



STATUTORY INSTRUMENTS.

S.I. No. 632 of 2025

SAFETY, HEALTH AND WELFARE AT WORK (EXPOSURE TO
ASBESTOS) (AMENDMENT) REGULATIONS 2025

SAFETY, HEALTH AND WELFARE AT WORK (EXPOSURE TO ASBESTOS) (AMENDMENT) REGULATIONS 2025

I, ALAN DILLON, Minister of State at the Department of Enterprise, Tourism and Employment, in exercise of the powers conferred on me by section 58 of the Safety, Health and Welfare at Work Act 2005 (no. 10 of 2005) (as adapted by the Business, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 519 of 2020) and the Enterprise, Tourism and Employment (Delegation of Ministerial Functions) Order 2025 (S.I. No. 240/2025)), and for the purpose of giving effect to Directive (EU) 2023/2668 of the European Parliament and of the Council, and after consultation with the Health and Safety Authority, hereby make the following regulations:

1. These Regulations may be cited as the Safety, Health and Welfare at Work (Exposure to Asbestos) (Amendment) Regulations 2025.

2. The Principal Regulations, the Regulations of 2010 and these Regulations may be cited together as the Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2025.

3. These Regulations come into operation on 21 12 2025.

4. In these Regulations—

“Principal Regulations” means the Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 (S.I. No. 386/2006)

“Regulations of 2010” means the Safety, Health and Welfare at Work (Exposure to Asbestos) (Amendment) Regulations 2010 (S.I. No. 589/2010).

5. The “Arrangement of Regulations” section of the Principal Regulations is amended by the insertion between “Schedule 6 Occupational Health Register” and “S.I. No. 386 of 2006” of the following:

‘Schedule 7

Minimum Requirements with Regard to Content
Duration and Frequency of Training and Information

6. Regulation 2 (as amended by Regulation 3 (a) of the Regulations of 2010) of the Principal Regulations is amended as follows:

(1) by the insertion between ““Authority” means the Health and Safety Authority’ and ““Directive” means ...’ of the following:

““Code of Practice” means, for the purposes of these Regulations, a code of practice prepared and published under section 60 of the Act, including part of such code, and refers to the latest edition published;’

(2) by the removal of the following:

‘;

“WHO method of 1997” means the publication “Determination of airborne fibre concentration. A recommended method, by phase-contrast optical microscopy (membrane filter method), WHO (World Health Organisation), Geneva 1997”

7. Regulation 3 of the Principal Regulations is replaced by the following:

‘Application

(1) These Regulations apply to activities in which employees are or are likely to be exposed to dust arising from either or both asbestos and materials containing asbestos during their work and, accordingly, no person shall be employed in such activities in contravention of these Regulations.

(2) Notwithstanding the provisions contained in these regulations, the provisions of the Act, the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 (S.I. No. 619 of 2001), as amended from time to time, and the Safety, Health and Welfare at Work (Carcinogens, Mutagens and Reprotoxic Substances) Regulations 2024 (S.I. No. 122 of 2024), as amended from time to time, apply wherever they are more favourable to the health and safety of workers at work.’

8. Regulation 4 of the Principal Regulations is replaced by the following:

‘Duty of employer to non-employee workers

Where duties, however expressed, are placed by these Regulations on an employer in respect of any of his or her employees at a place of work he or she shall be under a like duty in respect of every other person at work at that place of work who is or may be exposed at that place to dust arising from asbestos or materials containing asbestos as defined by Regulation 2 (1) of the Principal Regulations except that the duties under Regulation 16 (except where those persons are present where the work is being carried out) and Regulations 17 to 23 of the Principal Regulations shall not apply to any person or persons who are not employees of the employer.’

9. Regulation 5 of the Principal Regulations is amended as follows:

(1) Paragraph 5 (a) is replaced by the following:

- ‘(a) to assess the risk to any employee's health or safety resulting from any activity from which an employee is or may be exposed in their place of work to dust arising from either, or both, asbestos and materials containing asbestos, and to do so in such a manner as to:
 - (i) determine the nature and degree of any employee's exposure to dust arising from asbestos or materials containing asbestos,
 - (ii) prioritise removal of asbestos or other materials containing asbestos over other forms of asbestos handling, and
 - (iii) lay down the necessary measures to be taken to ensure the safety and health of employees taking account of the provisions laid down in Schedule 2,’

(2) Paragraph 5 (b) is replaced by the following:

- ‘(b) where an employee's exposure is sporadic and of low intensity, and when it is clear from the results of the risk assessment referred to in paragraph (a) that the exposure limit value laid down in the Code of Practice will not be exceeded in the air of the working area, and where the work involves:
 - (a) short, non-continuous maintenance activities in which only non-friable materials are handled; or
 - (b) removal without deterioration of non-degraded materials in which the asbestos fibres are firmly linked in a matrix; or
 - (c) air monitoring and control, and the collection of samples to ascertain whether a specific material contains asbestos

Regulation 11 shall not apply.’

