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STATUTORY INSTRUMENTS

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**2002 No. 2776**

**The Dangerous Substances and Explosive  
Atmospheres Regulations 2002**

**Interpretation**

**2.** In these Regulations—

“approved classification and labelling guide” means the “Approved Guide to the Classification and Labelling of Dangerous Substances and Dangerous Preparations” (5th edition)<sup>(1)</sup> approved by the Health and Safety Commission on 16th April 2002;

“the CHIP Regulations” means the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002<sup>(2)</sup>;

“dangerous substance” means—

- (a) a substance or preparation which meets the criteria in the approved classification and labelling guide for classification as a substance or preparation which is explosive, oxidising, extremely flammable, highly flammable or flammable, whether or not that substance or preparation is classified under the CHIP Regulations;
- (b) a substance or preparation which because of its physico-chemical or chemical properties and the way it is used or is present at the workplace creates a risk, not being a substance or preparation falling within subparagraph (a) above; or
- (c) any dust, whether in the form of solid particles or fibrous materials or otherwise, which can form an explosive mixture with air or an explosive atmosphere, not being a substance or preparation 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;

“hazard” means the physico-chemical or chemical property of a dangerous substance which has the potential to give rise to 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, affecting the safety of a person, and references in these Regulations to “hazardous” shall be construed accordingly;

“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<sup>(3)</sup> 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<sup>(4)</sup>;

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(1) ISBN 0717623696.

(2) S.I. 2002/1689.

(3) S.I. 1995/738.

(4) OJ No. L348, 28.11.92, p. 9.

“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;

“preparation” means a mixture or solution of two or more substances;

“public road” means (in England and Wales) a highway maintainable at public expense within the meaning of section 329 of the Highways Act 1980<sup>(5)</sup> and (in Scotland) a public road within the meaning assigned to that term by section 151 of the Roads (Scotland) Act 1984<sup>(6)</sup>;

“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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<sup>(5)</sup> 1980 c. 66.

<sup>(6)</sup> 1984 c. 54.