
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 179

The Control of Asbestos Regulations (Northern Ireland) 2012

PART 2

GENERAL REQUIREMENTS

Air monitoring

19.—(1) Subject to paragraph (2), every employer shall monitor the exposure to asbestos of any employees employed by that employer by measurement of asbestos fibres present in the air—

- (a) at regular intervals; and
- (b) when a change occurs which may affect that exposure.

(2) Paragraph (1) shall not apply where—

- (a) the exposure of an employee is not liable to exceed the control limit; or
- (b) the employer is able to demonstrate by another method of evaluation that the requirements of regulation 11(1) and (5) have been complied with.

(3) The employer shall keep a suitable record of—

- (a) monitoring carried out in accordance with paragraph (1); or
- (b) where it is decided that monitoring is not required because paragraph 2(b) applies, the reason for that decision.

(4) The record required by paragraph (3), or a suitable summary of it, shall be kept—

- (a) in a case where exposure is such that a health record is required to be kept under regulation 22, for at least 40 years; or
- (b) in any other case, for at least 5 years,

from the date of the last entry made in it.

(5) In relation to the record required by paragraph (3), the employer shall—

- (a) on reasonable notice being given, allow an employee access to the personal monitoring record for that employee;
- (b) provide the Executive with copies of such monitoring records as the Executive may require; and
- (c) if that employer ceases to trade, notify the Executive without delay in writing and make available to the Executive all monitoring records kept by that employer.

Changes to legislation:

There are currently no known outstanding effects for the The Control of Asbestos Regulations (Northern Ireland) 2012, Section 19.