
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Control of Asbestos at Work Regulations 1987 (“the principal Regulations”) to implement as respects Great Britain—

- (a) Council Directive No. [91/382/EEC](#) (OJ No. L206, 29.7.91, p. 16) amending Council Directive No. [83/477/EEC](#) (OJ No. L263, 24.9.83, p. 25) on the protection of workers from the risks related to exposure to asbestos at work; and
- (b) Council Directive No. [90/394/EEC](#) (OJ No. L196, 26.7.90, p. 1) on the protection of workers from the risks related to carcinogens at work insofar as that Directive relates to asbestos.

2. The amendments to the principal Regulations are set out in the Schedule to these Regulations.

3. Paragraph 1 of the Schedule to these Regulations amends the definitions of “action level” and “control limit” in regulation 2(1) of the principal Regulations so that in each case there is one value for chrysotile asbestos and a lower value for all other forms of asbestos. Formerly the lower value only applied to crocidolite and amosite asbestos and the higher value for all other forms of asbestos. The action level for chrysotile asbestos is also reduced from 120 to 96 fibre-hours per millilitre of air.

4. Paragraph 3 of the Schedule to these Regulations amends regulation 5(4) of the principal Regulations so as to require that the assessment made under that regulation is reviewed regularly.

5. Regulation 5A of the principal Regulations, which is introduced by paragraph 4 of the Schedule to these Regulations, requires a plan of work to be made where the work concerned entails the removal of asbestos from plant, buildings or other structures.

6. Paragraph 5 of the Schedule to these Regulations introduces a new paragraph 1(A) into regulation 8 of the principal Regulations (prevention or reduction of exposure to asbestos) requiring less hazardous substances to be substituted for asbestos whenever this is practicable. A new paragraph (4) is also inserted in that regulation which specifies the steps to be taken if an unforeseen event occurs which results in the escape of asbestos into the workplace.

7. In addition there are a number of minor or consequential amendments to the principal Regulations.