STATUTORY RULES OF NORTHERN IRELAND

2000 No. 100

HEALTH AND SAFETY

Asbestos (Licensing) (Amendment) Regulations (Northern Ireland) 2000

Made - - - - 20th March 2000

Coming into operation in accordance with regulation 1

The Department of Enterprise, Trade and Investment, being the Department concerned(**1**), in exercise of the powers conferred on it by Article 17(1), (2) and (5) of, and paragraphs 1(1), 3, 7(1), 8, 12(1), 13 and 14(1) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**2**) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1)(**3**) of that Order with the Health and Safety Executive for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:

Citation and commencement

1. –

(1) These Regulations may be cited as the Asbestos (Licensing) (Amendment) Regulations (Northern Ireland) 2000 and, subject to paragraph (2), shall come into operation on 2nd May 2000.

(2) Paragraphs (2), (3), (4)(*a*), (5)(*b*), (6) and (7) of regulation 2 and the Schedule to these Regulations shall come into operation on 1st August 2000.

Amendment of the Asbestos (Licensing) Regulations (Northern Ireland) 1984

2. –

(1) The Asbestos (Licensing) Regulations (Northern Ireland) 1984(**4**) shall be amended in accordance with the following paragraphs.

(2) In paragraph (1) of regulation 2–

(a) in the definition of "asbestos insulating board" for the words "which mixture when in a dry state has a density greater than 500 kilograms per cubic metre" there shall be substituted—

"except—

(**1**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)

(**2**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1)_ were extended by S.I. 1992/1728 (N.I. 17), Article 3(1). Article 47A was inserted by Article 3, and Article 2 was amended by Articles 4 and 8, of S.I. 1997/1774 (N.I. 16)

(**3**) Article 46(1) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18

(**4**) S.R. 1984 No. 205; relevant amending Regulations are S.R. 1999 No. 150, regulation 2 and the Schedule

(a) asbestos cement; or

(b) any article of bitumen, plastic, resin or rubber which contains asbestos, and the thermal or acoustic properties of which are incidental to its main purpose";

(b) after the definition of "the Executive" there shall be inserted the following definitions—

""territorial waters" means United Kingdom territorial waters adjacent to Northern Ireland and "within territorial waters" includes on, over and under them;

"work with asbestos insulating board" means—

(a) work which consists of the removal, repair or disturbance of asbestos insulating board;

(b) work which is ancillary to such work; and

(c) supervising work referred to in sub-paragraphs (*a*) or (*b*);"; and

(c) for the definition of "work with asbestos insulation or asbestos coating" there shall be substituted the following definition—

""work with asbestos insulation or asbestos coating" means—

(a) work which consists of the removal, repair or disturbance of asbestos insulation or asbestos coating;

(b) work which is ancillary to such work; and

(c) supervising work referred to in sub-paragraphs (*a*) or (*b*).".

(3) In paragraphs (1) and (2)(*a*)(i) of regulation 3, after the word "coating", there shall be inserted "or work with asbestos insulating board".

(4) In regulation 4—

(a) in paragraph (1), after the word "coating" there shall be inserted "or work with asbestos insulating board"; and

(b) for paragraph (4) there shall be substituted the following paragraph—

"(4) The Executive may revoke a licence if it considers it appropriate to do so.".

(5) In regulation 5—

(a) in paragraph (1), for the number "28" there shall be substituted "14"; and

(b) in paragraph (3), after the words "work with asbestos insulation or asbestos coating" there shall be inserted "or work with asbestos insulating board".

(6) After regulation 7 there shall be added the following regulation–

"**Application within territorial waters**

8. Within territorial waters these Regulations shall apply only to or in relation to the premises and activities to which any of paragraphs 2 to 6 of the Schedule applies.".

(7) There shall be added the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 20th March 2000.

Adrianne L. Brown
A senior officer of the
Department of Enterprise, Trade and Investment