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STATUTORY INSTRUMENTS

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**2012 No. 632**

**The Control of Asbestos Regulations 2012**

**PART 3**

**Prohibitions and related provisions**

**Interpretation of prohibitions**

**25.—(1)** In this Part—

“asbestos spraying” means the application by spraying of any material containing asbestos to form a continuous surface coating;

“extraction of asbestos” means the extraction by mining or otherwise of asbestos as the primary product of such extraction, but does not include extraction which produces asbestos as a by-product of the primary activity of extraction; and

“supply” means supply by way of sale, lease, hire, hire-purchase, loan, gift or exchange for a consideration other than money, whether (in all cases) as principal or as agent for another.

(2) Any prohibition imposed on any person by this Part applies only to acts done in the course of a trade, business or other undertaking (whether for profit or not) carried on by that person.

(3) Where in this Part it is stated that asbestos has intentionally been added to a product or is intentionally added, it will be presumed where—

(a) asbestos is present in any product; and

(b) asbestos is not a naturally occurring impurity of that product, or of any component or constituent of that product,

that the asbestos has intentionally been added or is intentionally added, as the case may be, subject to evidence to the contrary being adduced in any proceedings.