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STATUTORY INSTRUMENTS

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**2002 No. 2676**

**The Control of Lead at Work Regulations 2002**

**Interpretation**

2.—(1) In these Regulations:

“action level” means a blood-lead concentration of—

- (a) in respect of a woman of reproductive capacity, 25 µg/dl;
- (b) in respect of a young person, 40 µg/dl; or
- (c) in respect of any other employee, 50 µg/dl;

“appointed doctor” means a registered medical practitioner appointed for the time being in writing by the Executive for the purpose of these Regulations;

“approved” means approved for the time being in writing;

“biological monitoring” includes the measuring of a person’s blood-lead concentration or urinary lead concentration by atomic absorption spectroscopy;

“control measure” means a measure taken to reduce exposure to lead (including the provision of systems of work and supervision, the cleaning of workplaces, premises, plant and equipment, the provision and use of engineering controls and personal protective equipment);

“employment medical adviser” means an employment medical adviser appointed under section 56 of the Health and Safety at Work etc. Act 1974;

“glaze” does not include engobe or slip;

“hazard” means the intrinsic property of lead which has the potential to cause harm to the health of a person, and “hazardous” shall be construed accordingly;

“lead” means lead (including lead alkyls, lead alloys, any compounds of lead and lead as a constituent of any substance or material) which is liable to be inhaled, ingested or otherwise absorbed by persons except where it is given off from the exhaust system of a vehicle on a road within the meaning of section 192 of the Road Traffic Act 1988<sup>(1)</sup>;

“lead alkyls” means tetraethyl lead or tetramethyl lead;

“leadless glaze” means a glaze which contains less than 0.5 per cent lead by weight of the element lead calculated with reference to the total weight of the preparation;

“low solubility glaze” means a glaze which does not yield to dilute hydrochloric acid more than 5 per cent of its dry weight of a soluble lead compound when determined in accordance with a method approved by the Health and Safety Commission;

“medical surveillance” means assessment of the state of health of an employee, as related to exposure to lead, and includes clinical assessment and biological monitoring;

“occupational exposure limit for lead” means in relation to—

- (a) lead other than lead alkyls, a concentration of lead in the atmosphere to which any employee is exposed of 0.15 mg/m<sup>3</sup>; and

(b) lead alkyls, a concentration of lead contained in lead alkyls in the atmosphere to which any employee is exposed of 0.10 mg/m<sup>3</sup>,

assessed—

- (i) by reference to the content of the element lead in the concentration, and
- (ii) in relation to an 8-hour time-weighted average reference period when calculated by a method approved by the Health and Safety Commission;

“personal protective equipment” means all equipment (including clothing) 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 health, and any addition or accessory designed to meet that objective;

“public road” means (in England and Wales) a highway maintainable at the public expense within the meaning of section 329 of the Highways Act 1980<sup>(2)</sup> and (in Scotland) a public road within the meaning assigned to that term by section 151 of the Roads (Scotland) Act 1984<sup>(3)</sup>;

“relevant doctor” means an appointed doctor or an employment medical adviser;

“risk”, in relation to the exposure of an employee to lead, means the likelihood that the potential for harm to the health of a person will be attained under the conditions of use and exposure and also the extent of that harm;

“the risk assessment” means the assessment of risk required by regulation 5(1)(a);

“safety data sheet” means a safety data sheet within the meaning of regulation 5 of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002<sup>(4)</sup>;

“significant” in relation to exposure to lead means exposure in the following circumstances—

- (a) where any employee is or is liable to be exposed to a concentration of lead in the atmosphere exceeding half the occupational exposure limit for lead;
- (b) where there is a substantial risk of any employee ingesting lead; or
- (c) where there is a risk of contact between the skin and lead alkyls or other substances containing lead which can be absorbed through the skin;

“substance hazardous to health” has the meaning assigned to it in regulation 2(1) of the Control of Substances Hazardous to Health Regulations 2002<sup>(5)</sup>;

“suspension level” means—

- (a) a blood-lead concentration of—
  - (i) in respect of a woman of reproductive capacity, 30 µg/dl,
  - (ii) in respect of a young person, 50 µg/dl, or
  - (iii) in respect of any other employee, 60 µg/dl; or
- (b) a urinary lead concentration of—
  - (i) in respect of a woman of reproductive capacity, 25 µg Pb/g creatinine, or
  - (ii) in respect of any other employee, 110 µ Pb/g creatinine;

“woman of reproductive capacity” means an employee in respect of whom an entry has been made to that effect in that employee’s health record in accordance with regulation 10(14) by a relevant doctor;

“workplace” means any premises or part of premises used for or in connection with work, and includes—

(2) 1980 c. 66.

(3) 1984 c. 54.

(4) S.I. 2002/1689.

(5) S.I. 2002/2677.

- (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;

“young person” means a person who has not attained the age of 18 and who is not a woman of reproductive capacity.

- (2) Any reference in these Regulations to either—
  - (a) an employee being exposed to lead; or
  - (b) any place being contaminated by lead,

is a reference to exposure to or, as the case may be, contamination by lead arising out of or in connection with work at the workplace.