
STATUTORY INSTRUMENTS

2006 No. 2739

The Control of Asbestos Regulations 2006

PART 3

PROHIBITIONS AND RELATED PROVISIONS

Interpretation of prohibitions

25.—(1) In this Part —

“asbestos cement” means a material which is predominantly a mixture of cement and chrysotile and which when in a dry state absorbs less than 30% water by weight;

“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 shall not include extraction which produces asbestos as a by-product of the primary activity of extraction;

“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; and

“use” in relation to asbestos or any product to which asbestos has intentionally been added means—

- (a) putting asbestos or any product to which asbestos has intentionally been added to use for the first time; or
- (b) putting asbestos or any product to which asbestos has intentionally been added which has been in use before to a new use.

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

(3) Any prohibition imposed by this Part on the importation into the United Kingdom, or on the supply or use of asbestos shall not apply to the importation, supply or use of asbestos solely for the purposes of research, development or analysis.

(4) 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 thereof,

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.