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STATUTORY INSTRUMENTS

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**1992 No. 3139**

**The Personal Protective Equipment  
(EC Directive) Regulations 1992**

**Citation and commencement**

1. These Regulations may be cited as the Personal Protective Equipment (EC Directive) Regulations 1992 and shall come into force on 1st January 1993.

**Interpretation**

2. In these Regulations—

“the Directive” means Council Directive [89/686/EEC](#) on the approximation of the laws of the Member States relating to personal protective equipment<sup>(1)</sup>, a copy of which is printed in the Schedule to these Regulations;

**Scope, Placing on the Market and Free Movement**

3.—(1) The Directive shall have effect within the United Kingdom for the purpose of laying down the conditions governing the placing of products to which the Directive applies on the market and their free movement within the Community and the basic safety requirements which such products must satisfy in order to ensure the health protection and safety of users.

(2) For the purposes mentioned in paragraph (1) above—

- (a) section 13 of the Consumer Protection Act 1987<sup>(2)</sup> (prohibition notices and notices to warn) shall (to the extent that it does not already do so) apply in relation to products to which the Directive applies as it applies in relation to relevant goods under that section;
- (b) these Regulations shall constitute safety provisions for the purposes of section 14 of that Act (suspension notices) and sections 16 and 17 of that Act (forfeiture); and
- (c) a weights and measures authority in Great Britain or a district council in Northern Ireland shall have the same duty to enforce these Regulations as it has in relation to Part II of that Act, and Part IV of that Act shall apply accordingly.

(3) For the purposes of paragraph (2)(a) above any question as to whether products to which the Directive applies are unsafe shall be determined in accordance with the Directive.

(4) Paragraph (2)(c) above is without prejudice to the duty of the Health and Safety Executive in relation to section 6 of the Health and Safety at Work etc. Act 1974<sup>(3)</sup> or, in Northern Ireland, the duties of the Department of Economic Development and the Department of Agriculture in relation to Article 7 of the Health and Safety at Work (Northern Ireland) Order 1978<sup>(4)</sup> (general duties of manufacturers as regards articles and substances for use at work); and no action shall be taken by virtue of that paragraph before 1st January 1994 unless it could have been taken otherwise than by virtue of these Regulations.

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(1) OJ No.L399, 30.12.89, p.18.

(2) 1987 c. 43.

(3) 1974 c. 37.

(4) S.I.1978/1039 (N.I.9).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(5) Nothing in any enactment or rule of law shall prevent the placing on the market of products to which the Directive applies in accordance with the Directive.

#### **Certification and Monitoring Procedures**

4. The Secretary of State shall, in accordance with the Directive, approve one or more bodies for the purposes of carrying out the certification and monitoring procedures laid down in the Directive and shall withdraw his approval from such a body if he establishes that the latter no longer satisfies the criteria set out in the Directive.

10th December 1992

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Department of Trade and Industry