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STATUTORY INSTRUMENTS

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**1992 No.3139**

**CONSUMER PROTECTION**

HEALTH AND SAFETY

The Personal Protective Equipment  
(EC Directive) Regulations 1992

*Made - - - - 10th December 1992*

*Laid before Parliament 10th December 1992*

*Coming into force 1st January 1993*

THE PERSONAL PROTECTIVE EQUIPMENT  
(EC DIRECTIVE) REGULATIONS 1992

1. Citation and commencement
  2. Interpretation
  3. Scope, Placing on the Market and Free Movement
  4. Certification and Monitoring Procedures
- Signature

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SCHEDULE — COUNCIL DIRECTIVE  
of 21 December 1989  
on the approximation of the laws of the Member States...  
(89/686/EEC)  
The Council of the European Communities,  
Having regard to the Treaty establishing the European Economic  
Community,...  
Having regard to the proposal from the Commission,  
In co-operation with the European Parliament  
Having regard to the opinion of the Economic and Social...  
Whereas it is necessary to adopt measures with the aim...  
Whereas various Member States have, over recent years, adopted  
provisions...  
Whereas these national provisions are often very detailed as regards...  
Whereas, in particular, the national provisions relating to safety at...

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Whereas national provisions relating to personal protective equipment differ significantly...  
Whereas it is necessary to harmonize these different national provisions...  
Whereas the provisions governing the design and manufacture of personal...  
Whereas this Directive defines only the basic requirements to be...  
Whereas, pending the adoption of harmonized standards, which will be...  
Whereas, given the general and horizontal nature of the role...  
Whereas compliance with these technical requirements must be monitored in...  
Whereas the legislative framework should be improved so that both...

HAS ADOPTED THIS DIRECTIVE:

## CHAPTER I — SCOPE, PLACING ON THE MARKET AND FREE MOVEMENT

### Article 1

1. This Directive applies to personal protective equipment, hereinafter referred to...
2. For the purposes of this Directive, PPE shall mean any...
3. Any system placed on the market in conjunction with PPE...
4. This Directive does not apply to: PPE covered by another...

### Article 2

1. Member States shall take all appropriate measures to ensure that...
2. This Directive shall be without prejudice to the right of...
3. Member States shall not prevent the presentation at trade fairs,...

### Article 3

The PPE referred to in Article 1 must satisfy the...

### Article 4

1. Member States shall not prohibit, restrict or hinder the placing...
2. Member States shall not prohibit, restrict or impede the placing...

### Article 5

1. Member States shall regard as in conformity with the basic...
2. Member States shall presume that the PPE referred to in...
3. The PPE referred to in Article 8(2) for which harmonized...
4. The Commission shall publish the references of the harmonized standards...
5. Member States shall ensure that by 30 June 1991 appropriate...

### Article 6

1. Should a Member State or the Commission consider that the...
2. The Standing Committee set up by Article 6(2) of Directive...

#### Article 7

1. If a Member State discovers that PPE bearing the EC...
2. The Commission shall initiate discussions with the parties concerned as...
3. If PPE which is not in conformity with the relevant...
4. The Commission shall ensure that the Member States are kept...

#### CHAPTER II — CERTIFICATION PROCEDURES

#### Article 8

1. Before placing a PPE model on the market, the manufacturer...
2. Prior to the series production of PPE other than those...
3. EC type-examination shall not be required in the case of...
4. Production of PPE shall be subject: (a) according to the...

#### Article 9

1. Each Member State shall inform the Commission and the other...
2. Member States shall apply the criteria laid down in Annex...
3. A Member State shall withdraw its approval from such a...

#### — EC TYPE-EXAMINATION

#### Article 10

1. EC type-examination is the procedure whereby the approved inspection body...
2. Application for EC type-examination shall be made by the manufacturer...
3. The application shall comprise: the name and address of the...
4. The inspection body of which notification has been given shall...
5. If the model satisfies the relevant provisions, the inspection body shall draw up an EC type-examination certificate and shall notify the applicant to this effect. This certificate shall reproduce the findings of the examination, indicate any conditions attaching to its issue and incorporate the descriptions and drawings necessary for the identification of the approved model.
6. Any inspection body which refuses to issue an EC type-examination...

#### — CHECKING OF PPE MANUFACTURED

#### Article 11

- A 'EC' quality control system for the final product
1. A manufacturer shall take all steps necessary to ensure that...
  2. A body of which notification has been given, chosen by a manufacturer, shall carry out the necessary checks. Those checks shall be carried out at random, normally at intervals of at least one year.
  3. An adequate sample of PPE taken by the body of which notification has been given shall be examined and appropriate tests defined in the harmonized standards or necessary to show conformity to the basic requirements of this Directive shall be carried out to check the conformity of PPE.

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4. Where a body is not the body that issued the relevant EC type-approval certificate it shall contact the body of which notification has been given in the event of difficulties in connection with the assessment of the conformity of samples.
5. The body of which notification has been given shall provide...
6. The manufacturer must be able to present, on request, the...  
B System for ensuring EC quality of production by means of monitoring
  1. The system (a) Under this procedure the manufacturer submits an...
  2. Supervision (a) The purpose of supervision is to ensure that...  
— EC DECLARATON OF PRODUCTION CONFORMITY

#### Article 12

The EC declaration of conformity is the procedure whereby the...

1. draws up a declaration using the form laid down in...
2. affixes the EC mark of conformity provided for by Article...

#### CHAPTER III — EC MARK

#### Article 13

1. The EC mark consists of the letters 'CE' followed by...
2. The EC mark shall be affixed to each production PPE...
3. Marks or inscriptions which could be confused with the EC...

