
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 414

**The Control of Asbestos (Amendment)
Regulations (Northern Ireland) 2009**

Amendment of the Control of Asbestos Regulations (Northern Ireland) 2007

2. In regulation 8 (*Licensing to work with asbestos*) of the Control of Asbestos Regulations (Northern Ireland) 2007⁽¹⁾, after paragraph (5) insert—

“(5A) The Executive shall not vary the terms of a licence under paragraph (4) or revoke a licence under paragraph (5) unless it has followed the procedure set out in Chapter II of the model rules as if—

- (a) the Executive were an enforcement officer; and
- (b) the variation or revocation were an enforcement action,

for the purposes of those rules.

(5B) Any person aggrieved by a decision of the Executive to vary the terms of a licence under paragraph (4) or revoke a licence under paragraph (5) may appeal against that decision to the Tribunal and Chapter I of the model rules shall apply for the purposes of such an appeal as if—

- (a) the Executive were an Authority;
- (b) the Department were the responsible Department; and
- (c) the variation or revocation were an enforcement action,

for the purposes of those rules.

(5C) For the purposes of paragraphs (5A) and (5B), the model rules are those set out in the Schedule to the Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997⁽²⁾ and for the purposes of paragraph (5B), the Tribunal is a Tribunal appointed in accordance with Chapter I of those model rules.”

(1) S.R. 2007 No. 31, as amended by S.I. 2008/2852 and S.R. 2009 No. 238; revoked in part by S.R. 2007 No. 62, S.I. 2008/2852 and S.R. 2009 No. 227

(2) S.R. 1997 No. 269