10. Regulation 6 of the Principal Regulations is replaced by the following:

‘Exposure limit value

Every employer shall ensure that no employee is exposed to an airborne concentration of asbestos in excess of the exposure limit values laid down in the Code of Practice’

11. Regulation 9 of the Principal Regulations is amended as follows:

(1) Paragraph (1) is replaced by the following:

- ‘(1) For all activities referred to in Regulation 3 where there is or is likely to be an exposure of employees at the place of work to dust arising from either or both asbestos or materials containing asbestos, the employer concerned shall reduce such exposure to a minimum and in any case to as low a level as is technically possible below the exposure limit value laid

down in the Code of Practice, in particular through the measures laid down in paragraph (2).’

(2) Subparagraphs (b), (c), (d) and (e) of paragraph (2) are replaced by the following:

- ‘(b) design work processes and systems of work so as not to produce asbestos dust, or if that proves to be impossible, to avoid the release of asbestos dust into the air by taking measures such as:
 - (i) Asbestos dust suppression;
 - (ii) The suction of asbestos dust at source;
 - (iii) The continuous sedimentation of asbestos fibres suspended in the air;
- (ba) subject workers to an appropriate decontamination procedure;
- (bb) ensure adequate protection for work carried out under confinement;
- (c) ensure that all premises and equipment involved in the treatment of asbestos shall be capable of being regularly and effectively cleaned and maintained and subject to regular cleaning and maintenance;
- (d) ensure that all asbestos or dust-generating materials containing asbestos shall be stored and transported in suitable sealed packaging;
- (e) ensure that waste, other than waste arising from mining activities, shall be collected and removed from the place of work as soon as possible in suitable sealed packaging with labels indicating that it contains asbestos and then dealt with in accordance with Directive 2008/98/EC of the European Parliament and Council [FN 6].’

And by the introduction of the following footnote thereto:

*6 Directive 2008/98/EC of the European Parliament and Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22, 11, 2008, p.3).’

(3) The introductory part of paragraph (3) is replaced by the following:

‘(3) Notwithstanding the provisions of paragraphs (1) and (2) where employees are or may be exposed in the course of their work to dust arising from asbestos or materials containing asbestos, employers shall implement the measures identified at Schedule 2 and other appropriate measures to – ,

(4) Paragraph (4) is replaced by the following:

‘(4) Nothing in paragraph 2 (e) shall be construed as restricting the Waste Management (Movement of Hazardous Waste) Regulations 1998 (S.I. No. 147 of 1998), as amended, in their application to the disposal of asbestos dust and fibres in relation to mining activities.’

12. Paragraphs (1), (2) and (3) of Regulation 10 (as amended by Regulation 3 (b) of the Regulations of 2010) of the Principal Regulations are replaced by the following:

‘(1) Where an initial assessment under Regulation 8 determines that the amount of asbestos fibres in the air at a place of work is equal to or greater than the exposure limit value laid down in the Code of Practice, the measurement of asbestos in the air at the place of work shall be carried out at regular intervals during specific operational phases.

(2) For the purposes of measuring asbestos in the air-

- (a) sampling shall reflect the personal exposure of the worker to dust arising from asbestos or materials containing asbestos;
- (b) sampling shall be carried out after the employer has consulted with the workers and/or their representatives within the undertaking or establishment;
- (c) sampling shall be carried out by a person, deemed to be a competent person in accordance with the provisions of section 2 (2) of the Act;
- (d) the samples taken shall be subsequently analysed, by a person, deemed to be a competent person in accordance with the provisions of section 2 (2) of the Act, in accordance with subparagraph (f), in laboratories equipped for fibre counting;
- (e) the duration of sampling shall be such that representative exposure can be established for an 8-hour reference period (one shift) by means of measurements or time-weighted average calculations;
- (f) fibre counting shall be carried out by electron microscopy or by any alternative method that provides equivalent or more accurate results.

(3) For the purpose of measuring asbestos fibres in the air, the measurements are laid down in the Code of Practice.’

