

WHAT IS AN ASBESTOS REGISTER?

An asbestos register is a written record of all asbestos-containing materials (ACMs) identified in a building. It is produced by a competent surveyor as part of a management asbestos survey and forms the factual foundation of the duty holder's asbestos management obligations under Regulation 4 of the Control of Asbestos Regulations 2012 (CAR 2012).

There is no prescribed format for an asbestos register under CAR 2012. The HSE's guidance document HSG264: Asbestos: The Survey Guide sets out the standard approach. The register can be paper-based or digital, but it must be readily accessible to anyone who needs to work on the premises.

THE REGULATORY REQUIREMENT: CAR 2012 REGULATION 4

Regulation 4 of CAR 2012 imposes four core duties on the duty holder for non-domestic premises:

Regulation	Duty	Detail
Reg 4(3)	Assess whether ACMs are present	Commission a management survey. Materials that cannot be sampled must be presumed to contain asbestos.
Reg 4(8)	Record the findings	Produce a written asbestos register — the legal obligation to maintain a record.
Reg 4(9)	Prepare and implement a management plan	The register informs the plan. The plan must specify actions, timescales, and re-inspection intervals.
Reg 4(10)	Provide information to others	The register must be made available to anyone liable to disturb ACMs — contractors, maintenance staff, emergency services.

WHAT MUST AN ASBESTOS REGISTER CONTAIN?

CAR 2012 does not prescribe a specific format, but HSG264 sets out the minimum information a compliant register must contain:

Register Element	Detail	Status
Location of each ACM	Room, floor, building zone, or external area. Must be specific enough for a contractor to locate the material.	Required
Type of ACM	Material category (e.g. AIB, asbestos cement, lagging, floor tiles, Artex). Fibre type where known from analysis.	Required
Condition assessment	Assessed using the HSG264 Material Assessment Algorithm: score 0–3 for product type, damage, surface treatment, fibre release potential.	Required
Extent / quantity	Approximate area (m ²) or length (m). Required to assess risk priority and estimate removal costs.	Required
Priority assessment score	Combined Material Assessment and Priority Assessment scores from HSG264. Determines management action required.	Required
Recommended management action	One of: monitor, repair/encapsulate, or remove. Must be linked to a timescale in the management plan.	Required
Date of survey	Date the material was identified and assessed. Required to establish re-inspection intervals.	Required
Surveyor details	Name, qualifications (P402 or equivalent), and company. Confirms survey was conducted by a competent person.	Required
Laboratory analysis results	UKAS-accredited laboratory report reference, fibre type confirmed, and sample date. Required where bulk samples were taken.	Best Practice
Photographic record	Photographs of each ACM location. Not a legal requirement but strongly recommended by HSE and standard practice under HSG264.	Best Practice

WHO MUST MAINTAIN AN ASBESTOS REGISTER?

The duty holder is the person or entity with the greatest degree of control over the premises. The table below sets out the register obligation for each common duty holder type.

Duty Holder Type	Obligation	Register Required?
Freeholder (non-domestic)	Full Regulation 4 duty. Must commission survey, produce register, and implement management plan	Required
Leaseholder with repair obligations	Duty applies to areas within the lease boundary where the leaseholder has control.	Required for controlled areas
Managing agent	Acts on behalf of the duty holder. Must ensure register is produced, maintained, and communicated to contractors	Required — agent's
Employer (workplace premises)	Employer has duty to manage asbestos in the workplace. Register must be available to all employees and contractors	Required
Domestic landlord (residential only)	CAR 2012 Reg 4 does not apply to purely domestic premises. Common areas of HMOs and blocks of flats are non-domestic	Required for common areas
Self-employed sole trader (own premises)	If premises are non-domestic and the trader has control, the duty applies.	Required if non-domestic

COMMON ASBESTOS REGISTER COMPLIANCE FAILURES

HSE inspections consistently identify the same categories of non-compliance:

1. Register not kept on the premises [HIGH RISK]

Contractors cannot access it before starting work — a Regulation 4(9) breach. HSE can issue an Improvement Notice.

2. Register not updated after removal or encapsulation [HIGH RISK]

Outdated records mislead future contractors. Duty holder remains liable for any resulting exposure.

3. Presumed ACMs not recorded [HIGH RISK]

Materials that could not be sampled must be presumed to contain asbestos and recorded as such.

4. No re-inspection records appended [MEDIUM RISK]

Annual or periodic re-inspections must be recorded. A register with a single survey entry and no re-inspection history suggests the duty is not being managed.

5. Register stored offsite or password-protected [MEDIUM RISK]

Must be readily accessible to anyone who needs to work on the premises.

6. No management plan linked to the register [HIGH RISK]

The register identifies ACMs; the management plan specifies what to do about them. Both are required under Regulation 4.

ASBESTOS REGISTER VS ASBESTOS MANAGEMENT PLAN

These two documents are distinct but interdependent — one cannot function without the other.

ASBESTOS REGISTER

- Records what ACMs are present
- Produced by a qualified surveyor
- Lists location, type, condition, extent
- Updated after each re-inspection or change
- Must be kept on the premises

ASBESTOS MANAGEMENT PLAN

- Sets out what will be done about ACMs
- Produced by the duty holder (with professional input)
- Specifies actions, timescales, and priorities
- Includes re-inspection schedule
- Must be reviewed and updated regularly

KEY TAKEAWAYS

- An asbestos register is a legal requirement for all non-domestic premises under CAR 2012 Regulation 4.
- It must be produced by a P402-qualified surveyor using a UKAS-accredited laboratory.
- The register must be kept on the premises and readily accessible to contractors and maintenance staff.
- It must be updated after every re-inspection, removal, encapsulation, or change in condition.
- A register without a linked management plan is incomplete — both are required under Regulation 4.
- Failure to maintain a register can result in an HSE Improvement Notice, Prohibition Notice, or prosecution.

This document is provided for general information purposes only and does not constitute legal advice. Always consult a qualified asbestos professional.