

Statutory Instrument 1988 No. 711

The Asbestos (Prohibitions) (Amendment) Regulations 1988

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STATUTORY INSTRUMENTS

1988 No. 711

HEALTH AND SAFETY

The Asbestos (Prohibitions) (Amendment) Regulations 1988

<i>Made</i>	<i>8th April 1988</i>
<i>Laid before Parliament</i>	<i>19th April 1988</i>
<i>Coming into force</i>	<i>11th May 1988</i>

The Secretary of State in the exercise of the powers conferred on him by section 15(1) and (2) of, and paragraph 1(1)(b) of Schedule 3 to, the Health and Safety at Work etc. Act 1974^[1] ("the 1974 Act"), and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Asbestos (Prohibitions) (Amendment) Regulations 1988 and shall come into force on 11th May 1988.

(2) In these Regulations "the principal Regulations" means the Asbestos (Prohibitions) Regulations 1985^[2].

Amendments to the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 6, renumber regulation 6 of the principal Regulations as "6.—(1)" and insert the following new paragraph as paragraph (2)—

" (2) No person shall supply any paint or other composition which is intended to be used for asbestos spraying."

(3) After regulation 7, insert the following new regulation as regulation 7A—

"Prohibition of the supply and application of any paint or varnish containing asbestos for use at work

7A.—(1) No person shall supply as a substance for use at work or undertake to apply any paint or varnish which contains asbestos.

(2) Paragraph (1) of this regulation shall not apply to the supply of any bituminous composition containing less than 10 per cent by weight of asbestos which is intended to be applied by spraying to motor vehicles for the purpose of undersealing or to the application of any such product when so used."

Signed by order of the Secretary of State.

Patrick Nicholls

Parliamentary Under Secretary of State, Department of Employment

8th April 1988

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement, as respects Great Britain, Council Directive No. 85/610/EEC (OJ No. L375, 31.12.85, p.1) which amends Council Directive No. 76/769/EEC (OJ No. L262, 27.9.76, p.201) on the marketing and use of asbestos. They do so by amending the Asbestos (Prohibitions) Regulations 1985 (S.I. 1985/910).

The Regulations prohibit—

- (a) the supply of any paint or other composition intended to be used in asbestos spraying (regulation 2(2)); and
- (b) the supply or use at work of any paint or varnish containing asbestos, except where it is intended to be applied by spraying to motor vehicles for undersealing or where it is so used (regulation 2(3)).

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Notes:

[1] 1974 c. 37; sections 15 and 50 were amended by Schedule 15 of the Employment Protection Act 1975 (c. 71), paragraphs 6 and 16 respectively.
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[2] S.I. 1985/910. [back](#)

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