

SUBSIDIARY LEGISLATION 424.35

WORK EQUIPMENT (MINIMUM SAFETY AND HEALTH REQUIREMENTS) REGULATIONS*

6th September, 2016

LEGAL NOTICE 293 of 2016, as amended by Act XXXIII of 2024.

1. (1) The title of these regulations is the Work Equipment (Minimum Safety and Health Requirements) Regulations. Citation and scope.

(2) The scope of these regulations is to lay down minimum health and safety requirements for the use of work equipment by workers at the work place.

(3) The provisions of the General Provisions for Health and Safety at Work Places Regulations, hereinafter referred to as "the General Provisions Regulations", are fully applicable to the whole scope referred to in sub-regulation (2), without prejudice to more stringent and, or specific provisions contained in these regulations. S.L. 424.18

2. In these regulations, unless the context otherwise requires: Interpretation.
Amended by:
XXXIII.2024.
First Schedule.

"Act" means the Health and Safety at Work Act; Cap. 646.

"Authority" means the Occupational Health and Safety Authority established by article 4 of the Act;

"competent person" means a person possessing adequate qualifications, suitable training and sufficient knowledge, experience and skill for the safe performance of the specific task or work required;

"danger zone" means any zone within and, or around work equipment in which an exposed worker is subject to a risk to his health or safety;

"exposed worker" means any worker wholly or partially in a danger zone;

"operator" means the worker or workers given the task of using work equipment;

"use of work equipment" means any activity involving work equipment such as starting or stopping the equipment, its use, transport, repair, modification, maintenance and servicing, including, in particular, cleaning;

"work equipment" means any machine, apparatus, tool or installation used at work.

3.(1) (a) The employer shall take the measures necessary to ensure that the work equipment made available to workers in the undertaking and, or establishment itself are suitable for the work to be carried out or properly Employers' obligations - general obligations.

*These regulations have been transferred to Cap. 646. Vide S.L. 646.24 and Act XXXIII of 2024.

adapted for that purpose and may be used by workers without impairment to their safety or health.

- (b) In selecting the work equipment which he proposes to use, the employer shall pay attention to the specific working conditions and characteristics and to the hazards which exist in the undertaking and, or establishment, in particular at the workplace, for the safety and health of the workers, and, or any additional hazards posed by the use of work equipment in question.

(2) Where it is not fully possible to ensure that work equipment can be used by workers without risk to their safety or health, the employer shall take appropriate measures to minimize the risks.

Rules concerning
work equipment.

4. (1) Without prejudice to the provisions of regulation 3, the employer must obtain and, or use and, or allow to be used work equipment which complies with the minimum requirements laid down in these regulations to the extent that no other legislative provision is applicable or is so only partially.

(2) The employer shall take the measures necessary to ensure that, throughout its working life, work equipment is kept, by means of adequate maintenance, at a level such that it complies with the provisions of sub-regulation (1).

Inspection of work
equipment.

5. (1) The employer shall ensure that where the safety of work equipment depends on the installation conditions, such equipment shall be subject to an initial inspection (after installation and before first being put into service) and an inspection after assembly at a new site or in a new location by competent persons, to ensure that the work equipment has been installed correctly and is operating properly.

(2) The employer shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is subject to -

- (a) periodic inspections and, where appropriate, testing by competent persons,
- (b) special inspections by competent persons each time that exceptional circumstances which are liable to jeopardize the safety of the work equipment have occurred, such as modification work, accidents, natural phenomena or prolonged periods of inactivity,

to ensure that health and safety conditions are maintained and that the deterioration can be detected and remedied in good time.

(3) Where any defect is identified in any work equipment or in any safety device by any examination and test under this regulation and, in the opinion of the competent person carrying out the examination and test either -

- (a) the said defect is a cause of danger to workers and in consequence the work equipment or safety device (as the case may be) ought not to be used until the said

defect has been remedied;

- (b) the said defect may become a cause of danger to workers and in consequence the work equipment or safety device (as the case may be) ought not to be used after the expiration of a specified period unless the said defect has been remedied,

such defect shall, as soon as possible after the completion of the examination and test, be notified in writing by the competent person to the employer of the work place, in the case of a defect falling within paragraph (b) such notification shall include the period within which, in the opinion of the competent person, the defect ought to be remedied.

(4) The results of inspections must be recorded and kept by the employer for a minimum period of two years.

(5) When work equipment is used outside the undertaking it must be accompanied by physical evidence that the last inspection required to be carried out by these regulations, has been carried out.

(6) All inspection records shall be kept at the disposal of the Authority for inspection when so required.

