
STATUTORY INSTRUMENTS

1999 No. 2373

The Asbestos (Prohibitions) (Amendment) Regulations 1999

Citation and commencement

1. These Regulations may be cited as the Asbestos (Prohibitions) (Amendment) Regulations 1999 and shall come into force on 24th November 1999.

Amendments to the Asbestos (Prohibitions) Regulations 1992

2.—(1) The Asbestos (Prohibitions) Regulations 1992 ^{M1} shall be amended in accordance with the following paragraphs of this regulation.

(2) At the end of regulation 2(1), there shall be added the following definition—

““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.”.

(3) For regulation 3, there shall be substituted the following regulation—

“ Prohibition of the importation of asbestos

3.—(1) The importation into the United Kingdom of crude, fibre, flake, powder or waste amphibole asbestos and of any product containing amphibole asbestos is prohibited and any contravention of this paragraph shall be punishable under the Customs and Excise Management Act 1979 ^{M2} and not as a contravention of a health and safety regulation.

(2) Subject to the provisions of the Schedule to these Regulations, the importation into the United Kingdom of crude, fibre, flake, powder or waste chrysotile and of any product containing chrysotile is prohibited and any contravention of this paragraph shall be punishable under the Customs and Excise Management Act 1979 and not as a contravention of a health and safety regulation.”.

(4) In regulation 4, after the word “supply”, there shall be inserted the words “, other than solely for the purpose of disposal,”.

(5) In regulation 5(2), for the words “containing amphibole asbestos”, there shall be substituted the words “ to which amphibole asbestos has intentionally been added ”.

(6) For regulation 7, there shall be substituted the following regulation—

“7.—(1) Subject to the provisions of the Schedule to these Regulations, no person shall supply or use—

(a) chrysotile; or

(b) any product to which chrysotile has intentionally been added,

unless it was in use before 24th November 1999.

(2) Notwithstanding paragraph (1) above, no person shall use—

(a) asbestos cement;

(b) any board, panel or tile, all or part of which has been painted with paint containing chrysotile; or

(c) any board, panel or tile, all or part of which has been covered in a textured finishing plaster used for decorative purposes and containing chrysotile,

unless it is installed in or forms part of any premises or plant and, before 24th November 1999, it was installed in or formed part of those same premises or that same plant.

(3) Notwithstanding paragraph (1) above, no person shall supply or use any product to which chrysotile has been intentionally added, the supply or use of which was prohibited by these Regulations as in force immediately before 24th November 1999.

(4) Paragraphs (1) to (3) above shall not apply to any activity in connection with the disposal of crude, fibre, flake, powder or waste chrysotile or of any product to which chrysotile has intentionally been added.

(5) In this regulation, "asbestos cement" means a material which is predominantly a mixture of cement and chrysotile and which when in a dry state has a density greater than 1 tonne per cubic metre."

(7) At the end of regulation 8, there shall be added the following paragraphs—

"(3) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing exempt—

(a) Her Majesty's Forces or visiting forces from all or any of the requirements or prohibitions imposed by these Regulations;

(b) any other person connected with the production of or trade in arms, munitions or war materials from all or any of the requirements or prohibitions imposed by regulations 3(2), 7(1), 7(2) and 7(3);

and any such exemption may be granted subject to conditions and to a limit of time.

(4) An exemption granted in accordance with paragraph (3) of this regulation may be varied or revoked at any time by a certificate in writing.

(5) In this regulation, any reference to "visiting forces" is a reference to visiting forces within the meaning of any provision of Part I of the Visiting Forces Act 1952^{M3}."

(8) For the Schedule, there shall be substituted the Schedule set out in the Schedule to these Regulations.

Marginal Citations

M1 S.I. 1992/3067.

M2 1979 c. 2.

M3 1952 c. 67.

24th August 1999

John Prescott
Secretary of State for the Environment,
Transport and the Regions

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Asbestos (Prohibitions) (Amendment) Regulations 1999. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2006/2739 reg. 36\(1\)Sch. 4](#)