
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 33

**Control of Asbestos at Work
Regulations (Northern Ireland) 2003**

Air monitoring

18.—(1) Subject to paragraph (2), every employer shall monitor the exposure of his employees to asbestos by measurement of asbestos fibres present in the air—

- (a) at regular intervals; and
- (b) when a change occurs which may affect that exposure.

(2) Paragraph (1) shall not apply where—

- (a) the exposure of an employee is not liable to exceed the action level; or
- (b) the employer is able to demonstrate by another method of evaluation that the requirements of regulation 10(1) have been complied with.

(3) The employer shall keep a suitable record of—

- (a) monitoring carried out in accordance with paragraph (1); and
- (b) where he decides that monitoring is not required because paragraph (2)(b) applies, the reason for that decision.

(4) The record required by paragraph (3), or a suitable summary thereof, shall be kept—

- (a) in a case where exposure is such that a health record is required to be kept under regulation 21, for at least 40 years; or
- (b) in any other case, for at least 5 years,

from the date of the last entry made in it.

(5) In relation to the record required by paragraph (3), the employer shall—

- (a) on reasonable notice being given, allow an employee access to his personal monitoring record;
- (b) provide the Executive with copies of such monitoring records as the Executive may require; and
- (c) if he ceases to trade, notify the Executive forthwith in writing and make available to the Executive all monitoring records kept by him.