6. When the use of work equipment is likely to involve a specific risk to the safety or health of workers, the employer shall take the measures necessary to ensure that:

Work equipment involving specific risks.

- (a) the use of work equipment is restricted to those persons given the task of using it;
- (b) in the case of repairs, modifications, maintenance or servicing, the workers concerned are specifically designated to carry out such work.

7. The working posture and position of workers while using work equipment and ergonomic principles must be taken fully into account by the employer when applying minimum health and safety requirements.

Ergonomics and occupational health.

8. (1) Without prejudice to the General Provisions Regulations, the employer shall take the measures necessary to ensure that workers have at their disposal adequate information and, where appropriate, written instructions on the work equipment used at work.

Informing workers.

(2) The information and the written instructions must contain at least adequate safety and health information concerning:

- (a) the conditions of use of work equipment,
- (b) foreseeable abnormal situations,
- (c) the conclusions to be drawn from experience, where appropriate, in using work equipment.

(3) Workers must be made aware of dangers relevant to them, work equipment present in the work area or site, and any changes affecting them, in as much as they affect work equipment situated in their immediate work area or site, even if they do not use such

equipment directly.

(4) The information and the written instructions must be comprehensible to the workers concerned.

Training of
workers.

9. Without prejudice to regulation 14 of the General Provisions Regulations, the employer shall take the measures necessary to ensure that:

- (a) workers given the task of using work equipment receive adequate training, including training on any risks which such use may entail,
- (b) workers referred to in regulation 6(b) receive adequate specific training.

Consultation of
workers and
workers'
participation.

10. Consultation and participation of workers and, or of their workers' representatives shall take place in accordance with regulation 13 of the General Provisions Regulations on the matters covered by these regulations, including the Schedules.

Onus of proof.

11. In any proceedings for an offence under these regulations consisting of a failure to comply with a duty or requirement to do something, or to do something so far as is reasonably practicable, it shall be for the accused to prove, as the case may be, that it was not practicable or not reasonably practicable to do more than was in fact done to satisfy the duty or requirement, or that there was no better practicable means than was in fact used to satisfy the duty or requirement.

Offences.

12. Any person who knowingly or recklessly interferes with the process of providing a safe and healthy place of work, shall be guilty of an offence.

SCHEDULE I
MINIMUM REQUIREMENTS CONCERNING THE USE
OF WORK EQUIPMENT

1. General comment

The obligations laid down in this Schedule apply having regard to the provisions of the regulations and where the corresponding risk exists for the work equipment in question. The following minimum requirements, in as much as they apply to work equipment in use, do not necessarily call for the same measures as the essential requirements concerning new work equipment.

2. General minimum requirements applicable to work equipment.

2.1. Work equipment must be installed, located and used in such a way as to reduce risks to users of the work equipment and for other workers, for example by ensuring that there is sufficient space between the moving parts of work equipment and fixed or moving parts in its environment and that all forms of energy and substances used or produced can be supplied and, or removed in a safe manner.

2.2. Work equipment must be erected or dismantled under safe conditions, in particular observing any instructions which may have been furnished by the manufacturer.

2.3. Work equipment which may be struck by lightning while being used must be protected by devices or appropriate means against the effects of lightning.

2.4. Work equipment control devices which affect safety must be clearly visible and identifiable and appropriately marked where necessary.

Except where necessary for certain control devices, control devices must be located outside danger zones and in such a way that their operation cannot cause additional hazard. They must not give rise to any hazard as a result of any unintentional operation.

If necessary, from the main control position, the operator must be able to ensure that no person is present in the danger zones. If this is impossible, a safe system, such as an audible and, or visible warning signal, must be given automatically whenever the machinery is about to start. An exposed worker must have the time and, or the means quickly to avoid hazards caused by the starting and, or stopping of the work equipment.

Control systems must be safe and must be chosen making due allowance for the failures, faults and constraints to be expected in the planned circumstances of use.

2.5. It must be possible to start work equipment only by deliberate action on a control provided for the purpose.

The same shall apply:

- to restart it after a stoppage for whatever reason,
- for the control of a significant change in the operating conditions (e.g. speed, pressure, etc.),

unless such a restart or change does not subject exposed workers to any hazard.

This requirement does not apply to restarting or a change in operating conditions as a result of the normal operating cycle of an automatic device.

2.6. All work equipment must be fitted with a control to stop it completely and safely. Each work station must be fitted with a control to stop some or all of the work equipment, depending on the type of hazard, so that the equipment is in a safe state.

