
STATUTORY INSTRUMENTS

1996 No. 192

HEALTH AND SAFETY

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

<i>Made</i>	- - - -	<i>1st February 1996</i>
<i>Laid before Parliament</i>		<i>5th February 1996</i>
<i>Coming into force</i>		<i>1st March 1996</i>

**THE EQUIPMENT AND PROTECTIVE SYSTEMS
INTENDED FOR USE IN POTENTIALLY
EXPLOSIVE ATMOSPHERES REGULATIONS 1996**

PART I

PRELIMINARY

1. Citation, commencement, extent and revocation
2. Interpretation

PART II

APPLICATION

3. Equipment, Protective Systems, Devices and Components
4. Excluded equipment, protective systems, devices and components
5. Exclusion until 30th June 2003 of equipment and protective systems complying with health and safety provisions in force on 23rd March 1994

PART III

GENERAL REQUIREMENTS

6. General duty relating to the placing on the market of equipment, protective systems or devices by a responsible person
7. General duty relating to the supply of equipment, protective systems or devices by a person other than the responsible person
8. General duty relating to the placing on the market of components by a responsible person

Status: This is the original version (as it was originally made).

9. Exceptions to placing on the market in respect of certain equipment, protective systems, devices and components
10. Conformity assessment procedures
11. Notified bodies
12. Notified bodies appointed by the Secretary of State
13. Fees

Supplementary provisions

14. Conditions for equipment, protective systems, devices and components being taken to comply with the provisions of the ATEX Directive

PART IV

ENFORCEMENT

15. Application of Schedule 14
16. Offences
17. Penalties
18. Defence of due diligence
19. Liability of persons other than the principal offender

Amendment and disapplication of law in Great Britain

20. General provisions
 21. Consequential amendment of the Provision and Use of Work Equipment Regulations 1992
- Signature

SCHEDULE 1 — REVOCATION OF REGULATIONS

SCHEDULE 2 — THE CE MARKING AND OTHER INSCRIPTIONS

1. The CE conformity marking shall consist of the initials 'CE'...
2. If the marking is reduced or enlarged, the proportions given...
3. The various components of the CE marking must have substantially...
4. The CE marking shall be followed by the identification number...
5. The CE marking shall be affixed distinctly, visibly, legibly and...
6. Subject to paragraph 7 below, where equipment, a protective system...
7. Where one or more of the other Directives referred to...
8. Where equipment or protective systems are designed for a particular...
9. The affixing of markings on the equipment or protective systems...

SCHEDULE 3 — ESSENTIAL HEALTH AND SAFETY REQUIREMENTS
RELATING TO THE DESIGN AND CONSTRUCTION OF
EQUIPMENT AND PROTECTIVE SYSTEMS INTENDED FOR
USE IN POTENTIALLY EXPLOSIVE ATMOSPHERES(Annex II
of the ATEX Directive)

A *Preliminary observations*

B For the devices referred to in Article 1(2), the essential...

1. COMMON REQUIREMENTS FOR EQUIPMENT AND PROTECTIVE SYSTEMS
2. SUPPLEMENTARY REQUIREMENTS IN RESPECT OF EQUIPMENT

3. SUPPLEMENTARY REQUIREMENTS IN RESPECT OF PROTECTIVE SYSTEMS

SCHEDULE 4 — (Annex I of the ATEX Directive: references in this Annex to Annex II are references to the Essential Health and Safety Requirements set out in Schedule 3) CRITERIA DETERMINING THE CLASSIFICATION OF EQUIPMENT-GROUPS INTO CATEGORIES

1. Equipment-group I
2. Equipment-group II

SCHEDULE 5 — EXCLUDED EQUIPMENT, PROTECTIVE SYSTEMS AND DEVICES

SCHEDULE 6 — (Annex III of the ATEX Directive) MODULE EC-TYPE EXAMINATION

1. This module describes that part of the procedure by which...
2. The application for the EC-type examination shall be lodged by...
3. The technical documentation shall enable the conformity of the product...
4. The notified body shall: (4.1) examine the technical documentation, verify...
5. Where the type meets the provisions of the Directive, the...
6. The applicant shall inform the notified body which holds the...
7. Each notified body shall communicate to the other notified bodies...
8. The other notified bodies may receive copies of the EC-type-examination...
9. The manufacturer or his authorized representative established in the Community...

SCHEDULE 7 — (Annex IV of the ATEX Directive) MODULE: PRODUCTION QUALITY ASSURANCE

1. This module describes the procedure whereby the manufacturer who satisfies...
2. The manufacturer shall operate an approved quality system for production,...
3. Quality system (3.1) The manufacturer shall lodge an application for...
4. Surveillance under the responsibility of the notified body
5. The manufacturer shall, for a period ending at least 10...
6. Each notified body shall apprise the other notified bodies of...

SCHEDULE 8 — (Annex V of the ATEX Directive) MODULE: PRODUCT VERIFICATION

1. This module describes the procedure whereby a manufacturer or his...
2. The manufacturer shall take all measures necessary to ensure that...
3. The notified body shall carry out the appropriate examinations and...
4. Verification by examination and testing of each piece of equipment

SCHEDULE 9 — (Annex VI of the ATEX Directive) MODULE: CONFORMITY TO TYPE

1. This module describes that part of the procedure whereby the...
2. The manufacturer shall take all measures necessary to ensure that...
3. The manufacturer or his authorised representative shall keep a copy...

SCHEDULE 10 — (Annex VII of the ATEX Directive) MODULE: PRODUCT QUALITY ASSURANCE

Status: This is the original version (as it was originally made).

1. This module describes the procedure whereby the manufacturer who satisfies...
2. The manufacturer shall operate an approved quality system for the...
3. Quality system
4. Surveillance under the responsibility of the notified body
5. The manufacturer shall, for a period ending at least 10...
6. Each notified body shall forward to the other notified bodies...

SCHEDULE 11 — (Annex VIII of the ATEX Directive)MODULE: INTERNAL CONTROL OF PRODUCTION

1. This module describes the procedure whereby the manufacturer or his...
3. Technical documentation shall enable the conformity of the equipment with...
4. The manufacturer or his authorized representative shall keep a copy...
5. The manufacturer shall take all measures necessary to ensure that...

SCHEDULE 12 — (Annex IX of the ATEX Directive)MODULE: UNIT VERIFICATION

1. This module describes the procedure whereby the manufacturer ensures and...
2. The notified body shall examine the individual equipment or protective...
3. The aim of the technical documentation is to enable conformity...

SCHEDULE 13 — (Part B of Annex X of the ATEX Directive)(Content of the EC declaration of conformity)

SCHEDULE 14 — ENFORCEMENT

1. Enforcement in relation to relevant products
2. Forfeiture: England and Wales
3. Forfeiture: Scotland
4. Duty of enforcement authority to inform Secretary of State of action taken
5. Savings
6. Nothing in these Regulations shall authorise the enforcement authority to...
7. Interpretation

SCHEDULE 15 — DISAPPLICATION OF SPECIFIC MINING REGULATIONS

PART I — (Made under the Mines and Quarries Act 1954)

PART II — (Made under the Mines and Quarries Act 1954 and the Health and Safety at Work etc. Act 1974)

PART III — Made under the Health and Safety at Work etc. Act 1974)

Explanatory Note