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STATUTORY INSTRUMENTS

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**2006 No. 2739**

**The Control of Asbestos Regulations 2006**

**PART 1**

**PRELIMINARY**

**Interpretation**

**2.—(1) In these Regulations—**

“adequate” means adequate having regard only to the nature and degree of exposure to asbestos, and “adequately” shall be construed accordingly;

“appointed doctor” means a registered medical practitioner appointed for the time being in writing by the Executive for the purpose of these Regulations;

“approved” means approved for the time being in writing by the Health and Safety Commission or the Executive as the case may be;

“asbestos” means the following fibrous silicates—

- (a) asbestos actinolite, CAS No 77536-66-4(\*);
- (b) asbestos grunerite (amosite), CAS No 12172-73-5(\*);
- (c) asbestos anthophyllite, CAS No 77536-67-5(\*);
- (d) chrysotile, CAS No 12001-29-5;
- (e) crocidolite, CAS NO 12001-28-4(\*); and
- (f) asbestos tremolite, CAS No 77536-68-6(\*),

and references to “CAS” followed by a numerical sequence are references to CAS Registry Numbers assigned to chemicals by the Chemical Abstracts Service, a division of the American Chemical Society;

“the control limit” means a concentration of asbestos in the atmosphere when measured in accordance with the 1997 WHO recommended method, or by a method giving equivalent results to that method approved by the Health and Safety Commission, of 0.1 fibres per cubic centimetre of air averaged over a continuous period of 4 hours;

“control measure” means a measure taken to prevent or reduce exposure to asbestos (including the provision of systems of work and supervision, the cleaning of workplaces, premises, plant and equipment, and the provision and use of engineering controls and personal protective equipment);

“emergency services” include—

- (a) police, fire, rescue and ambulance services;
- (b) Her Majesty’s Coastguard;

“employment medical adviser” means an employment medical adviser appointed under section 56 of the Health and Safety at Work etc. Act 1974;

“enforcing authority” means the Executive, local authority or Office of Rail Regulation, determined in accordance with the provisions of the Health and Safety (Enforcing Authority) Regulations 1998<sup>(1)</sup> and the provisions of the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006<sup>(2)</sup>;

“the Executive” means the Health and Safety Executive;

“ISO 17020” means European Standard EN ISO/IEC 17020, “General criteria for the operation of various types of bodies performing inspection” as revised or reissued from time to time and accepted by the Comité Européen de Normalisation Electrotechnique (CEN/CENELEC)<sup>(3)</sup>;

“ISO 17025” means European Standard EN ISO/IEC 17025, “General requirements for the competence of testing and calibration laboratories” as revised or reissued from time to time and accepted by the Comité Européen de Normalisation Electrotechnique (CEN/CENELEC)<sup>(4)</sup>;

“medical examination” includes any laboratory tests and X-rays that a relevant doctor may require;

“personal protective equipment” means all equipment (including clothing) which is intended to be worn or held by a person at work and which protects that person against one or more risks to his health, and any addition or accessory designed to meet that objective;

“relevant doctor” means an appointed doctor or an employment medical adviser;

“risk assessment” means the assessment of risk required by regulation 6(1)(a);

“the 1997 WHO recommended method” means the publication “Determination of airborne fibre concentrations. A recommended method, by phase-contrast optical microscopy (membrane filter method)”, WHO (World Health Organisation), Geneva 1997<sup>(5)</sup>.

(2) For the purposes of these Regulations, except in accordance with regulation 11(3) and (5), in determining whether an employee is exposed to asbestos or whether the extent of such exposure exceeds the control limit, no account shall be taken of respiratory protective equipment which, for the time being, is being worn by that employee.

(3) A reference to work with asbestos in these Regulations shall include—

- (a) work which consists of the removal, repair or disturbance of asbestos or materials containing asbestos;
- (b) work which is ancillary to such work; and
- (c) supervision of such work and such ancillary work.

(1) [S.I. 1998/494](#), as amended by [S.I. 1999/2024](#), [S.I. 1999/3232](#), [S.I. 2002/2675](#), [S.I. 2004/3168](#) and [S.I. 2006/557](#).

(2) [S.I. 2006/557](#).

(3) The most recent version is reference number EN ISO/IEC 17020: 2004, accepted by CEN/CENELEC on 15th July 2004.

(4) The most recent version is reference number EN ISO/IEC 17025: 2005, accepted by CEN/CENELEC on 15th March 2005.

(5) ISBN 92 4 154496 1.