The equipment's stop control must have priority over the start controls. When the work equipment or the dangerous parts of it have stopped, the energy supply of the actuators concerned must be switched off.

2.7. Where appropriate, and depending on the hazards the equipment presents and its normal stopping time, work equipment must be fitted with an emergency stop device.

2.8. Work equipment presenting risk due to falling objects or projections must be fitted with appropriate safety devices corresponding to the risk.

Work equipment presenting hazards due to emissions of gas, vapour, liquid or dust must be fitted with appropriate containment and, or extraction devices near the sources of the hazard.

2.9. Work equipment and parts of such equipment must, where necessary for the safety and health of workers, be stabilized by clamping or some other means.

2.10. Where there is a risk of rupture or disintegration of parts of the work equipment, likely to pose significant danger to the safety and health of workers, appropriate protection measures must be taken.

2.11. Where there is a risk of mechanical contact with moving parts of work equipment which could lead to accidents, those parts must be provided with guards or devices to prevent access to danger zones or to halt movements of dangerous parts before the danger zones are reached.

The guards and protection devices must:

- be of robust construction,
- not give rise to any additional hazard,
- not be easily removed or rendered inoperative,
- be situated at sufficient distance from the danger zone,
- not restrict more than necessary the view of the operating cycle of the equipment,
- allow operations necessary to fit or replace parts and for maintenance work, restricting access only to the area where the work is to be carried out and, if possible, without removal of the guard or protection device.

2.12. Areas and points for working on, or maintenance of, work equipment must be suitably lit in line with the operation to be carried out.

2.13. Work equipment parts at high or very low temperature must, where appropriate, be protected to avoid the risk of workers coming into contact or coming too close.

2.14. Warning devices on work equipment must be unambiguous and easily perceived and understood.

2.15. Work equipment may be used only for operations and under conditions for which it is appropriate.

2.16. It must be possible to carry out maintenance operations when the equipment is shut down. If this is not possible, it must be possible to take appropriate protection measures for the carrying out of such operations or for such operations to be carried out outside the danger zones.

If any machine has a maintenance log, it must be kept up to date.

2.17. All work equipment must be fitted with clearly identifiable means to isolate

it from all its energy sources.

Reconnection must be presumed to pose no risk to the workers concerned.

2.18. Work equipment must bear the warnings and markings essential to ensure the safety of workers.

2.19. Workers must have safe means of access to, and be able to remain safely in, all the areas necessary for production, adjustment and maintenance operations.

2.20. All work equipment must be appropriate for protecting workers against the risk of the work equipment catching fire or overheating, or of discharges of gas, dust, liquid, vapour or other substances produced, used or stored in the work equipment.

2.21. All work equipment must be appropriate for preventing the risk of explosion of the work equipment or of substances produced, used or stored in the work equipment.

2.22. All work equipment must be appropriate for protecting exposed workers against the risk of direct or indirect contact with electricity.

3. Additional minimum requirements applicable to specific types of work equipment

3.1. Minimum requirements for mobile work equipment, whether or not self-propelled.

3.2. Self-propelled work equipment shall be driven only by workers who have been appropriately trained in the safe driving of such equipment.

3.3. If work equipment is moving around in a work area, appropriate traffic rules must be drawn up and followed.

3.4. Organizational measures must be taken to prevent workers on foot coming within the area of operation of self-propelled work equipment. If work can be done properly only if workers on foot are present, appropriate measures must be taken to prevent them from being injured by the equipment.

3.5. The transport of workers on mechanically driven mobile work equipment is authorized only where safe facilities are provided to this effect. If work must be carried out during the journey, speeds must be adjusted as necessary.

3.6. Mobile work equipment with a combustion engine may not be used in working areas unless sufficient quantities of air presenting no health or safety risk to workers can be guaranteed.

4. Provisions concerning the use of work equipment for lifting loads.

4.1. General considerations.

4.2. Work equipment which is mobile or can be dismantled and which is designed for lifting loads must be used in such a way as to ensure the stability of the work equipment during use under all foreseeable conditions, taking into account the nature of the ground.

4.3. Persons may be lifted only by means of work equipment and accessories provided for this purpose.

Without prejudice to the Act and the General Provisions Regulations, exceptionally, work equipment which is not specifically designed for the purpose of lifting persons may be used to this effect, provided appropriate action has been taken to ensure safety in accordance with national legislation and, or practice laying down appropriate supervision.

While workers are on work equipment designed for lifting loads the control position must be manned at all times. Persons being lifted must have reliable means of communication. In the event of danger there must be reliable means of evacuating them.