13. Paragraphs (1) and (2) of Regulation 11 of the Principal Regulations are replaced by the following:

‘(1) (a) Subject to Regulation 5 (b), an employer shall not carry on an activity which would expose or would be liable to expose an employee to dust arising from asbestos or materials containing asbestos unless he or she has:

- (i) provided certificates indicating the completion of training in accordance with Regulation 17,
- (ii) prepared a written notification comprising details of matters specified in Schedule 3,
- (iii) submitted the said written notification, together with a copy of the plan of work referred to in paragraph (1) of Regulation 15 and risk assessment referred to in paragraph

(1) of Regulation 8, so that it is received by the Authority not less than 10 days before commencing the activity, or before such shorter period as the Authority, at its discretion, may agree in writing, and

(iv) received a permit number from the Authority, before starting the work.

(b) The Authority shall establish and cause to be maintained a list of persons and undertakings that have obtained a permit number pursuant to paragraph 1 and such list shall be publicly available.

(2) Where an employer has notified work in accordance with paragraph (1) (a) and there is a material change in the nature of that work which might affect the particulars so notified (including the cessation of the work), the employer shall notify the Authority in writing of that change.'

14. Paragraph (1) of Regulation 12 of the Principal Regulations is replaced by the following:

'(1) Before beginning demolition, maintenance or renovation work on premises built before 31 December 2004, employers shall take all necessary steps to identify presumed materials containing asbestos, in particular by obtaining information from the owners of premises, from other employers and from other sources, including relevant registers. If such information is not available, the employer shall ensure a survey by a person, deemed to be a competent person in accordance with the provisions of section 2 (2) of the Act, of the occurrence of materials containing asbestos and shall obtain the result of such survey before the start of the work. The employer shall make available to another employer, upon request and solely for the purpose of complying with the obligation laid down in this paragraph, any information obtained within the framework of such a survey.'

15. Regulation 13 of the Principal Regulations is amended as follows:

(1) Paragraph (1) is replaced by the following:

'(1) Where the exposure limit value laid down in the Code of Practice is exceeded, or if there is reason to believe that materials containing asbestos which are not identified prior to the work commencing have been disturbed so as to generate dust, employers shall ensure that work stops immediately.

Where the exposure limit value laid down in the Code of Practice is exceeded, employers shall identify the reasons for the limit value being exceeded and shall take appropriate measures to remedy the situation as soon as possible.'

(2) Paragraphs (4) and (5) are replaced by the following:

'(4) Where exposure cannot be reduced by other means and where compliance with the exposure limit value laid down in the Code of Practice

makes necessary the wearing of individual respiratory protective equipment, this shall not be permanent and shall be kept to the strict minimum necessary for each employee.

(5) During periods of work which require the use of such equipment, the employer shall make provision for regular breaks appropriate to the physical and climatological conditions and, where relevant, in consultation with the employees concerned or their representatives at the place of work or both.'

16. Regulation 14 of the Principal Regulations is amended as follows:

(1) The introductory part of paragraph 14 (1) is replaced by the following:

'Where at any place it is foreseeable that, as a result of certain activities such as demolition, removal, repairing and maintenance, the concentration of asbestos in the air will be in excess of the exposure limit value laid down in the Code of Practice, despite the use of all possible technical preventive measures for limiting asbestos in air concentrations, the employer shall before the activity is carried out, determine and implement the measures which are necessary to ensure protection of the employees from such asbestos in the air while they are engaged in such activities and, in particular, shall –'

(2) Paragraph 14 (1) (a) is replaced by the following:

'(a) issue those employees with suitable personal protective equipment to be worn, which shall be appropriately handled and, in particular with regard to respiratory equipment, which shall be individually adjusted, including through fit testing, in accordance with Council Directive 89/656/EEC[FN 7];'

And by the introduction of the following footnote thereto:

*7 Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 18)'

(3) Paragraph 14 (1) (c) is replaced by the following:

'(c) ensure that the spread of dust arising from asbestos or materials containing asbestos outside the premises or site of action shall be prevented, and for work performed under confinement, the enclosure shall be sealed and under mechanical extraction ventilation.'

17. Paragraph (10) of Regulation 15 of the Principal Regulations (as amended by Regulation 3 (d) of the Regulations of 2010) is replaced by the following:

'(10) When asbestos work including demolition or asbestos removal work has been completed the employer who has carried out such work shall

obtain written verification of the absence of risks of exposure to asbestos at the place of work, otherwise known as ‘site clearance for reoccupation’, before other activities resume.’

18. Paragraph (1) of Regulation 16 of the Principal Regulations is replaced by the following:

‘(1) A person shall, before carrying out asbestos work which includes asbestos demolition or removal, provide evidence of their ability to perform such work to the person for whom the work is being carried out and, on request, to an inspector.’

