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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

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

**28.**—(1) Where under an exemption granted pursuant to regulation 29 or regulation 30 asbestos is used in a work process or is produced by a work process, the employer must 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 exemption granted pursuant to regulation 29 or regulation 30 a manufacturing process which gives rise to asbestos dust is carried out in a building, the employer must 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 must, where reasonably practicable, be a fixed system.

(3) Paragraph (2)(a) does 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<sup>M1</sup> applied and the process was carried out in compliance with that regulation; or
- (b) that regulation did not apply.

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**Marginal Citations**

**M1** S.I. 1969/690 revoked by S.I. 1987/2115.

**Changes to legislation:**

There are currently no known outstanding effects for the The Control of Asbestos Regulations 2012, Section 28.