4.4. Unless required for the effective operation of the work measures must be taken to ensure that workers are not present under suspended loads.

Loads may not be moved above unprotected workplaces usually occupied by workers. Where that is the case, if work cannot be carried out properly any other way, appropriate procedures must be laid down and applied.

4.5. Lifting accessories must be selected as a function of the loads to be handled, gripping points, attachment tackle and the atmospheric conditions having regard to the mode and configuration of slinging. Lifting accessory tackle must be clearly marked so that users are aware of its characteristics where such tackle is not dismantled after use.

4.6. Lifting accessories must be stored in a way that ensures that they will not be damaged or degraded.

4.7. Work equipment for lifting non-guided loads.

4.8. When two or more items of work equipment used for lifting non-guided loads are installed or erected on a site in such a way that their working radii overlap, appropriate measures must be taken to avoid collision between loads and, or the work equipment parts themselves.

4.9. When using mobile work equipment for lifting non-guided loads, measures must be taken to prevent the equipment from tilting, overturning or, if necessary, moving or slipping. Checks must be made to ensure that these measures are executed properly.

4.10. If the operator of work equipment designed for lifting non-guided loads cannot observe the full path of the load either directly or by means of auxiliary equipment providing the necessary information, a competent person must be in communication with the operator to guide him and organizational measures must be taken to prevent collisions of the load which could endanger workers.

4.11. Work must be organized in such a way that when a worker is attaching or detaching a load by hand, it can be done safely, in particular through the worker retaining direct or indirect control of the work equipment.

4.12. All lifting operations must be properly planned, appropriately supervised and carried out to protect the safety of workers.

In particular, if a load has to be lifted by two or more pieces of work equipment for lifting non-guided loads simultaneously, a procedure must be established and applied to ensure good coordination on the part of the operators.

4.13. If work equipment designed for lifting non-guided loads cannot maintain its hold on the load in the event of a complete or partial power failure, appropriate measures must be taken to avoid exposing workers to any resultant risks.

Suspended loads must not be left without surveillance unless access to the danger zone is prevented and the load has been safely suspended and is safely held.

4.14. Open-air use of work equipment designed for lifting non-guided loads must be halted when meteorological conditions deteriorate to the point of jeopardizing the safe use of the equipment and exposing workers to risks. Adequate protection measures, in particular to avoid work equipment turning over, must be taken to avoid

any risks to workers.

4.15. Work equipment with ride-on workers must be fitted out in such a way as to reduce the risks for workers during the journey.

Those risks must include the risks of contact with or trapping by wheels or tracks.

4.16. Where an inadvertent seizure of the drive unit between an item of mobile work equipment and its accessories and, or anything towed might create a specific risk, such work equipment must be equipped or adapted to prevent blockages of the drive units.

Where such seizure cannot be avoided, every possible measure must be taken to avoid any adverse effects on workers.

4.17. Where drive shafts for the transmission of energy between mobile items of work equipment can become soiled or damaged by trailing on the ground, facilities must be available for fixing them.

4.18. Mobile work equipment with ride-on workers must be designed to restrict, under actual conditions of use, the risks arising from work equipment rollover:

- either by a protection structure to ensure that the equipment does not tilt by more than a quarter turn, or
- a structure giving sufficient clearance around the ride-on workers if the tilting movement can continue beyond a quarter turn, or
- by some other device of equivalent effect.

These protection structures may be an integral part of the work equipment.

These protection structures are not required when the work equipment is stabilized during operation or where the design makes roll over impossible.

Where there is a risk of a ride-on worker being crushed between parts of the work equipment and the ground, should the equipment roll over, a restraining system for the ride-on workers must be installed.

4.19. Fork-lift trucks carrying one or more workers must be adapted or equipped to limit the risk of the fork-lift truck overturning, e. g.:

- by the installation of an enclosure for the driver, or
- by a structure preventing the fork-lift truck from overturning, or
- by a structure ensuring that, if the fork-lift truck overturns, sufficient clearance remains between the ground and certain parts of the fork-lift truck for the workers carried, or
- by a structure restraining the workers on the driving seat so as to prevent them from being crushed by parts of the fork-lift truck which overturns.

