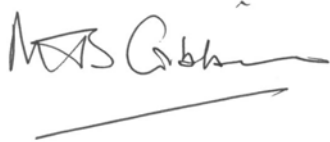
 <b>Regulatory Policy Committee</b>		<b>OPINION</b>	
<b>Impact Assessment (IA)</b>		Control of Asbestos Regulations	
<b>Lead Department/Agency</b>		Health and Safety Executive	
<b>Stage</b>		Final	
<b>Origin</b>		European	
<b>Date submitted to RPC</b>		05/12/2011	
<b>RPC Opinion date and reference</b>		21/12/2011	RPC11-HSE-1003(2)
<b>Overall Assessment</b>		<b>AMBER</b>	
<p>The IA is fit for purpose. The rationale for the proposed changes has been explained clearly and the cost and benefits have been adequately assessed. However, to support the low level of compliance assumed, the IA should provide a wider discussion on the enforcement of these regulations.</p>			
<p><b>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</b></p> <p><i>Compliance.</i> In calculating the costs and benefits of the proposal, the IA assumes a low level of compliance with the new regulations. The IA should provide an extended discussion, setting out more clearly why compliance is so low, and what enforcement mechanisms will be in place to support the regulations, to confirm that enforcement will not result in a future increase in compliance with the regulations. The IA should also have included the 100% compliance figures to give an estimate of the costs these new regulations would impose were they fully enforced.</p> <p><i>Costs and benefits.</i> The IA reflects costs and benefits emerging from the consultation and is supported by qualitative analysis where there are uncertainties around monetised benefits.</p> <p><i>Options.</i> The UK has under implemented Article 3(3) of Directive 2003/18/EC (amending the Asbestos Worker Protection Directive) and therefore required to address the subsequent reasoned opinion from the European Commission. “The Directive leaves no discretion to implement other than by regulation” and the IA outlines a clear rationale for the chosen option of revoking the Asbestos Regulations 2006 in their entirety and issuing revised regulations.</p>			
<p><b>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</b></p> <p>As this proposal is of European origin, with no evidence of going beyond the minimum requirements, it is out of scope of ‘One-in, One-out’.</p>			
<b>Signed</b> 		<b>Michael Gibbons, Chairman</b>	