19. Regulation 17 of the Principal Regulations is amended as follows:

(1) The introduction part of paragraph 17 (2) (as amended by Regulation 3 (e) of the Regulations of 2010) is replaced by the following:

‘The content of training and information referred to in paragraph (1) shall be easily understandable to employees and shall enable employees to acquire the necessary knowledge and skills as regards prevention and safety, particularly in regard to –’

(2) Paragraph 17 (3) is replaced by the following:

‘(3) The minimum requirements with regard to content, duration and frequency of training and information required under paragraph (1) are specified in Schedule 7’

(3) The introduction part of paragraph 17 (4) is replaced by the following:

‘(4) In addition to the measures set down in paragraph (1) employers shall ensure that –’

(4) Paragraph 17 (7) is replaced by the following:

‘(7) Every employer shall take account of any relevant guidelines published by the European Community when providing training for his or her employees engaged in work with asbestos or materials containing asbestos.’

20. The introductory part of Regulation 20 (1) of the Principal Regulations is replaced by the following:

‘Without prejudice to the provisions of Section 22 of the Act, where employees are engaged in activities at a place of work where they are or may be exposed in the course of their work to dust arising from asbestos or materials containing asbestos, the employer concerned shall ensure that –’

21. Regulation 24 of the Principal Regulations is replaced by the following:

‘Register of Asbestos-Related Occupational Diseases

(1) The Authority shall establish and cause to be maintained a register, to be known as the "Register of Asbestos-Related Occupational Diseases", of all cases of medically diagnosed asbestos-related occupational diseases which have been reported to the Authority in accordance with paragraph (2).

(2) Where a registered medical practitioner becomes aware of a case of an Asbestos-Related Occupational Disease, he or she shall report that fact to the Authority in writing and it shall be the duty of a person designated by the Authority under Section 63 of the Act to accept the report on behalf of the Authority and record an entry in the Register accordingly.

(3) An indicative list of diseases that can be caused by exposure to asbestos is set out in Schedule 5 Part B.'

22. Regulation 25 (1) of the Principal Regulations is replaced by the following:

‘(1) Where activities are carried out in which employees are or may be exposed in the course of their work to dust arising from asbestos or materials containing asbestos or a health assessment has been made under Regulation 20, every employer to whom these Regulations relate shall keep and thereafter maintain a register to be known and in these Regulations referred to as the “Occupational Health Register”. The employer shall in respect of each employee who is or may be exposed in the course of his or her work to dust arising from asbestos or materials containing asbestos, enter the information referred to in Schedule 6 in the occupational health register.’

23. Schedule 1 of the Principal Regulations is replaced by the following:

‘Schedule 1

Regulation 2 (1)

Meaning of Asbestos

“Asbestos” means the following fibrous silicates, which are classified as carcinogens 1A pursuant to Annex VI, Part 3, to Regulation (EC) No. 1272/2008 of the European Parliament and Council[FN 8]

- (a) Asbestos, actinolite, CAS No.[FN 9] 77536-66-4;
- (b) Asbestos, amosite (grumerite), CAS No. 12172-73-5;
- (c) Asbestos, anthophyllite, CAS No. 77536-67-5;
- (d) Asbestos, chrysotile, CAS No. 12001-29-5;
- (e) Asbestos, crocidolite, CAS No. 12001-28-4;

(f) Asbestos, termolite, CAS No. 77536-68-6.'

And by the introduction of the following footnotes thereto:

*8 Regulation (EC) No. 1272/200 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No. 1907/2006 (OJ L 353, 31.12.2008, p.1).

*9 Number in the Chemical Abstract Service (CAS).'

24. The introductory part of Schedule 2 of the Principal Regulations is replaced by the following:

‘Measures to be Taken to Ensure the Safety and Health of Employees’

The measures set down in this Schedule are to be taken to ensure the safety and health of employees where employees are involved in activities that can cause, or are likely to cause, exposure during the course of their work, to dust arising from asbestos or materials containing asbestos.'

25. Schedule 3 of the Principal Regulations is amended as follows:

(1) Paragraph 5 is replaced by the following:

‘5. The number of workers involved, a list of the workers likely to be assigned to the site concerned, the workers’ individual training certificates and the date of the latest assessment of the workers’ health pursuant to Regulation 20.’

(2) Paragraph 7 is replaced by the following:

‘7. A brief description of the location of the worksite and, where relevant, the specific areas where the work is to be carried out.’

(3) The following shall be inserted immediately after paragraph 7:

‘7a. A description of the location(s) at the work site of the materials containing asbestos likely to be encountered.’

