
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 33

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

Interpretation

2.—(1) In these Regulations,—

“action level” means one of the following cumulative exposures to asbestos over a continuous 12-week period when measured or calculated by a method approved by the Executive, namely—

- (a) where the exposure is solely to chrysotile, 72 fibre-hours per millilitre of air;
- (b) where exposure is to any other form of asbestos either alone or in mixtures including mixtures of chrysotile with any other form of asbestos, 48 fibre-hours per millilitre of air; or
- (c) where both types of exposure occur separately during the 12-week period concerned, a proportionate number of fibre-hours per millilitre of air;

“adequate” means adequate having regard only to the nature and degree of exposure to asbestos;

“appointed doctor” means a registered medical practitioner appointed for the time being in writing by the Executive for the purpose of these Regulations;

“approved” means approved for the time being in writing by the Executive;

“asbestos” means the following minerals, that is to say, crocidolite, amosite, chrysotile, fibrous actinolite, fibrous anthophyllite or fibrous tremolite or any mixture containing any of those minerals;

“asbestos area” and “respirator zone” shall be construed in accordance with regulation 17;

“control limit” means one of the following concentrations of asbestos in the atmosphere when measured or calculated by the reference method described in Annex I to Council Directive [83/477/EEC\(1\)](#) or by a method giving equivalent results to that reference method approved by the Executive, namely—

- (a) for chrysotile—
 - (i) 0.3 fibres per millilitre of air averaged over a continuous period of 4 hours,
 - (ii) 0.9 fibres per millilitre of air averaged over a continuous period of 10 minutes;
- (b) for any other form of asbestos either alone or in mixtures including mixtures of chrysotile with any other form of asbestos—
 - (i) 0.2 fibres per millilitre of air averaged over a continuous period of 4 hours,
 - (ii) 0.6 fibres per millilitre of air averaged over a continuous period of 10 minutes;

“control measure” means a measure taken to prevent or reduce exposure to asbestos (including the provision of systems of work and supervision, the cleaning of workplaces, premises,

plant and equipment, the provision and use of engineering controls and personal protective equipment);

“employment medical adviser” means an employment medical adviser appointed under Article 48(3) of the Health and Safety at Work (Northern Ireland) Order 1978;

“the Executive” means the Health and Safety Executive for Northern Ireland;

“ISO 17025” means European Standard EN ISO/IEC 17025, “General requirements for the competence of testing and calibration laboratories” accepted by the Comité Européen de Normalisation and the Comité Européen de Normalisation Electrotechnique (CEN/CENELEC) on 6th December 1999(2), as revised or reissued from time to time;

“medical examination” includes any laboratory tests and X-rays that a relevant doctor may require;

“personal protective equipment” means all equipment (including clothing) which is intended to be worn or held by a person at work and which protects that person against one or more risks to his health, and any addition or accessory designed to meet that objective;

“registered medical practitioner” means a fully registered person within the meaning of the Medical Act 1983(3);

“relevant doctor” means an appointed doctor or an employment medical adviser;

“the risk assessment” means the assessment of risk required by regulation 6(1)(a);

“territorial sea” means the territorial sea of the United Kingdom adjacent to Northern Ireland and “within the territorial sea” includes on, over and under it.

(2) For the purposes of these Regulations, except as specified in regulation 10(4), in determining whether an employee is exposed to asbestos or whether the extent of such exposure exceeds the action level or a relevant control limit, no account shall be taken of respiratory protective equipment which, for the time being, is being worn by that employee.

(2) Reference number EN ISO/IEC 17025: 2000

(3) 1983 c. 54