
STATUTORY INSTRUMENTS

2002 No. 1144

The Personal Protective Equipment Regulations 2002

Interpretation

2.—(1) In these Regulations—

- (a) the “PPE Directive” means Council Directive [89/686/EEC](#) on the approximation of the laws of the Member States relating to personal protective equipment⁽¹⁾;
- (b) except for the references to the European Communities in the definition of “the Commission” and in relation to the Official Journal, a reference to the Community includes a reference to the EEA, and a reference to a Member State includes a reference to an EEA State: for this purpose—
 - (i) the “EEA” means the European Economic Area;
 - (ii) an “EEA State” means a State which is a Contracting Party to the EEA Agreement; and
 - (iii) the “EEA Agreement” means the Agreement of the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993⁽²⁾; and
- (c) a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule so numbered in these Regulations and a reference—
 - (i) to a paragraph in a regulation is a reference to a paragraph in that regulation;
 - (ii) to an Annex is a reference to an Annex to the PPE Directive: for the purposes of these Regulations, Annexes I, II, III, IV and VI are respectively set out in Schedules 1, 2, 3, 4 and 5;
 - (iii) to an Article in these Regulations is a reference to the Article so numbered in the PPE Directive and a reference to a section or paragraph of an Article shall be construed accordingly: for the purposes of these Regulations, Articles 10, 11, 12 and 13 are respectively set out in Schedules 7, 8, 9 and 6;
 - (iv) to a section or a paragraph in an Annex is a reference to a section or a paragraph in that Annex as set out in the relevant Schedule; and
 - (v) to “the Directive” in an Annex or Article is a reference to the PPE Directive.

(2) In these Regulations—

- “1987 Act” means the Consumer Protection Act 1987⁽³⁾;
- “approved body” shall be construed in accordance with regulation 13;
- “basic health and safety requirements” means the requirements set out in Schedule 2;

(1) O.J. No. L399, 30.12.89, p. 18, as amended by Directive [93/68/EEC](#) (O.J. No. L220, 30.8.93, p. 1), Directive [93/95/EEC](#) (O.J. No. L276, 9.11.93, p. 11) and Directive [96/58/EC](#) (O.J. No. L236, 18.9.96, p. 44).

(2) The PPE Directive was added to Chapter XXII of Annex II to the EEA Agreement by item P in Annex 3 to Decision No. 7/94 of the EEA Joint Committee of 21 March 1994 (O.J. No. L160, 28.6.94, p. 1).

(3) [1987 c. 43](#).

“CE marking” means the CE marking referred to in regulation 12 consisting of the initials “CE” in the form shown in Schedule 4;

“the Commission” means the Commission of the European Communities;

“complex PPE” means PPE of complex design intended to protect against mortal danger or against dangers that may seriously and irreversibly harm health, the immediate effects of which the designer assumes the user cannot identify in sufficient time: this category shall cover exclusively—

- (a) filtering respiratory devices for protection against solid and liquid aerosols or irritant, dangerous, toxic or radiotoxic gases;
- (b) respiratory protection devices providing full insulation from the atmosphere, including those for use in diving;
- (c) PPE providing only limited protection against chemical attack or against ionising radiation;
- (d) emergency equipment for use in high-temperature environments the effects of which are comparable to those of an air temperature of 100°C or more which may or may not be characterised by the presence of infra-red radiation, flames or the projection of large amounts of molten materials;
- (e) emergency equipment for use in low temperature environments the effects of which are comparable to those of an air temperature of –50°C or less;
- (f) PPE to protect against falls from a height; and
- (g) PPE to protect against electrical risks and dangerous voltages or that used as insulation in high-tension work;

“enforcement authority” shall be construed in accordance with Schedule 10;

“harmonised standard” means a text containing a technical specification or specifications adopted by either or both of the European Committee for Standardisation and the European Committee for Electrotechnical Standardisation upon a remit from the Commission in accordance with Council Directive [98/34/EC](#) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on information society services⁽⁴⁾;

“PPE” means—

- (a) any device or appliance designed to be worn or held by an individual for protection against one or more health and safety hazards: and shall also include—
 - (i) a unit constituted by several devices or appliances which have been integrally combined by the manufacturer for the protection of an individual against one or more potentially simultaneous risks;
 - (ii) a protective device or appliance combined, separably or inseparably, with personal non-protective equipment worn or held by an individual for the execution of a specific activity; and
 - (iii) interchangeable components which are essential to its satisfactory functioning and used exclusively for such equipment;

“responsible person” means—

- (a) the manufacturer or his authorised representative established within the Community; or
- (b) where neither the manufacturer nor his authorised representative is established within the Community, the person who places the PPE on the market;

(4) O.J. No. L204, 22.6.98 p. 37 as amended by Council Directive [98/48/EC](#) (O.J. No. L217, 20.7.98, p. 18).

“safe” in relation to PPE, means that the PPE when used and maintained in accordance with its intended purpose could not compromise the health and safety of the user without prejudice to the health and safety of other individuals, domestic animals or property, and when the context admits, cognate expressions shall be construed accordingly;

“simple PPE” means PPE models of simple design where the designer assumes that the user can himself assess the level of protection provided against the minimal risks concerned the effects of which, when they are gradual, can be safely identified by the user in good time: this category shall cover exclusively PPE intended to protect the wearer against—

- (a) mechanical action whose effects are superficial (for example gardening gloves and thimbles);
- (b) cleaning materials of weak action and easily reversible effects (for example gloves affording protection against diluted detergent solutions);
- (c) risks encountered in the handling of hot components which do not expose the user to a temperature exceeding 50°C or to dangerous impacts (for example gloves and aprons for professional use);
- (d) atmospheric agents of a neither exceptional nor extreme nature (for example head gear, seasonal clothing and footwear);
- (e) minor impacts and vibrations which do not affect vital areas of the body and whose effects cannot cause irreversible lesions (for example light anti-scalping helmets, gloves and light footwear); and
- (f) sunlight (for example sunglasses);

“supply” is to be read in accordance with section 46 of the 1987 Act and includes offering to supply, agreeing to supply, exposing for supply and possessing for supply, and cognate expressions shall be construed accordingly, provided always that PPE shall be regarded as having been supplied where a person—

- (a) being a manufacturer of PPE for his own use; or
- (b) having imported PPE from a country or territory outside the Community for his own use, brings that PPE into service in the course of a business;

“transposed harmonised standard” means a standard, the reference number of which is published—

- (a) in the United Kingdom, by the Secretary of State, in such a manner as she considers appropriate; or
- (b) in another Member State of the Community,

and which corresponds to a harmonised standard the reference number of which is published in the Official Journal of the European Communities.