

## **The Control of Asbestos at Work Regulations 2002 – “Duty to Manage”**

The Regulations came into force on 21 November 2002, re-enacting with modifications the 1987 Regulations.

Regulation 4 of the 2002 Regulations, which came into effect on 21 May 2004, introduced a new “duty to manage” asbestos which applies to all non-domestic premises including places of worship. The person on whom this duty is placed, known as the “duty holder”, is the person in control of maintenance activities on the premises.

The duty to manage asbestos requires duty holders to:

- Take reasonable steps to ensure that a suitable and sufficient assessment is carried out to determine whether asbestos is or is likely to be present in the premises
- Presume that materials contain asbestos unless there is strong evidence to the contrary
- Keep an up to date record of the assessment and review if necessary
- Determine the risks associated with any asbestos
- Prepare a written management plan identifying the parts of the premises concerned and how the risks are to be managed by labelling, protection or removal etc
- Review the management plan

Ensure that information on the location and condition of asbestos is made available to anyone likely to work or disturb it

### **For further information :**

[www.churchcare.co.uk](http://www.churchcare.co.uk)

The Control of Asbestos at Work Regulations 2002 (Statutory Instrument 2002 No. 2675) is available from the Stationery Office and can be downloaded from the website, [www.hms.o.gov.uk](http://www.hms.o.gov.uk)

The approved Code of Practice and Guidance in connection with Regulation 4 of the Control of Asbestos at Work Regulations 2002 is contained in the publication L127 The Management of Asbestos in Non-domestic Premises, available from HSE Books (tel. 01787 881165)

“A Short Guide to Managing Asbestos in Premises” is also available from HSE Books (tel. 01787 881165)