
STATUTORY INSTRUMENTS

2002 No. 2776

The Dangerous Substances and Explosive Atmospheres Regulations 2002

Interpretation

2. In these Regulations—

F1
...

F2
...

[^{F3}“the CLP Regulation” means Regulation 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 and 1999/45/EC and amending Regulation EC (No) 1907/2006, of which Articles 6(5), 11(3), 12, 14, 18(3)(b), 23, 25 to 29, 35(2) second and third sub-paragraphs and Annexes I to VII are to be read as amended from time to time;]

[^{F4}“dangerous substance” means—

- (a) a substance or mixture which meets the criteria for classification as hazardous within any physical hazard class [^{F5}as provided for] in the CLP Regulation, whether or not the substance is classified under that Regulation;
- (b) a substance or mixture which because of its physico-chemical or chemical properties and the way it is used or is present in the workplace creates a risk, not being a substance or mixture falling within subparagraph (a) above; or
- (c) any dust, whether in the form of solid particles of fibrous materials or otherwise, which can form an explosive mixture with air or an explosive atmosphere, not being a substance or mixture falling within subparagraphs (a) or (b) above;]

“explosive atmosphere” means a mixture, under atmospheric conditions, of air and one or more dangerous substances in the form of gases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture;

[^{F6}“hazard” means the physico-chemical or chemical property of a dangerous substance which has the potential to—

- (a) give rise to a fire, explosion or other events which can result in harmful physical effects of a kind similar to those which can be caused by fire or explosion; or
- (b) be corrosive to metals,

affecting the safety of a person, and references in these Regulations to “hazardous” is to be construed accordingly;]

[^{F7}“mixture” means a mixture or solution composed of two or more substances;]

“offshore installation” has the same meaning as it is given by regulation 3 of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 ^{M1} insofar as that regulation extends to mineral extracting industries within the scope of Article 2(a) of Council Directive 92/91/EEC concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling ^{M2};

“personal protective equipment” means all equipment which is intended to be worn or held by a person at work and which protects that person against one or more risks to his safety, and any addition or accessory designed to meet that objective;

F8 ...

“public road” means (in England and Wales) a highway maintainable at public expense within the meaning of section 329 of the Highways Act 1980^{M3} and (in Scotland) a public road within the meaning assigned to that term by section 151 of the Roads (Scotland) Act 1984^{M4};

“risk” means the likelihood of a person’s safety being affected by harmful physical effects being caused to him from fire, explosion or other events arising from the hazardous properties of a dangerous substance in connection with work and also the extent of that harm;

“risk assessment” means the assessment of risks required by regulation 5(1);

“safety data sheet” means a safety data sheet within the meaning of regulation 5 of the CHIP Regulations;

“substance” means any natural or artificial substance whether in solid or liquid form or in the form of a gas or vapour;

“workplace” means any premises or part of premises used for or in connection with work, and includes—

- (a) any place within the premises to which an employee has access while at work; and
- (b) any room, lobby, corridor, staircase, road or other place—
 - (i) used as a means of access to or egress from that place of work, or,
 - (ii) where facilities are provided for use in connection with that place of work, other than a public road; and

“work processes” means all technical aspects of work involving dangerous substances and includes—

- (a) appropriate technical means of supervision,
- (b) connecting devices,
- (c) control and protection systems,
- (d) engineering controls and solutions,
- (e) equipment,
- (f) materials,
- (g) machinery,
- (h) plant,
- (i) protective systems, and
- (j) warning and other communication systems.

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| F1 | Words in reg. 2 omitted (1.6.2015) by virtue of The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21) , regs. 1(3), 13(2)(a) |
| F2 | Words in reg. 2 omitted (1.6.2015) by virtue of The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21) , regs. 1(3), 13(2)(b) |
| F3 | Words in reg. 2 inserted (1.6.2015) by The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21) , regs. 1(3), 13(2)(c) |
| F4 | Words in reg. 2 substituted (1.6.2015) by The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21) , regs. 1(3), 13(2)(d) |

- F5** Words in reg. 2 substituted (31.12.2020) by The Chemicals (Health and Safety) and Genetically Modified Organisms (Contained Use) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/720), reg. 1(2), **Sch. 1 para. 4(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in reg. 2 substituted (1.6.2015) by The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21), regs. 1(3), **13(2)(e)**
- F7** Words in reg. 2 inserted (1.6.2015) by The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21), regs. 1(3), **13(2)(f)**
- F8** Words in reg. 2 omitted (1.6.2015) by virtue of The Classification, Labelling and Packaging of Chemicals (Amendments to Secondary Legislation) Regulations 2015 (S.I. 2015/21), regs. 1(3), **13(2)(g)**

Marginal Citations

- M1** S.I. 1995/738.
- M2** OJ No. L348, 28.11.92, p. 9.
- M3** 1980 c. 66.
- M4** 1984 c. 54.

Changes to legislation:

There are currently no known outstanding effects for the The Dangerous Substances and Explosive Atmospheres Regulations 2002, Section 2.