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Exemptions:

PUBLIC CONSULTATION ON THE ASBESTOS REGULATIONS

Dear Member

You may wish to be aware of this consultation.

NOTIFICATION OF THE HEALTH AND SAFETY EXECUTIVE'S (HSE) PUBLIC CONSULTATION ON PROPOSALS TO INTRODUCE REVISED CONTROL OF ASBESTOS REGULATIONS

This consultation which runs from 5 September to 4 November sets out HSE's proposals to introduce revised Control of Asbestos Regulations to implement changes required to comply with the European Commission's reasoned opinion on the UK Government's transposition of Directive 83/477/EEC as amended by 2003/18/EC on the protection of workers from the risks of exposure to asbestos at work.

The reasoned opinion confirms the European Commission's view that the UK has not fully implemented Article 3(3) of the Directive which provides for the exemption of some types of lower risk work with asbestos from three requirements of the Directive: notification of work; medical examinations; and record keeping.

The required changes mean in future fewer types of lower risk work will be exempt from the three requirements. Those likely to be affected are employers (including the self employed) who are liable to carry out short duration work on plant and equipment or buildings which contain asbestos materials and those who procure such work.

Views are sought on: the proposals; the guidance to be produced to explain how the changes will work in practice; and the impact on business.

The consultative document and the online questionnaire are available at:
<http://www.hse.gov.uk/consult/condocs/cd237.htm>

The consultation will last for 9 weeks closing on **4 November 2011**, by which all responses must be received.

Please note this consultation only applies to Great Britain; Northern Ireland is not included.

Issue: Does the WATCH Committee wish to send a joint response?

Timing Considerations: Closing date for public comment 4 November 2011

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