4.20. Self-propelled work equipment which may, in motion, engender risks for persons must fulfil the following conditions:

- (a) the equipment must have facilities for preventing unauthorized start-up;
- (b) it must have appropriate facilities for minimizing the consequences of a collision where there is more than one item of track-mounted work equipment in motion at the same time;
- (c) there must be a device for braking and stopping equipment. Where safety constraints so require, emergency facilities operated by readily accessible controls or automatic systems must be available for braking

and stopping equipment in the event of failure of the main facility;

- (d) where the driver's direct field of vision is inadequate to ensure safety, adequate auxiliary devices must be installed to improve visibility;
- (e) work equipment designed for use at night or in dark places must be equipped with lighting appropriate to the work to be carried out and must ensure sufficient safety for workers;
- (f) work equipment which constitutes a fire hazard, either on its own or in respect of whatever it is towing and, or carrying and which is liable to endanger workers, must be equipped with appropriate fire-fighting appliances where such appliances are not available sufficiently nearby at the place of use;
- (g) remote-controlled work equipment must stop automatically once it leaves the control range;
- (h) remote-controlled work equipment which may in normal conditions engender a crushing or impact hazard must have facilities to guard against this risk, unless other appropriate devices are present to control the impact risk.

4.21. Minimum requirements for work equipment for lifting loads

4.22. When work equipment for lifting loads is installed permanently, its strength and stability during use must be assured, having regard, in particular, to the loads to be lifted and the stress induced at the mounting or fixing point of the structures.

4.23. Machinery for lifting loads must be clearly marked to indicate its nominal load, and where appropriate a load plate giving the nominal load for each configuration of the machinery.

Accessories for lifting must be marked in such a way that it is possible to identify the characteristics essential for safe use.

Work equipment which is not designed for lifting persons but which might be so used in error must be appropriately and clearly marked to this effect.

4.24. Permanently installed work equipment must be installed in such a way as to reduce the risk of the load:

- (a) striking workers;
- (b) drifting dangerously or falling freely;
- (c) being released unintentionally.

4.25. Work equipment for lifting or moving workers must be such as to:

- (a) prevent the risk of the car falling, where one exists, by suitable devices;
- (b) prevent the risk of the user himself falling from the car, where one exists;
- (c) prevent the risk of the user being crushed, trapped or struck, in particular through inadvertent contact with objects;
- (d) ensure that persons trapped in the car in the event of an incident are not exposed to danger and can be freed.

If, for reasons inherent in the site and height differences, the risks referred to in sub-paragraph (a) cannot be avoided by any safety measures, an enhanced safety coefficient suspension rope must be installed and checked every working day.

5. Provisions concerning the use of work equipment provided for temporary

work at a height.

5.1. General provisions

5.2. If, pursuant to the Act, the General Provisions Regulations, and these Regulations, temporary work at a height cannot be carried out safely and under appropriate ergonomic conditions from a suitable surface, the work equipment most suitable to ensure and maintain safe working conditions must be selected. Collective protection measures must be given priority over personal protection measures. The dimensions of the work equipment must be appropriate to the nature of the work to be performed and to the foreseeable stresses and allow passage without danger.

The most appropriate means of access to temporary workplaces at a height must be selected according to the frequency of passage, the height to be negotiated and the duration of use. The choice made must permit evacuation in the event of imminent danger. Passage in either direction between a means of access and platforms, decks or gangways must not give rise to any additional risks of falling.

5.3. Ladders may be used as work stations for work at a height only under circumstances in which, given paragraph 5.2, the use of other, safer work equipment is not justified because of the low level of risk and either the short duration of use or existing features on site that the employer cannot alter.

5.4. Rope access and positioning techniques may be used only under circumstances where the risk assessment indicates that the work can be performed safely and where the use of other, safer work equipment is not justified.

Taking the risk assessment into account and depending in particular on the duration of the job and the ergonomic constraints, provision must be made for a seat with appropriate accessories.

5.5. Depending on the type of work equipment selected on the basis of the foregoing, the appropriate measures for minimising the risks to workers inherent in this type of equipment must be determined. If necessary, provision must be made for the installation of safeguards to prevent falls. These must be of suitable configuration and sufficient strength to prevent or arrest falls from a height and, as far as possible, to preclude injury to workers. Collective safeguards to prevent falls may be interrupted only at points of ladder or stairway access.

5.6. When the performance of a particular task requires a collective safeguard to prevent falls to be temporarily removed, effective compensatory safety measures must be taken. The task may not be performed until such measures have been taken. Once the particular task has been finished, either definitively or temporarily, the collective safeguards to prevent falls must be reinstalled.

5.7. Temporary work at a height may be carried out only when the weather conditions do not jeopardise the safety and health of workers.

5.8. Specific provisions regarding the use of ladders.

5.9. Ladders must be so positioned as to ensure their stability during use. Portable ladders must rest on a stable, strong, suitably-sized, immobile footing so that the rungs remain horizontal. Suspended ladders must be attached in a secure manner and, with the exception of rope ladders, so that they cannot be displaced and so that swinging is prevented.

