
STATUTORY INSTRUMENTS

2006 No. 2739

The Control of Asbestos Regulations 2006

PART 4

MISCELLANEOUS

Exemption certificates

32.—(1) Subject to paragraph (4), the Executive may, by a certificate in writing, exempt any person or class of persons or any product containing asbestos or class of such products from all or any of the requirements or prohibitions imposed by regulations 4, 8, 12, 13, 21, 22(5) to (7) and 27 and any such exemption may be granted subject to conditions and to a limit of time and may be varied or revoked by a further certificate in writing at any time.

(2) Subject to paragraph (4) and to the provisions of Council Directive [76/769/EEC](#) on the marketing and use of certain dangerous substances and preparations⁽¹⁾, the Executive may, by a certificate in writing, exempt any person or class of persons or any product containing asbestos or class of such products from the prohibitions imposed by regulations 28(1) and 29(1) and any such exemption may be granted subject to conditions and to a limit of time and may be varied or revoked by a further certificate in writing at any time.

(3) Subject to paragraph (4), the Executive may exempt emergency services from all or any of the requirements or prohibitions imposed by regulations 7 and 9 and any such exemption may be granted subject to conditions and to a limit of time and may be varied or revoked by a further certificate in writing at any time.

(4) The Executive shall not grant any exemption under paragraph (1),(2) or (3) unless having regard to the circumstances of the case and in particular to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactments which apply to the case,

it is satisfied that the health or safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

⁽¹⁾ OJNo. L 262, 27.9.1976, p. 201, relevant amendments are Council Directives [83/478/EEC](#) (OJ No L 263, 24.9.83 p.33 and [85/467/EEC](#) (OJ No L269, 11.10.85 p.56), and Commission Directives [91/659/EEC](#) (OJ No L363, 31.12.91 p.36) and [1999/43/EC](#) (OJ No L207, 6.8.99 p.18).