(4) Paragraph 8 is replaced by the following:

‘8. A brief description of the activities and processes involved, including with regard to the protection and decontamination of workers, waste disposal and, where relevant, air exchange when working under confinement.’

(5) Paragraph 9 is replaced by the following:

‘9. A brief description of the measures taken, including an overview of equipment used, to limit the exposure of workers to asbestos.’

(6) Paragraph 10 is replaced by the following:

‘10. In the case of all work with asbestos or materials containing asbestos a brief description of the manner in which that work is to be done.’

(7) Paragraphs 11 and 12 are deleted.

26. Paragraph 2 of Schedule 4 of the Principal Regulations is replaced by:

‘2. Individual employee training certificates in compliance with Schedule 7 requirements.’

27. Schedule 5 Part B is replaced by the following:

‘Part B - Clinical Assessment

Current knowledge indicates that exposure to free asbestos fibres can give rise to the following diseases:

- a. asbestosis,
- b. mesothelioma,
- c. lung carcinoma,
- d. gastro-intestinal carcinoma,
- e. carcinoma of the larynx,
- f. carcinoma of the ovary,
- g. non-malignant pleural diseases.

The responsible medical practitioner concerned for the health surveillance of employees exposed to asbestos shall be familiar with the exposure conditions or circumstances of each employee.

Health examination of employees should be carried out in accordance with the principles and practices of occupational medicine. It should include at least the following measures -

- (a) keeping records of an employee's medical and occupational history,
- (b) a personal interview,
- (c) a general clinical examination, with particular reference to the chest,
- (d) lung function tests (respiratory flow volumes and rates).

The responsible medical practitioner concerned who is responsible for the health surveillance should decide on further examinations, such as sputum cytology tests or a chest X-ray or a tomodensitometry, in the light of the latest occupational health knowledge available.’

28. The following shall be added after Schedule 6 of the Principal Regulations:

‘SCHEDULE 7

MINIMUM REQUIREMENTS WITH REGARD TO CONTENT DURATION AND FREQUENCY OF TRAINING AND INFORMATION

1. Training shall be:
 - . provided at the start of an employment relationship;
 - . shall be given at regular intervals and whenever additional training needs are identified;
 - . shall be adapted to take account of significant changes in the type of work carried out or methods of work used by the employer.
2. The length of the training shall be adequate in relation to the tasks of the workers concerned.
3. Training shall be provided in a manner appropriate to the nature and degree of exposure identified by the risk assessment, and so that the employees are aware of and understand -
 - . the significant findings of the risk assessment, and
 - . the results of any air monitoring carried out,
 with an explanation of the findings.
4. Training shall be provided by a person deemed to be a competent person in accordance with the provisions of Section 2 (2) of the Act.
5. Every worker who has attended training in a satisfactory manner shall receive a training certificate indicating all of the following:
 - . the date of the training;
 - . the duration of the training;
 - . the content of the training;
 - . the language of the training;
 - . the name, qualification, and contact details of the instructor, or the institution providing the training, or both.
6. Workers who are, or are likely to be, exposed to dust from asbestos or materials containing asbestos shall receive theoretical and practical training concerning at least the following:
 - . the applicable legal provisions;

- . the properties of asbestos and its effects on health, including the synergistic effect of smoking;
- . the types of product or material likely to contain asbestos;
- . the operations that could result in exposure to asbestos and the importance of preventive controls to minimise such exposure;
- . safe working practices, controls and protective equipment;
- . the appropriate role, choice, selection, limitations and proper use of protective equipment, with particular regard to respiratory equipment;
- . emergency procedures;
- . decontamination procedures;
- . waste disposal;
- . medical surveillance requirements.

7. Training shall be adapted as closely as possible to the characteristics of the profession of the workers and the specific tasks and working methods of that profession.
8. Workers who engage in demolition or asbestos removal work shall be required to receive training in addition to the training provided for pursuant to point 6 regarding the use of technological equipment and machines to contain the release and spread of asbestos dust during work processes, in accordance with this Directive.'

GIVEN under my hand,
17 December 2025

ALAN DILLON,
Minister of State at the Department of Enterprise, Tourism and
Employment.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations give effect to Directive 2023/2668 of the European Parliament and of the Council of 22 November 2023:

- setting out additional general measures relating to exposure to asbestos;
- governing the measuring of samples for asbestos fibres;
- introducing additional provisions for training of employees;
- introducing additional provisions for gathering of data in regard to health surveillance involving exposure to asbestos and
- setting out additional requirements in regard to the notification system for work involving a risk of exposure to asbestos.

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