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## STATUTORY INSTRUMENTS

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# 2018 No. 390

## The Personal Protective Equipment (Enforcement) Regulations 2018

### PART 1

#### Preliminary

#### Citation, commencement and interpretation **N.I.**

1.—(1) These Regulations may be cited as the Personal Protective Equipment (Enforcement) Regulations 2018 and come into force on 21st April 2018.

(2) In these Regulations—

“the 1974 Act” means the Health and Safety at Work etc. Act 1974 <sup>M1</sup>;

“the 1978 Order” means the Health and Safety at Work (Northern Ireland) Order 1978 <sup>M2</sup>;

“the 1987 Act” means the Consumer Protection Act 1987 <sup>M3</sup>;

“the 2002 Regulations” means the Personal Protective Equipment Regulations 2002 <sup>M4</sup>;

“district council” means a district council within the meaning of the Local Government Act (Northern Ireland) 1972 <sup>M5</sup>;

“EU Regulation 2016/425” means Regulation (EU) No 2016/425 <sup>M6</sup> of the European Parliament and of the Council on personal protective equipment, repealing Council Directive 89/686/EEC <sup>M7</sup>, as amended from time to time;

“RAMS” means Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 <sup>M8</sup>, as amended from time to time;

“risk” means a risk which may result in harm to the health or safety of persons, domestic animals or property, if personal protective equipment (“PPE”) is used in a normal and predictable manner; and

“weights and measures authority” means a local weights and measures authority within the meaning set out in section 69 of the Weights and Measures Act 1985 <sup>M9</sup>.

(3) In these Regulations a reference to—

(a) a numbered regulation, paragraph or Schedule is a reference to the regulation, paragraph or Schedule as numbered in these Regulations unless otherwise stated;

(b) an Article, paragraph of an Article or Annex is a reference to the Article, paragraph of an Article or Annex as numbered in EU Regulation 2016/425;

(c) a “relevant economic operator” in relation to PPE means an economic operator with obligations in respect of PPE under EU Regulation 2016/425; and

(d) an “enforcement authority” is to be construed in accordance with regulation 4.

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent*  
*Changes to legislation: There are currently no known outstanding effects for the The Personal Protective Equipment (Enforcement) Regulations 2018, Section 1. (See end of Document for details)*

(4) Expressions and words used in these Regulations which are used in EU Regulation 2016/425 have the same meaning as in EU Regulation 2016/425.

#### Extent Information

**E1** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

#### Marginal Citations

**M1** 1974 c.37.  
**M2** S.I. 1978/1039 (N.I. 9).  
**M3** 1987 c.43.  
**M4** S.I. 2002/1144 as amended by S.I. 2004/693, 2012/1848 and 2015/1630.  
**M5** 1972 Chapter 9.  
**M6** OJ No L81, 31.3.2016, p.51.  
**M7** OJ No L399, 30.12.1989, p.18.  
**M8** OJ No L 218, 13.8.2008, p.30.  
**M9** 1985 c.72; section 69 was amended by the Local Government (Wales) Act 1994 (c.19), section 66 and Schedule 16, paragraph 75; the Local Government etc. (Scotland) Act 1994 (c.39), section 180 and Schedule 13, paragraph 144; and the Statute Law (Repeals) Act 1989 (c.43) Schedule 1, Part 1.

#### Citation, commencement and interpretation **E+W+S**

1.—(1) These Regulations may be cited as the Personal Protective Equipment (Enforcement) Regulations 2018 and come into force on 21st April 2018.

