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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations amend the Asbestos (Prohibitions) Regulations 1992, [S.I. 1992/3067](#) (“the 1992 Regulations”). These Regulations also implement Commission Directive [1999/77/EC](#) of 26th July 1999 adapting to technical progress for the sixth time Annex 1 to Council Directive [76/769/EEC](#) on the approximation of the laws, regulations and administrative provisions of the Member States relating to the restrictions on the marketing and use of certain dangerous substances and preparations (asbestos). The principal provisions are referred to in the following paragraphs.

2. In regulation 2(1) of the 1992 Regulations, a definition of the word “supply” is inserted thereby extending the meaning of that word to cover supply by way of loan, gift, or exchange for a consideration other than money. (Regulation 2(2).)

3. Regulation 3 of the 1992 Regulations is replaced by a new regulation 3 which extends the prohibition on the importation of asbestos to chrysotile. (Regulation 2(3).)

4. Regulation 7 of the 1992 Regulations is replaced by a new regulation 7 which amongst other things prohibits the supply and use of chrysotile asbestos and any product to which chrysotile asbestos has intentionally been added and which was not in use before 24th November 1999. (Regulation 2(6).)

5. Regulation 8 of the 1992 Regulations is amended to enable the Secretary of State for Defence to grant exemptions to specified persons in the interests of national security. (Regulation 2(7).)

6. The Schedule to the 1992 Regulations is replaced by a new Schedule which contains derogations from the provisions of the new regulations 3(2) and 7(1). (Regulation 2(8).)

7. A copy of the regulatory impact assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. Copies have been placed in the Library of each House of Parliament.