



Control of Asbestos Regulations 2006

The [Control of Asbestos Regulations 2006](#) came into force on 13 November 2006 (Asbestos Regulations - SI 2006/2737)

These Regulations bring together the three previous sets of Regulations covering the prohibition of asbestos, the control of asbestos at work and asbestos licensing.

The Regulations prohibit the importation, supply and use of all forms of asbestos. They continue the ban introduced for blue and brown asbestos 1985 and for white asbestos in 1999. They also continue the ban the second-hand use of asbestos products such as asbestos cement sheets and asbestos boards and tiles; including panels which have been covered with paint or textured plaster containing asbestos.

REMEMBER: The ban applies to new use of asbestos. If existing asbestos containing materials are in good condition, they may be left in place, their condition monitored and managed to ensure they are not disturbed.

The Asbestos Regulations also include the 'duty to manage asbestos' in non-domestic premises. Guidance on the duty to manage asbestos can be found in the '[Approved Code of Practice The Management of Asbestos in Non-Domestic Premises](#)', L27, ISBN 0 7176 6209 8 and on the [duty to manage](#) area of this website.

The Regulations require mandatory training for anyone liable to be exposed to asbestos fibres at work (see regulation 10). This includes maintenance workers and others who may come into contact with or who may disturb asbestos (eg cable installers) as well as those involved in asbestos removal work.

When work with asbestos or which may disturb asbestos is being carried out, the Asbestos Regulations require employers and the self-employed to prevent exposure to asbestos fibres. Where this is not reasonably practicable, they must make sure that exposure is kept as low as reasonably practicable by measures other than the use of respiratory protective equipment. The spread of asbestos must be prevented. The Regulations specify the work methods and controls that should be used to prevent exposure and spread.

Worker exposure must be below the airborne exposure limit (Control Limit). The Asbestos Regulations have a single Control Limit for all types of asbestos of 0.1 fibres per cm³. A Control Limit is a maximum concentration of asbestos fibres in the air (averaged over any continuous 4 hour period) that must not be exceeded.

In addition, short term exposures must be strictly controlled and worker exposure should not exceed 0.6 fibres per cm³ of air averaged over any continuous 10 minute period using respiratory protective equipment if exposure cannot be reduced sufficiently using other means.

Respiratory protective equipment is an important part of the control regime but it must not be the sole measure used to reduce exposure and should only be used to supplement other measures. Work methods that control the release of fibres such as those detailed in the [Asbestos Essentials task sheets](#) for non-licensed work should be used. Respiratory protective equipment must be suitable, must fit properly and must ensure that worker exposure is reduced as low as is reasonably practicable.

Most asbestos removal work must be undertaken by a licensed contractor but any decision on whether particular work is licensable is based on the risk. Work is only exempt from licensing if:

- the exposure of employees to asbestos fibres is sporadic and of low intensity (but exposure cannot be considered to be sporadic and of low intensity if the concentration of asbestos in the air is liable to exceed 0.6 fibres per cm³ measured over 10 minutes); and
- it is clear from the risk assessment that the exposure of any employee to asbestos will not exceed the control limit; and
- the work involves:
 - short, non-continuous maintenance activities. Work can only be considered as short, non-continuous maintenance activities if any one person carries out work with these materials for less than one hour in a seven-day period. The total time spent by all workers on the work should not exceed a total of two hours. [i]
 - removal of materials in which the asbestos fibres are firmly linked in a matrix, Such materials include: asbestos cement; textured decorative coatings and paints which contain asbestos; articles of bitumen, plastic, resin or rubber which contain asbestos where their thermal or acoustic properties are incidental to their main purpose (eg vinyl floor tiles, electric cables, roofing felt) and other insulation products which may be used at high temperatures but have no insulation purposes, for example gaskets, washers, ropes and seals.
 - encapsulation or sealing of asbestos-containing materials which are in good condition, or
 - air monitoring and control, and the collection and analysis of samples to find out if a specific material contains asbestos.

Under the Asbestos Regulations, anyone carrying out work on asbestos insulation, asbestos coating or asbestos insulating board (AIB) needs a licence issued by HSE unless they meet one of the exemptions above.

REMEMBER: Although you may not need a licence to carry out a particular job, you still need to comply with the rest of the requirements of the Asbestos Regulations.

If the work is licensable you have a number of additional duties. You need to:

- Notify the enforcing authority responsible for the site where you are working (for example HSE or the local authority)
- Designate the work area (see regulation 18 for details)
- Prepare specific asbestos emergency procedures; and
- Pay for your employees to undergo medical surveillance

The Asbestos Regulations require any analysis of the concentration of asbestos in the air to be measured in accordance with the 1997 WHO recommended method.

From 6 April 2007, a clearance certificate for re-occupation may only be issued by a body accredited to do so. At the moment, such accreditation can only be provided by the United Kingdom Accreditation Service ([UKAS](#)).

You can find more details of how to undertake work with asbestos containing materials, the type of controls necessary, what training is required and analytical methods in the following HSE publications

- [Approved Code of Practice Work with Materials containing Asbestos](#), L143, ISBN 0 7176 6206 3
- [Asbestos: the Licensed Contractors Guide](#), HSG 247, ISBN 0 7176 2874 4
- [Asbestos: The analysts' guide for sampling, analysis and clearance procedures](#), HSG 248, ISBN 0 7176 2875 2
- [Asbestos Essentials](#), HSG 210, ISBN 0 71761887 0 (Asbestos Essentials task sheets)

are available on the Asbestos Essentials area of this website).

REMEMBER: You must also comply with other health and safety legislation. [ii]

Notes

- i. It is important that the amount of time you or your employees spend working with asbestos insulation, asbestos coatings or AIB is managed to make sure that these time limits are not exceeded. This includes the time for activities such as building enclosures and cleaning.
- ii. For example, the [Construction \(Design and Management\) Regulations 1994 \(CDM\)](#) The term 'construction' includes demolition, refurbishment, most maintenance activities as well as new build projects. The CDM Regulations place duties on the **client** to appoint a **planning supervisor** (to co-ordinate and manage health and safety during the design and early stages of preparation) and a **principal contractor** (to co-ordinate health and safety issues during the construction work). The **client** should pass any information about asbestos to the **planning supervisor** and the **principal contractor** early enough for any work to be properly planned and any potential risks to be effectively managed. The **principal contractor** should ensure that the risks from asbestos (etc.) are effectively managed during the construction work. This includes ensuring that any such work is properly planned (in a plan of work), is carried out by competent people and monitored to ensure that the work is carried out as in the plan of work. The CDM Regulations are being revised – see www.hse.gov.uk/construction/cdm.htm