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STATUTORY INSTRUMENTS

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**1993 No. 3074**

**CONSUMER PROTECTION**

HEALTH AND SAFETY

**The Personal Protective Equipment (EC Directive) (Amendment) Regulations 1993**

<i>Made</i>	- - - -	<i>8th December 1993</i>
<i>Laid before Parliament</i>		<i>9th December 1993</i>
<i>Coming into force</i>	- -	<i>1st January 1994</i>

The Secretary of State, being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures relating to safety as regards personal protective equipment, in exercise of the powers conferred on him by section 2(2) of the said Act hereby makes the following Regulations:

1. These Regulations may be cited as the Personal Protective Equipment (EC Directive) (Amendment) Regulations 1993 and shall come into force on 1st January 1994.

2.—(1) The Personal Protective Equipment (EC Directive) Regulations 1992<sup>(3)</sup> (“the principal Regulations”) and Schedule 1 to the Personal Protective Equipment at Work Regulations 1992<sup>(4)</sup> shall have effect as if references therein to Council Directive 89/686/EEC of 21st December 1989 on the approximation of the laws of the Member States relating to personal protective equipment<sup>(5)</sup> (in the principal Regulations and in these Regulations referred to as “the Directive”) were references to the Directive as amended by Council Directive 93/95/EEC of 29th October 1993 amending the Directive<sup>(6)</sup>.

(2) The copy of the Directive printed in the Schedule to the principal Regulations shall be read as if it were amended as provided in the Schedule to these Regulations.

3. In regulation 3(4) of the principal Regulations, the words from “and no action” to the end shall be omitted. Patrick McLoughlin Parliamentary Under-Secretary of State 8th December 1993  
Department of Trade and Industry

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(1) S.I.1990/1304.

(2) 1972 c. 68.

(3) S.I. 1992/3139.

(4) S.I. 1992/2966.

(5) O.J. No. L399, 30.12.89, p. 18.

(6) O.J. No. L276, 9.11.93, p. 11.

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**Status:** This is the original version (as it was originally made).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

Regulation 2(2)

### AMENDMENTS TO THE DIRECTIVE.

1. Article 5.3 and the final indent in sub-paragraph (a) of Article 8.4 shall be omitted.
2. For Article 16 there shall be substituted—

**“Article 16.**

1. Before 31 December 1991, Member States shall adopt and publish the laws, regulations and administrative provisions necessary in order to comply with this Directive. They shall forthwith inform the Commission thereof. They shall apply the measures in question with effect from 1 July 1992.

2. Furthermore, Member States shall allow, for the period until 30 June 1995, the placing on the market and putting into service of PPE in conformity with the national regulations in force in their territory on 30 June 1992.

3. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.”

- (3) At the end of Annex I there shall be added—

“5. Helmets and visors intended for users of two or three-wheeled motor vehicles.”

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations give effect to the amendments made by Council Directive [93/95/EEC](#) of 29th October 1993 (O.J.No.L276, 9.11.93, p. 11) amending Directive [89/686/EEC](#) on the approximation of the laws of the Member States relating to personal protective equipment (O.J.No.L399, 30.12.89, p.18), which was implemented by the Personal Protective Equipment (EC Directive) Regulations 1992 and applied by the Personal Protective Equipment at Work Regulations 1992.

The effect of the amendments is—

- (a) to exclude motor-cycle helmets and visors from the scope of the principal Directive (and thus from the scope of the principal Regulations), and
- (b) to disapply the principal Regulations until the end of June 1995 from personal protective equipment which complies with the law in force on 30th June 1992.