#### CHAPTER IV — FINAL PROVISIONS

#### Article 14

Any decision taken in implementation of this Directive and leading...

#### Article 15

The Commission shall take the necessary steps to ensure that...

#### Article 16

1. By 31 December 1991, Member States shall adopt and publish...
2. Member States shall communicate to the Commission the texts of...

#### Article 17

This Directive is addressed to the Member States.

Done at Brussels, 21 December 1989.

For the Council The President

E. CRESSON

#### ANNEX I — EXHAUSTIVE LIST OF PPE CLASSES NOT COVERED BY THIS DIRECTIVE

1. PPE designed and manufactured specifically for use by the armed...
2. PPE for self-defence (aerosol canisters, personal deterrent weapons, etc.).

3. PPE designed and manufactured for private use against: adverse atmospheric...
4. PPE intended for the protection or rescue of persons on...

## ANNEX II — BASIC HEALTH AND SAFETY REQUIREMENTS

1. GENERAL REQUIREMENTS APPLICABLE TO ALL PPE
  - 1.1 Design principles
    - 1.1.1 Ergonomics
    - 1.1.2 Levels and classes of protection
      - 1.1.2.1 Highest level of protection possible
      - 1.1.2.2 Classes of protection appropriate to different levels of risk
    - 1.2 Innocuousness of PPE
      - 1.2.1 Absence of risks and other 'inherent' nuisance factors
        - 1.2.1.1 Suitable constituent materials
        - 1.2.1.1 Satisfactory surface condition of all PPE parts in contact with the user
      - 1.2.1.3 Maximum permissible user impediment
    - 1.3 Comfort and efficiency
      - 1.3.1 Adaption of PPE to user morphology
      - 1.3.2 Lightness and strength
      - 1.3.3 Compatibility of different classes or types of PPE designed for simultaneous use
    - 1.4 Information supplied by the manufacturer
  2. ADDITIONAL REQUIREMENTS COMMON TO SEVERAL CLASSES OR TYPES OF PPE
    - 2.1 PPE incorporating adjustment systems
    - 2.2 PPE 'enclosing' the parts of the body to be protected
    - 2.3 PPE for the face, eyes and respiratory tracts
    - 2.4 PPE subject to ageing
    - 2.5 PPE which may be caught up during use
    - 2.6 PPE for use in explosive atmospheres
    - 2.7 PPE intended for emergency use or rapid installation and/or removal
    - 2.8 PPE for use in very dangerous situations
    - 2.9 PPE incorporating components which can be adjusted or removed by the user
    - 2.10 PPE for connection to another, external complementary device
    - 2.11 PPE incorporating a fluid circulation system
    - 2.12 PPE bearing one or more identification or recognition marks directly or indirectly relating to health and safety
    - 2.13 PPE in the form of clothing capable of signalling the user's presence visually
    - 2.14 'Multi-risk' PPE
  3. ADDITIONAL REQUIREMENTS SPECIFIC TO PARTICULAR RISKS
    - 3.1 Protection against mechanical impact
      - 3.1.1 Impact caused by falling or projecting objects and collision of parts of the body with an obstacle
        - 3.1.2 Falls
          - 3.1.2.1 Prevention of falls due to slipping
          - 3.1.2.2 Prevention of falls from a height
        - 3.1.3 Mechanical vibration
      - 3.2 Protection against (static) compression of part of the body
      - 3.3 Protection against physical injury (abrasion, perforation, cuts, bites)
      - 3.4 Prevention of drowning (lifejackets, armbands and lifesaving suits)
        - 3.4.1 Buoyancy aids

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- 3.5 Protection against the harmful effects of noise
- 3.6 Protection against heat and/or fire
- 3.6.1 PPE constituent materials and other components
- 3.6.2 Complete PPE ready for use
  - 1. the quantity of heat transmitted by PPE to the user...
  - 2. PPE must if necessary prevent liquid or steam penetration and...
- 3.7 Protection against cold
- 3.7.1 PPE constituent materials and other components
- 3.7.2 Complete PPE ready for use
  - 1. the flux transmitted by PPE to the user must be...
  - 2. PPE must as far as possible prevent the penetration of...
- 3.8 Protection against electric shock
- 3.9 Radiation protection
- 3.9.1 Non-ionizing radiation
- 3.9.2 Ionizing radiation
  - 3.9.2.1 Protection against external radioactive contamination
  - 3.9.2.2 Limited protection against external irradiation
- 3.10 Protection against dangerous substances and infective agents
- 3.10.1 Respiratory protection
- 3.10.2 Protection against cutaneous and ocular contact
- 3.11 Safety devices for diving equipment
  - 1. Breathing equipment The breathing equipment must make it possible to...
  - 2. Where the foreseeable conditions of use so require, the equipment...

#### ANNEX III — TECHNICAL DOCUMENTATION SUPPLIED BY THE MANUFACTURER

The documentation referred to in Article 8(1) must comprise all...  
In the case of PPE models referred to in Article...

#### ANNEX IV — EC MARK OF CONFORMITY

The EC mark of conformity consists of the symbol shown...

The vertical dimensions of the different components of the EC...

#### ANNEX V — CONDITIONS TO BE FULFILLED BY THE BODIES OF WHICH NOTIFICATION HAS BEEN GIVEN

(Article 9(2))

The bodies designated by the Member States must fulfil the...

- 1. availability of personnel and of the necessary means and equipment;...
- 2. technical competence and professional integrity of personnel;
- 3. independence, in carrying out the tests, preparing the reports, issuing...
- 4. maintenance of professional secrecy by personnel;
- 5. subscription of a civil liability insurance unless that liability is...

#### ANNEX VI — MODEL EC DECLARATION OF CONFORMITY

Explanatory Note