
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations impose health and safety requirements with respect to the provision for, and use by, persons at work of personal protective equipment. Personal protective equipment is defined in regulation 2 and certain types of such equipment are excluded from the application of regulations 4 to 12 by regulation 3(2).

The Regulations do not apply in relation to the master or crew of a sea-going ship or to the employer of such persons in respect of the normal shipboard activities of a ship's crew under the direction of the master (regulation 3(1)). With that exception, the Regulations, together with the existing Regulations listed in regulation 3(3) (which are modified by Parts III to VIII of Schedule 2), give effect as respects Northern Ireland to certain provisions of Council Directive [89/656/EEC](#) (O.J. No. L393, 30.12.89, p. 18) on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace.

Regulations 4 and 6 to 12 do not apply in respect of risks to health and safety for which personal protective equipment is required by specified existing Regulations (regulation 3(3)).

The Regulations require employers to ensure that suitable personal protective equipment is provided for their employees and also require self-employed persons to ensure that suitable personal protective equipment is provided for themselves. The circumstances in which personal protective equipment must be provided and minimum conditions of what is suitable are specified (regulation 4).

The Regulations also impose requirements with respect to—

- (a) the compatibility of items of personal protective equipment where it is necessary to wear or use more than one item simultaneously (regulation 5);
- (b) the making, review and changing of assessments in relation to the choice of personal protective equipment (regulation 6);
- (c) the maintenance (including replacement and cleaning as appropriate) of personal protective equipment (regulation 7);
- (d) the provision of accommodation for personal protective equipment (regulation 8);
- (e) the provision of information, instruction and training (regulation 9); and
- (f) ensuring that personal protective equipment is properly used (regulation 10(1)).

Both employees and self-employed persons are required to make proper use of personal protective equipment and return it after use to accommodation provided for it (regulation 10(2) to (4)). Employees are also required to report to their employer the loss of or any obvious defect in personal protective equipment (regulation 11).

The Secretary of State for Defence may grant exemptions from the Regulations in the interests of national security (regulation 12).

Certain existing provisions relating to personal protective equipment are modified (regulation 13(1) and Schedule 2). Section 64 of the Factories Act (Northern Ireland) 1965 is repealed (regulation 13(2)). Provisions replaced by these Regulations are repealed or revoked (regulation 13(3) and Schedule 3).

A person who contravenes the Regulations is guilty of an offence under Article 31 of the Health and Safety at Work (Northern Ireland) Order 1978.