5.10. The feet of portable ladders must be prevented from slipping during use by securing the stiles at or near their upper or lower ends, by any anti-slip device or by any other arrangement of equivalent effectiveness. Ladders used for access must be long enough to protrude sufficiently beyond the access platform, unless other measures have been taken to ensure a firm handhold. Interlocking ladders and

extension ladders must be used so that the different sections are prevented from moving relative to one another. Mobile ladders must be prevented from moving before they are stepped on.

5.11. Ladders must be used in such a way that a secure handhold and secure support are available to workers at all times. In particular, if a load has to be carried by hand on a ladder, it must not preclude the maintenance of a safe handhold.

5.12. Specific provisions regarding the use of scaffolding

5.13. When a note of the calculations for the scaffolding selected is not available or the note does not cover the structural arrangements contemplated, strength and stability calculations must be carried out unless the scaffolding is assembled in conformity with a generally recognised standard configuration.

5.14. Depending on the complexity of the scaffolding chosen, an assembly, use and dismantling plan must be drawn up by a competent person. This may be in the form of a standard plan, supplemented by items relating to specific details of the scaffolding in question.

5.15. The bearing components of scaffolding must be prevented from slipping, whether by attachment to the bearing surface, provision of an anti-slip device or any other means of equivalent effectiveness, and the load-bearing surface must have a sufficient capacity. It must be ensured that the scaffolding is stable. Wheeled scaffolding must be prevented by appropriate devices from moving accidentally during work at a height.

5.16. The dimensions, form and layout of scaffolding decks must be appropriate to the nature of the work to be performed and suitable for the loads to be carried and permit work and passage in safety. Scaffolding decks must be assembled in such a way that their components cannot move in normal use. There must be no dangerous gap between the deck components and the vertical collective safeguards to prevent falls.

5.17. When parts of a scaffolding are not ready for use, for example during assembly, dismantling or alteration, they must be marked with general warning signs in accordance with the Work Place (Provision of Health and, or Safety Signs) Regulations, and be suitably delimited by physical means preventing access to the danger zone.

5.18. Scaffolding may be assembled, dismantled or significantly altered only under the supervision of a competent person and by workers who must have received appropriate and specific training in the operations envisaged, addressing specific risks, and more particularly in:

- (a) understanding of the plan for the assembly, dismantling or alteration of the scaffolding concerned;
- (b) safety during the assembly, dismantling or alteration of the scaffolding concerned;
- (c) measures to prevent the risk of persons or objects falling;
- (d) safety measures in the event of changing weather conditions which could adversely affect the safety of the scaffolding concerned;
- (e) permissible loads;
- (f) any other risks which the above-mentioned assembly, dismantling or alteration operations may entail.

The person supervising and the workers concerned must have available the

assembly and dismantling plan referred to in paragraph 5.14, including any instructions it may contain.

6. Specific provisions regarding the use of rope access and positioning techniques

The use of rope access and positioning techniques must comply with the following conditions:

- (a) the system must comprise at least two separately anchored ropes, one as a means of access, descent and support (work rope) and the other as backup (security rope);
- (b) workers must be provided with and use an appropriate harness and be connected by it to the security rope;
- (c) the work rope must be equipped with safe means of ascent and descent and have a self-locking system to prevent the user falling should he lose control of his movements. The security rope must be equipped with a mobile fall prevention system which follows the movements of the worker;
- (d) the tools and other accessories to be used by a worker must be secured to the worker's harness or seat or by some other appropriate means;
- (e) the work must be properly planned and supervised, so that a worker can be rescued immediately in an emergency;
- (f) the workers concerned must receive adequate training specific to the operations envisaged, in particular rescue procedures.

In exceptional circumstances where, in view of the assessment of risks, the use of a second rope would make the work more dangerous, the use of a single rope may be permitted, provided that appropriate measures have been taken to ensure adequate levels of occupational health and safety.

7. Escalators and Moving Walkways

7.1. It shall be the duty of every employer to take all the necessary measures to ensure that escalators and moving walkways:

- (a) function safely;
- (b) are equipped with any necessary safety devices;
- (c) are fitted with easily identifiable and easily accessible emergency shut-down devices;
- (d) are adequately maintained, and examined and certified every six months by a warranted mechanical engineer.

7.2. It shall be the duty of the employer to send to the Authority a report of the examination, drawn up by an engineer as requested in the foregoing, by not later than fifteen working days from the date on which the examination falls due.

