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STATUTORY INSTRUMENTS

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**2006 No. 2739**

**The Control of Asbestos Regulations 2006**

**PART 3**

**PROHIBITIONS AND RELATED PROVISIONS**

**Additional provisions in the case of exceptions and exemptions**

**31.—**(1) Where under an exception in Schedule 3 or an exemption granted pursuant to regulation 32 or regulation 33 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 the work is carried out is reduced to as low a level as is reasonably practicable.

(2) Subject to paragraph (3), where under an exception in Schedule 3 or an exemption granted pursuant to regulation 32 or regulation 33 a manufacturing process which gives rise to asbestos dust is carried out in a building, the employer shall ensure that any part of the building in which the process is carried out is—

- (a) so designed and constructed as to facilitate cleaning; and
- (b) is equipped with an adequate and suitable vacuum cleaning system which shall, where reasonably practicable, be a fixed system.

(3) Paragraph 2(a) shall not apply to a building in which, prior to 1st March 1988, there was carried out a process to which either—

- (a) as then in force, regulation 13 of the Asbestos Regulations 1969(1) applied and the process was carried out in compliance with that regulation; or
- (b) that regulation did not apply.