

THE SCHEDULE

Regulation 2

AMENDMENTS TO THE PRINCIPAL REGULATIONS

1. In regulation 2(1) for the definitions of “action level” and “control limit” substitute the following definitions—

““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 Health and Safety Commission, namely—

- (a) where the exposure is solely to chrysotile, 96 fibre-hours per millilitre of air; or
- (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;”.

““control limit” means one of the following concentrations of asbestos in the atmosphere when measured or calculated by a method approved by the Health and Safety Commission, namely—

- (a) for chrysotile—
 - (i) 0.5 fibres per millilitre of air averaged over any continuous period of 4 hours,
 - (ii) 1.5 fibres per millilitre of air averaged over any 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 any continuous period of 4 hours,
 - (ii) 0.6 fibres per millilitre of air averaged over any continuous period of 10 minutes;”.

2. In regulation 4(b), for the words “crocidolite or amosite” substitute the words “not chrysotile alone”.

3. In regulation 5(4) for the word “forthwith” substitute the word “regularly”.

4. After regulation 5 there shall be inserted the following regulation—

“Plans of work

5A.—(1) The employer shall not undertake any work with asbestos consisting of the removal of asbestos from any building, structure, plant, or installation or from a ship (including its demolition) unless he has prepared a suitable written plan of work detailing how the work is to be carried out and shall keep that plan at least until the date on which the work to which the plan relates has been completed.

(2) The plan of work made in pursuance of paragraph (1) shall include in particular details of—

- (a) the nature and probable duration of the work;
- (b) the location of the place where the work is to be carried out;
- (c) the methods to be applied where the work involves the handling of asbestos or materials containing asbestos;
- (d) the characteristics of the equipment to be used for—

Status: This is the original version (as it was originally made).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

- (i) protection and decontamination of those carrying out the work,
- (ii) protection of other persons on or near the worksite.”.

5.—(1) In regulation 8 after paragraph (1) insert the following paragraph—

“(1A) Without prejudice to the generality of paragraph (1), where employees may be exposed to asbestos in any manufacturing process or in the installation of any 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.”.

(2) After paragraph (3) of regulation 8 insert the following paragraph—

“(4) If an unforeseen event occurs which results in the escape of asbestos into the workplace at a concentration that is liable to exceed any applicable control limit, the employer shall ensure that—

- (a) only those persons who are responsible for the carrying out of repairs and other necessary work are permitted in the affected area and that those persons are provided with appropriate respiratory protective equipment and protective clothing; and
- (b) employees and other persons who may have been affected by the event are informed of it forthwith.”.

6. In regulation 15(2)(a) for the words “30 years” substitute the words “40 years”.

7. In regulation 16(1) for the words “30 years” substitute the words “40 years”.

8. In regulation 21, for the words “the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1977”(1) substitute the words “the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1989”(2).

(1) S.I. 1977/1232.
(2) S.I. 1989/840.