STATUTORY INSTRUMENTS

2026 No. 1153

HEALTH AND SAFETY

The Control of Asbestos (Amendment etc.) Regulations 2026

Made - - - -	*2nd November 2026*
Laid before Parliament	*3rd November 2026*
Coming into force in accordance with regulation 1(2) and (3)	

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 15(1), (2), (4), (5), (6)(b) and (9), 18(2) and 82(3)(a) of, and paragraphs 1(1), (2) and (4), 4(1), 6, 8 to 11, 13(1) and (3), 14, 15(1), 16 and 20 of Schedule 3 to, the Health and Safety at Work etc. Act 1974 ("the 1974 Act")(**a**).

The Secretary of State has consulted the Health and Safety Executive(**b**), the Office for Nuclear Regulation and such other bodies as appear to the Secretary of State to be appropriate in accordance with section 50(1) and (1AA) of the 1974 Act(**c**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Control of Asbestos (Amendment etc.) Regulations 2026.

(2) Subject to paragraph (3), these Regulations come into force on 25th November 2026.

(3) Regulation 2(2) comes into force on 25th November 2027.

(4) These Regulations extend to England and Wales and Scotland.

Amendment of the Control of Asbestos Regulations 2012

2.—(1) The Control of Asbestos Regulations 2012(**d**) are amended as follows.

(2) For regulation 20 (standards for air testing and site clearance certification), substitute—

"Standards for air testing and site clearance certification

20.—(1) Subject to paragraph (2), every employer—

(**a**) 1974 c. 37. Section 15(1) was substituted by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 6 and amended by S.I. 2002/794. Section 15(2) was amended by the Energy Act 2013 (c. 32), Schedule 12, paragraph 5(3). Section 15(4) was amended by S.I. 2008/960. Section 18(2) was amended by the Energy Act 2013, Schedule 12, paragraph 6(3). There are other amendments but none are relevant.

(**b**) Section 10(1) of the 1974 Act provides that the Health and Safety Executive is referred to as the Executive in that Act.

(**c**) Section 50 was amended by S.I. 2008/960 and the Energy Act 2013, Schedule 12, paragraph 11(1) and (2).

(**d**) S.I. 2012/632, amended by S.S.I. 2013/119, S.I. 2014/469, 2015/1682, 2018/390 and 2019/696. There are other amendments but none are relevant.

(a) who carries out any measurement of the concentration of asbestos fibres present in the air must ensure that criteria are met which are equivalent to those set out in the paragraphs of ISO 17025 which relate to the specified matters;

(b) who requests a person to carry out any measurement of the concentration of asbestos fibres present in the air must ensure that that person is accredited by an appropriate body as competent to perform work in compliance with ISO 17025.

(2) Paragraph (1) does not apply to work carried out in a laboratory for the purposes only of research.

(3) Subject to paragraph (4), a person who appoints another person to assess whether premises or parts of premises where work with asbestos has been carried out—

(a) have been thoroughly cleaned upon completion of that work in accordance with regulation 17(b);

(b) are suitable for reoccupation such that a site clearance certificate for reoccupation can be issued,

must ensure that the appointed person is accredited by an appropriate body as competent to perform work in compliance with the paragraphs of ISO 17020 and ISO 17025 which relate to the specified matters.

(4) A person cannot be appointed to carry out an assessment under paragraph (3) by the employer who was required to ensure the premises or parts of premises were thoroughly cleaned in accordance with regulation 17(b).

(5) In this regulation—

"site clearance certificate for reoccupation" means a certificate issued to confirm that premises or parts of premises where work with asbestos has been carried out have been thoroughly cleaned upon completion of that work in accordance with regulation 17(b);

"specified matters" means organisation, quality systems, control of records, personnel, accommodation and environmental conditions, test and calibration methods, method validation, equipment, handling of test and calibration items, and reporting results.".

(3) In regulation 31 (extension outside Great Britain), for "the Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 2001" substitute "the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2013(**a**)".

(4) In Schedule 3, omit the entry for the Construction (Design and Management) Regulations 2007(**b**).

Signed by authority of the Secretary of State for Work and Pensions

Stephen Timms
Minister of State
Department for Work and Pensions

2nd November 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Control of Asbestos Regulations 2012 (S.I. 2012/632) ("the 2012 Regulations") to introduce a requirement that the assessment of the cleanliness of the premises, where work relating to asbestos has been carried out, is undertaken by a person who is appointed independently of the person who carried out the work relating to asbestos on those premises.

(**a**) S.I. 2013/240, amended by S.I. 2026/184.
(**b**) S.I. 2007/320, revoked by S.I. 2015/51.

Regulation 2(2) substitutes regulation 20 of the 2012 Regulations with new regulation 20. This includes the new provision that the employer who is required by regulation 17 of the 2012 Regulations to ensure the premises were cleaned is prohibited from appointing the person carrying out the assessment, but in other respects this provision remains substantively the same.

Regulation 2(2) comes into force on 25th November 2027 with the consequence that the requirements in the 2012 Regulations prior to their amendment by regulation 2(2) continue to apply until 25th November 2027. This means that the employer who carried out the work relating to asbestos on premises can continue to appoint another person to assess the cleanliness of those premises until that date.

Regulation 2(3) and (4) makes consequential provision to update and remove redundant references in the 2012 Regulations to other statutory instruments.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

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