

Regulation on safety and health protection by the use of personal protection equipment at work (PSA Benutzungsverordnung - PSA BV) from 4 December 1996

(BGBl. I 1996 S. 1841)

---

Implementation of the EEC directive:

Directive 89/656/EEG of the council from 30 November 1989 on minimum regulatory requirements on safety and health protection on the use of personal protection equipment by employees at work (ABl. EEC No. L 393 S. 18)

---

## § 1 Applicability

(1) this regulation applies to employers making protective equipment available as well to employees as to the use of personal protection equipment.

(2) personal protection equipment in the meaning of this regulation is any equipment, which is intended to be used or worn by employees to be protected against hazards to safety and health, as well as any additional equipment used with PPE used for that purpose.

(3) PPE in the meaning of (2) above is not:

1. Work clothes and uniforms; which do not especially serve safety or the protection of health,

2. equipment for emergency and emergency response services,

3. PPE for the German Armed Forces, civilian and disaster protection organizations, the police of the Federal Republic and the States as well as other organizations which support public security and order,

4. PPE for road traffic, to the extent required as being subject to traffic regulations,

5. sports equipment,

6. equipment for deterrence and for self defense,

7. portable equipment to determine or communicate hazards or hazardous substances.

(4) the regulation does not apply in enterprises, which are subject to the federal mining law.

## § 2 Supply and use

(1) Notwithstanding his duties according to §§ 3, 4 and 5 of the industrial safety law, the employer shall only select PPE and make it available to employees which

1. meet the requirements of the ordinance on bringing PPE into commerce
2. Provide protection against the hazards to be prevented without adding a greater risk
3. are appropriate for the working conditions at the workplace
4. meet the ergonomic and health requirements of the Employee.

(2) personal protection equipment must fit the persons employed individually. They are in principle intended for the use by one person. If the circumstances require a use by different persons employed, the employer has to ensure that health hazards or hygienic problems do not arise.

(3) if multiple personal protection equipment are used at the same time by an employee, the employer must co-ordinate these protection equipment so that the protective effect of the individual equipment is not impaired.

(4) The employer ensures by means of maintenance, repair and replacement as well as by proper storage that the PPS is functioning well and in a hygienically perfect condition for its entire time of use.

### § 3 Instruction

(1) During the instruction in accordance with § 12 of the industrial safety law the employer has to instruct the persons employed in how the personal protection equipment is to be used safely. So far as necessary, he also trains in the use of PPE.

(2) for each PPE made available the employer has to hold readily available necessary information for the use in form and language understandable by his employees.