
STATUTORY INSTRUMENTS

1996 No. 192

**The Equipment and Protective Systems Intended for Use
in Potentially Explosive Atmospheres Regulations 1996**

PART II

APPLICATION

Exclusion until 30th June 2003 of equipment and protective systems complying with health and safety provisions in force on 23rd March 1994

5.—(1) Subject to paragraph (2) below, these Regulations do not apply to equipment or a protective system placed on the market in the Community on or before 30th June 2003 which complies with any health and safety provisions with which it would have been required to comply for it to be lawfully placed on the market in Great Britain on 23rd March 1994.

(2) The exclusion provided in paragraph (1) above does not apply in the case of equipment or a protective system which—

- (a) unless required to bear the CE marking pursuant to any other Community obligation, bears the CE marking or an inscription liable to be confused therewith; or
- (b) bears or is accompanied by any other indication, howsoever expressed, that it complies with the ATEX Directive.

(3) In this regulation, “health and safety provisions” means any requirement imposed by an enactment which has the same, or substantially the same, effect as any of the essential health and safety requirements and which would, but for the provisions of this regulation, be applicable to that equipment or protective system for the purposes of complying with these Regulations.