

Implementation in Great Britain of Council Directive of 1999/92/EC of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (Fifteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)

Provision in Directive	Summary of Provision	Section of Great Britain Regulations (see key on the last page for the abbreviations used)
Article 1.2(a)	Directive shall not apply to areas for medical treatment of patients	DSEAR 3(2)(a)
Article 1.2(b)	Directive shall not apply to appliances burning gaseous fuels	DSEAR 3(2)(b) and 3(2)(c)
Article 1.2(c)	Directive shall not apply to explosive/chemically unstable substances	DSEAR 3(2)(d)
Article 1.2(d)	Directive shall not apply to mineral extracting industries	DSEAR 3(2)(e), 3(2)(f), 3(2)(h) and 3(3)
Article 1.2 (e)	Directive shall not apply to means of transport covered by Community Directives	DSEAR 3(2)(i)
Article 2	Definition of “explosive atmosphere”	DSEAR 2(1)
Article 3	Duty on employer to take technical and organisational measures to prevent and protect against explosions	DSEAR 6 and Schedule 1
Article 4.1	Duty on employer to assess risks arising from explosive atmospheres	DSEAR 5(1), 5(2)(c)(i), 5(2)(f), 5(2)(g) and 5(2)(h)
Article 4.2	Duty to take into account places connected to other places where explosive atmospheres may occur when assessing risks	DSEAR 5(2)(i)

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Article 5	Duty on employer to ensure health and safety of workers where explosive atmospheres may be present	DSEAR 6 and Schedule 1
Article 6	Duty to ensure that, where workers from several undertakings are present in same workplace, the employer responsible for workplace co-ordinates health and safety measures	DSEAR 11
Article 7.1	Employer to classify places in workplace where explosive atmospheres may occur in accordance with Annex I of Directive	DSEAR 7(1)
Article 7.2	Employer to ensure that requirements in Annex II are applied to places covered by Article 7.1	DSEAR 6, 7(2) and Schedule 1
Article 7.3	Employer to mark (where necessary) points of entry to places where explosive atmospheres may occur in accordance with Annex III	DSEAR 7(3)
Article 8	Employer to draw up and keep up to date explosion protection document	Documentation requirements covered by risk assessment record in DSEAR 5(3), 5(4), 5(4)(c) and 5(5)
Article 9.1	Special requirements for work equipment in use or available before 30 June 2003	DSEAR 17(1)

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Article 9.2	Special requirements for equipment made available for first time after 30 June 2003	DSEAR 17(1)
Article 9.3	Special requirements for workplaces containing explosive atmospheres first used after 30 June 2003	DSEAR 17(2)(b)
Article 9.4	Special requirements for workplaces containing explosive atmospheres already in use before 30 June 2003	DSEAR 17(2)(a)
Article 9.5	Special requirements for workplaces already in use before June 30 2003 but modified after that date	DSEAR 17(3)
Article 10	Adjustments to annexes in Directive	Not applicable - applies to changes to Directive
Article 11	Commission guide of good practice	Not applicable - applies to Commission
Article 12	Information to undertakings	Not applicable – applies to Member States
Article 13	Final provisions	Not applicable – applies to Member States
Article 14	Date Directive enter force	Not applicable
Article 15	Directive addressed to Member States	Not applicable
Annex I	Classification of places where explosive atmospheres may occur	Schedule 2

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Annex II	Minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres	
Part A	Minimum health and safety requirements	
1.1	Training of workers	DSEAR 9(1) and 9(2)
1.2	Written instructions and permits to work	DSEAR 6 and Schedule 1(paragraph 6)
2.1	Diverting or removing releases of vapours, gases, mists, etc to a safe place	DSEAR 6(4)(e)
2.2	Protection measures to be appropriate to greatest risk	No specific reference, however it is implicit in the requirements to assess and control risks in regulations 5 & 6. If greatest risk is not addressed the risk assessment and control is insufficient.
2.3	Provision of anti static clothing	DSEAR 7(5)
2.4	Plant and equipment only to be used if they can safely be used in an explosive atmosphere	DSEAR 6, Schedule 1 and Schedule 2
2.5	Workplace and equipment designed, constructed and installed so as to minimise chances of explosion and mitigate propagation of explosions	DSEAR 6 and Schedule 1
2.6	Optical and acoustic warnings to be provided	DSEAR 8(1)(d)

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2.7	Provision of escape facilities	DSEAR 8(1)(e)
2.8	Verification of explosion protection measures	DSEAR 7(4)
2.9	Measures to ensure safe shut down of equipment and protective system, safe manual override and dissipation of energy following shutdown	DSEAR 6 and Schedule 1(paragraph 5)
Part B	Criteria for selecting equipment and protective systems	Schedule 3
Annex III	Warning sign for places where explosive atmospheres may occur	Schedule 4

Key to abbreviations

DSEAR: Dangerous Substances and Explosive Atmospheres Regulations 2002