8. Provisions concerning the examination of Steam Boilers

8.1. Every steam boiler and all its fittings and attachments shall be thoroughly examined, at least once in every period of twelve months as well as after any extensive repairs have been effected thereto, by a competent person.

- 8.2. (a) Any examination required under paragraph 8.1 shall be carried out after a two days' notice has been given to the employer and shall consist, in the first place, of an examination of the boiler when it is cold and the interior and exterior have been prepared in such manner as may be

directed by the competent person, and secondly, except in the case of an economiser or superheater, of an examination while it is under normal steam pressure, but the two parts of the examination may be carried out by different examiners.

- (b) The examination of boilers under steam pressure shall be made on the first occasion when steam is raised after the examination of the boiler when cold, or as soon as possible thereafter, and the person carrying out such examination shall see that the safety valve is so adjusted as to prevent the boiler being worked at a pressure greater than the maximum permissible working pressure.

8.3. Where the report of any examination carried out in accordance with these regulations specifies conditions for securing the safe working of a steam boiler, such boiler shall not be used except in accordance with those conditions.

SCHEDULE II

GOODS LIFTS

Part 1 - Goods lifts

1.1. Every goods lift shall be of good mechanical construction, sound material and adequate strength, and be properly maintained.

1.2. Every goods lift shall be thoroughly examined by a competent person once in every period of six months:

Provided that no person shall be deemed to be a competent person for the purposes of this sub-regulation unless he is a warranted Mechanical or Electrical Engineer.

1.3. Every owner or occupier of any workplace shall cause the goods lift therein installed to be examined by a competent person as provided in paragraph 1.2 and shall send to the Authority a report of such examination, drawn up by such competent person, so as to reach the Authority not later than twenty-eight days from the date on which the examination falls due. The report shall include, as a minimum, the information listed in Part 2 of this Schedule.

1.4. Every owner or occupier as aforesaid shall ensure that any repairs, renewals or alterations of parts of the goods lift as are declared by the competent person to be required for the safe use of the goods lift, shall be effected without delay and not later than the time notified in the report of examination.

1.5. Every lift way shall be efficiently protected by a substantial enclosure fitted with gates, being such an enclosure as to prevent, when the gates are shut, any person falling down the lift way or coming into contact with any moving part of the goods lift.

1.6. Any such gate as is mentioned in paragraph 1.5 shall be fitted with efficient interlocking or other devices to secure that the gate cannot be opened except when the cage or platform is at the landing and that the cage or platform cannot be moved away from the landing until the gate is closed.

1.7. Every goods lift and every such enclosure as aforesaid shall be so constructed as to prevent any person or any goods carried in the goods lift being trapped between any part of the goods lift and any fixed structure or between the counterbalance weight and any other moving part of the goods lift.

1.8. There shall be marked conspicuously on every goods lift the maximum working load which it can safely carry and no load greater than that load shall be carried on any goods lift.

1.9. Every teagle opening or similar doorway used for hoisting or lowering goods or materials, whether by mechanical power or otherwise, shall be securely fenced, and shall be provided with a secure hand-hold on each side of the opening or doorway. The fencing shall be properly maintained and shall, except when the hoisting or lowering of goods or materials is being carried on at the opening or doorway, be kept in position.

Part 2 - Minimum Information for the Report of Examination of Goods Lift

Details of Owner/Occupier

Address where lift is installed

1. (a) Type of goods lift and identification number and description.
(b) Date of construction or reconstruction (if ascertainable).
2. Design and Construction

Are all parts of the goods lift of good mechanical construction, sound material and adequate strength (so far as ascertainable)?

3. Maintenance

Are the following parts of the goods lift properly maintained and in good working order? If not, state what defects have been found.

- (a) Enclosure of lift way.
- (b) Landing gates and cage gate(s).
- (c) Interlocks on the landing gates and cage gate(s).
- (d) Other gate fastenings.
- (e) Cage or platform and fittings, cage guides, buffers, interior of the lift way.
- (f) Over-running devices.
- (g) Suspension ropes or chains, and their attachments.
- (h) Safety gear, i.e. arrangements for preventing fall of platform or cage.
- (i) Brakes.
- (j) Worm or spur gearing.
- (k) Other electrical equipment.
- (l) Other parts.

4. What parts (if any) were inaccessible.

5. Repairs, renewals or alterations required to enable the lift to continue to be used with safety -

- (a) immediately
- (b) within a specified time, the said time to be stated

6. Defects (other than those specified at paragraph 5 above) which require attention.

7. Maximum safe working load subject to repairs, renewals or alterations (if any) specified at paragraph 5.

8. Other observations.
9. Details of Competent Person:
 - Name and Surname
 - Signature
 - Qualification
 - Warrant Number
 - Address
 - Date

NOTE

These Regulations provide that every goods lift shall be thoroughly examined by a competent person at least once in every period of six months.

