

Factories (Asbestos) Regulations

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Legislative History

**FACTORIES ACT
(CHAPTER 104, SECTIONS 68, 69, 77 AND 102)**

¹FACTORIES (ASBESTOS) REGULATIONS

¹ The Factories (Asbestos) Regulations were originally made under the 1998 Revised Edition of the Factories Act (Cap. 104). The Act was renamed Workplace Safety and Health Act (Act 7 of 2006) wef 1st March 2006. The Factories (Asbestos) Regulations still remain in force until they are revoked.

Rg 4

REVISED EDITION 1990

(25th March 1992)

[15th May 1980]

PART I

DEFINITIONS, APPLICATION AND GENERAL

Citation

1. These Regulations may be cited as the Factories (Asbestos) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —
 - “asbestos” means crocidolite, amosite, chrysotile, fibrous anthophyllite or a mixture containing any of those minerals;
 - “contract of service” includes an apprenticeship contract or agreement;
 - “employer” means a person who employs another person under a contract of service;
 - “employed”, with its grammatical variations and cognate expressions, means employed under a contract of service;
 - “protective clothing” means overalls, respirators and headgear which shall, when worn, prevent direct contact of asbestos dust with that part of the body which is covered.

Application

- 3.—(1) These Regulations shall apply to every factory in which a process to which these Regulations apply is carried on.
 - (2) These Regulations shall apply to every process involving asbestos or any article composed wholly or partly of asbestos, except a process in connection with which asbestos dust cannot be given off.
 - (3) The provisions of these Regulations are in addition to and not in substitution for or in diminution of other requirements imposed by the Act.

Obligations under Regulations

- 4.—(1) Except in the case of a factory where building operations or works of engineering construction are carried on —
 - (a) every employer (whether or not an occupier) who is undertaking in a factory any process to which these Regulations apply shall comply with the requirements of these Regulations in relation to any person employed by him, any plant or material under his control, and any part of the factory in

which he is carrying on the process or into which asbestos dust in connection with that process is liable to escape;

- (b) every occupier of a factory (whether or not such an employer) where the process is being carried on shall comply with the requirements of regulations 7, 8, 16 and 17 and Part III in relation to any person employed in the factory (other than a person employed by an employer who is undertaking in the factory any process to which these Regulations apply) and any plant or material under his control and any part of the factory in which the process is being carried on or into which asbestos dust in connection with that process is liable to escape; and
- (c) every person who is undertaking in a factory a process to which these Regulations apply and who employs no other person in the carrying on of that process shall comply, for the protection of employed persons working there, with the requirements of these Regulations (other than regulations 8 and 16 to 18) with which he would have to comply if he were the employer of a person doing there the work which he does himself.

(2) In the case of factories where building operations or works of engineering construction are carried on, every contractor and every employer who is undertaking any process to which these Regulations apply shall comply with the requirements of these Regulations in relation to any person employed by him and any person employed there who is liable to be exposed to asbestos dust in connection with any process carried on by the contractor or employer, as the case may be, and in relation to any plant or material under his control and any part of the site where he is carrying on the process or where asbestos dust in connection with that process is liable to escape.

(3) Every person who is employed shall comply with the requirements of such of these Regulations as relate to the performance of or refraining from an act by him.

Contractor, employer, etc, to ascertain whether process in factory involves asbestos

5.—(1) Every contractor, employer, occupier and person upon whom regulation 4(1) and (2) imposes duties shall take reasonable steps to ascertain whether any process undertaken in the factory involves asbestos or any article composed wholly or partly of asbestos.

(2) The steps to be taken under paragraph (1) shall include, where necessary, the analysis and examination of materials or articles involved in the process undertaken.

Notifications

6.—(1) Before a person first begins to undertake any process involving asbestos in a