(2) In these Regulations—

“the 1974 Act” means the Health and Safety at Work etc. Act 1974 <sup>F1</sup>;

“the 1978 Order” means the Health and Safety at Work (Northern Ireland) Order 1978 <sup>F2</sup>;

“the 1987 Act” means the Consumer Protection Act 1987 <sup>F3</sup>;

“the 2002 Regulations” means the Personal Protective Equipment Regulations 2002 <sup>F4</sup>;

“district council” means a district council within the meaning of the Local Government Act (Northern Ireland) 1972 <sup>F5</sup>;

“EU Regulation 2016/425” means Regulation (EU) No 2016/425 <sup>F6</sup> of the European Parliament and of the Council on personal protective equipment, repealing Council Directive 89/686/EEC <sup>F7</sup>, as amended from time to time;

[<sup>F8</sup>“Regulation 2016/425 (pre-exit)” means Regulation (EU) 2016/425 of the European Parliament and of the Council on personal protective equipment and repealing Council Directive 89/686/EEC, as it had effect immediately before IP completion day;]

“RAMS” means Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 <sup>F9</sup>, as amended from time to time;

“risk” means a risk which may result in harm to the health or safety of persons, domestic animals or property, if personal protective equipment (“PPE”) is used in a normal and predictable manner; and

“weights and measures authority” means a local weights and measures authority within the meaning set out in section 69 of the Weights and Measures Act 1985 <sup>F10</sup>.

(3) In these Regulations [<sup>F11</sup>(unless otherwise stated) ] a reference to—

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*Changes to legislation: There are currently no known outstanding effects for the The Personal Protective Equipment (Enforcement) Regulations 2018, Section 1. (See end of Document for details)*

- (a) a numbered regulation, paragraph or Schedule is a reference to the regulation, paragraph or Schedule as numbered in these Regulations <sup>F12</sup>...;
  - (b) an Article, paragraph of an Article [<sup>F13</sup>, Chapter ] or Annex is a reference to the Article, paragraph of an Article [<sup>F13</sup>, Chapter ] or Annex as numbered in EU Regulation 2016/425;
  - (c) a “relevant economic operator” in relation to PPE means an economic operator with obligations in respect of PPE under EU Regulation 2016/425; and
  - (d) an “enforcement authority” is to be construed in accordance with regulation 4.
- (4) Expressions and words used in these Regulations which are used in EU Regulation 2016/425 have the same meaning as in EU Regulation 2016/425 [<sup>F14</sup>unless otherwise stated].

#### Extent Information

- E2** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F1** 1974 c.37.
- F2** S.I. 1978/1039 (N.I. 9).
- F3** 1987 c.43.
- F4** S.I. 2002/1144 as amended by S.I. 2004/693, 2012/1848 and 2015/1630.
- F5** 1972 Chapter 9.
- F6** OJ No L81, 31.3.2016, p.51.
- F7** OJ No L399, 30.12.1989, p.18.
- F8** Words in [reg. 1\(2\)](#) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 35 para. 1\(2\)\(a\)](#) (as amended by S.I. 2020/676, [regs. 1\(1\), 2, 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F9** OJ No L 218, 13.8.2008, p.30.
- F10** [1985 c.72](#); [section 69](#) was amended by the [Local Government \(Wales\) Act 1994](#) (c.19), [section 66](#) and [Schedule 16](#), paragraph 75; the [Local Government etc. \(Scotland\) Act 1994](#) (c.39), [section 180](#) and [Schedule 13](#), paragraph 144; and the [Statute Law \(Repeals\) Act 1989](#) (c.43) [Schedule 1](#), Part 1.
- F11** Words in [reg. 1\(3\)](#) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 35 para. 1\(2\)\(b\)\(i\)](#) (as amended by S.I. 2020/676, [regs. 1\(1\), 2, 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F12** Words in [reg. 1\(3\)\(a\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 35 para. 1\(2\)\(b\)\(ii\)](#) (as amended by S.I. 2020/676, [regs. 1\(1\), 2, 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F13** Word in [reg. 1\(3\)\(b\)](#) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 35 para. 1\(2\)\(b\)\(iii\)](#) (as amended by S.I. 2020/676, [regs. 1\(1\), 2, 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F14** Words in [reg. 1\(4\)](#) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 35 para. 1\(2\)\(c\)](#) (as amended by S.I. 2020/676, [regs. 1\(1\), 2, 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the The Personal Protective Equipment (Enforcement) Regulations 2018, Section 1.