SCHEDULE III

LIFTING ACCESSORIES AND LIFTING MACHINES

1. Lifting accessories

1.1. The following provisions shall be complied with respects to every chain, rope or lifting tackle used for the purpose of raising or lowering persons, goods or materials:

- (a) no chain, rope or lifting tackle shall be used unless it is of good construction, sound material, adequate strength and free from patent defect;
- (b) subject to paragraph 1.2, a table showing the safe working loads of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working load at different angles of the legs, shall be posted in the store in which the chains, ropes or lifting tackle are kept, and in prominent positions on the premises, and no chain, rope or lifting tackle not shown in the table shall be used;
- (c) no chain, rope or lifting tackle shall be used for any load exceeding its safe working load as shown by the table mentioned in sub-paragraph (b) or marked as mentioned in paragraph 1.2;
- (d) all chains, ropes and lifting tackle in use shall be thoroughly examined by a competent person at least once in every period of six months or at such greater intervals as may be prescribed;
- (e) no chain, rope or lifting tackle, except a fibre rope or fibre rope sling, shall be taken into use in any work place for the first time in that work place unless it has been tested and thoroughly examined by a competent person and a certificate of the test and examination specifying the safe working load and signed by the person making the test and examination has been obtained and is kept available for inspection;
- (f) a register containing the prescribed particulars shall be kept in respect of all such chains, ropes or lifting tackle, except fibre rope slings.

1.2. Paragraph 1.1(b) shall not apply in relation to any lifting tackle, if its safe

working load or, in the case of a multiple sling, the safe working load at different angles of the legs, is plainly marked upon it.

1.3. In this schedule "lifting tackle" shall include but shall not be limited to chain slings, rope slings, rings, hooks, shackles and swivels.

2. Lifting Machines

2.1. All parts and working gear, whether fixed or moveable, including the anchoring and fixing appliances, of every lifting machine shall be of good construction, sound material, adequate strength and free from patent defect, and shall be properly maintained.

2.2. All such parts and gear shall be thoroughly examined by a competent person at least once in every period of twelve months; in the case where the lifting machine or its attachment is used to lift persons, it shall be examined at least once in every period of six months. A copy of the examination report shall accompany the lifting machine at the workplace where it is being used and it shall be kept available for inspection.

Where the examination shows that the lifting machine or its attachment cannot continue to be used safely unless certain repairs are carried out immediately or within a specified time, the person making the examination report shall immediately send a copy of the report to the Authority.

Every owner or employer shall ensure that any repairs, renewals or alterations to the lifting machine or its attachments as are declared by the competent person to be required for safe use, shall be effected immediately or within the time frame indicated in the competent person's report, as the case may be.

2.3. All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves shall be of proper size and adequate strength and have an even running surface; and any such rails or track shall be properly laid, adequately supported or suspended and properly maintained.

2.4. There shall be plainly marked on every lifting machine its safe working load or loads, except that in the case of a jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib, or by the movement of the carriage, there shall be attached thereto either an automatic indicator of safe working loads or a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

2.5. No lifting machine shall, except for the purpose of a test, be loaded beyond the safe working load as marked or indicated under paragraph 2.4.

2.6. No lifting machine shall be taken into use in any work place for the first time in that work place unless it has been tested and all such parts and working gear of the machine as are specified in paragraph 2.1 have been thoroughly examined by a competent person and a report of the test and examination specifying the safe working load or loads of the machine and signed by the person making the test and examination has been obtained and is kept available for inspection.

2.7. If any person is working on or near the wheel-track of an overhead travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken by warning the driver of the crane or otherwise to ensure that the crane does not approach within seven metres of that place.

2.8. If any person is working in a place above floor level where he would be liable to be struck by an overhead travelling crane, or by any load carried by such a crane, effective measures shall be taken to warn him of the approach of the crane, unless his work is so connected with or dependent on the movements of the crane as

to make a warning unnecessary.

2.9. In this schedule "lifting machine" shall include, but shall not be limited to, any type of crane, crab, winch, teagle, pulley block, gin wheel, transporter, runway, scissor lift, overhead crane, tower basket, vehicle lifting equipment, mobile elevated working platform, fork lift truck, lifting platforms and cages, hoists without a cage or platform and guides, and their attachments.
