ireland) 2003**

Prevention or reduction of exposure to asbestos

10.—(1) Every employer shall—

- (a) prevent the exposure of his employees to asbestos so far as is reasonably practicable;
- (b) where it is not reasonably practicable to prevent such exposure—
 - (i) reduce the exposure of his employees to asbestos to the lowest level reasonably practicable by measures other than the use of respiratory protective equipment, and
 - (ii) ensure that the number of his employees who are exposed to asbestos is as low as is reasonably practicable.

(2) Without prejudice to the generality of paragraph (1), where employees may be exposed to asbestos in a manufacturing process or in the installation of a product, prevention of such exposure to asbestos shall be achieved, where it is practicable, by substituting for asbestos a substance which, under the conditions of its use, does not create a risk to the health of his employees or creates a lesser risk than that created by asbestos.

(3) Where it is not practicable to avoid the use of asbestos by substitution in accordance with paragraph (2), the measures referred to in paragraph (1)(b)(i) shall include, in order of priority—

- (a) the design and use of appropriate work processes, systems and engineering controls and the provision and use of suitable work equipment and materials in order to avoid or minimise the release of asbestos; and
- (b) the control of exposure at source, including adequate ventilation systems and appropriate organisational measures.

(4) Where, in pursuance of paragraph (1), it is not reasonably practicable to reduce the exposure of an employee to below the control limits which apply to that exposure, then, in addition to taking the measures required by that paragraph, the employer shall provide that employee with suitable respiratory protective equipment which will reduce the concentration of asbestos in the air inhaled by the employee (after taking into account the effect of that respiratory protective equipment) to a concentration which is as low as is reasonably practicable and in any event below those control limits.

(5) Personal protective equipment provided by an employer in accordance with this regulation or regulation 13(1) shall be suitable for the purpose and shall—

- (a) comply with any provision in the Personal Protective Equipment Regulations 2002(1) which is applicable to that item of personal protective equipment; or
- (b) in the case of respiratory protective equipment, where no provision referred to in subparagraph (a) applies, be of a type approved or shall conform to a standard approved, in either case, by the Executive.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) Every employer shall take immediate steps to remedy the situation where the concentration of asbestos in air inhaled by any employee exceeds the relevant control limit.

(7) Where asbestos is used in a work process, or is produced by a work process, the employer shall ensure that the quantity of asbestos and materials containing asbestos at the premises where that work is carried out is reduced to as low a level as is reasonably practicable.