

SCHEDULE 3

Consequential amendments to instruments

PART 3

Safety functions

Control of Asbestos Regulations 2012

145.—(1) The Control of Asbestos Regulations 2012^{M1} are amended as follows.

(2) In Regulation 2 (interpretation)—

(a) for the definition of “enforcing authority” substitute—

““enforcing authority” means the Executive, the Office for Nuclear Regulation, local authority or Office of Rail Regulation determined in accordance with—

- (a) section 18(1A) of the Health and Safety at Work etc. Act 1974;
- (b) the provisions of the Health and Safety (Enforcing Authority) Regulations 1998; and
- (c) the provisions of the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006;”;

(b) after the definition of “relevant doctor” insert—

““relevant nuclear premises” means premises which are, or are on—

- (a) a GB nuclear site (within the meaning given in section 68 of the Energy Act 2013),
- (b) authorised defence site (within the meaning given in regulation 2(1) of the Health and Safety (Enforcing Authority) Regulations 1998),
- (c) a nuclear new build site (within the meaning given in regulation 2A of those Regulations);”.

(3) In regulation 19 (air monitoring)—

(a) in paragraph (5)(b) for “Executive”, in both places in which it occurs, substitute “appropriate authority”;

(b) after paragraph (5) insert—

“(6) In this regulation “the appropriate authority” means—

- (a) in relation to any record which relates to employment wholly or mainly on relevant nuclear premises, the Office for Nuclear Regulation,
- (b) otherwise, the Executive.”.

(4) In regulation 22 (health records and medical surveillance)—

(a) in paragraph (8)(b) for “Executive”, in both places in which it occurs, substitute “appropriate authority”;

(b) after paragraph (8) insert—

“(8A) In paragraph (8) “the appropriate authority” has the same meaning as in regulation 19.”.

(5) In regulation 33 (revocation and savings)—

(a) in paragraph (3) for “Executive” substitute “appropriate authority”;

(b) after paragraph (3) insert—

Changes to legislation: *There are currently no known outstanding effects for the The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014, Paragraph 145. (See end of Document for details)*

- “(4) In this regulation “the appropriate authority” means—
- (a) in any case in which it is the enforcing authority for these Regulations, the Office for Nuclear Regulations;
 - (b) otherwise, the Executive.”.

Marginal Citations

M1 [S.I. 2012/632](#).

Changes to legislation:

There are currently no known outstanding effects for the The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014, Paragraph 145.