

1995 No. 26

HEALTH AND SAFETY

**Provision and Use of Work Equipment (Amendment)
Regulations (Northern Ireland) 1995**

Made 6th February 1995

Coming into operation 13th March 1995

The Department of Economic Development, being the Department concerned(a), in exercise of the powers conferred on it by Article 17(1) and (2) of, and paragraph 1(1), (2) and (3) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(b) and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Provision and Use of Work Equipment (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 13th March 1995.

Amendment of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1993

2. For Schedule 1 to the Provision and Use of Work Equipment Regulations (Northern Ireland) 1993(c) there shall be substituted the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Economic Development on 6th February 1995.

(L.S.)

Philip B. Strong

Assistant Secretary

(a) See Article 2(2) of S.I. 1978/1039 (N.I. 9)

(b) S.I. 1978/1039 (N.I. 9)

(c) S.R. 1993 No. 19

Schedule to be substituted as Schedule 1 to the Provision and Use of Work Equipment Regulations (Northern Ireland) 1993

"SCHEDULE 1

Regulation 10

Relevant Community Directives

1. Council Directive 73/23/EEC on the harmonisation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (O.J. No. L77, 26.3.1973, p. 29) as amended by Article 13 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).
2. Council Directive 79/113/EEC on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment (O.J. No. L33, 8.2.1979, p. 15) as amended by Council Directive 81/1051/EEC (O.J. No. L376, 30.12.1981, p. 49) and Commission Directive 85/405/EEC (O.J. No. L233, 30.8.1985, p. 9).
3. Council Directive 84/532/EEC on the approximation of the laws of the Member States relating to common provisions for construction plant and equipment (O.J. No. L300, 19.11.1984, p. 111).
4. Council Directive 84/533/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of compressors (O.J. No. L300, 19.11.1984, p. 123) as amended by Commission Directive 85/406/EEC (O.J. No. L233, 30.8.1985, p. 11).
5. Council Directive 84/534/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes (O.J. No. L300, 19.11.1984, p. 130) as amended by Council Directive 87/405/EEC (O.J. No. L220, 8.8.1987, p. 60).
6. Council Directive 84/535/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators (O.J. No. L300, 19.11.1984, p. 142) as amended by Commission Directive 85/407/EEC (O.J. No. L233, 30.8.1985, p. 16).
7. Council Directive 84/536/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of power generators (O.J. No. L300, 19.11.1984, p. 149) as amended by Commission Directive 85/408/EEC (O.J. No. L233, 30.8.1985, p. 18).
8. Council Directive 84/537/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of powered hand-held concrete-breakers and picks (O.J. No. L300, 19.11.1984, p. 156) as amended by Commission Directive 85/409/EEC (O.J. No. L233, 30.8.1985, p. 20).

9. Council Directive 84/538/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers (O.J. No. L300, 19.11.1984, p. 171) as amended by Commission Directive 87/252/EEC (O.J. No. L117, 5.5.1987, p. 22 with corrigenda at O.J. No. L158, 18.6.1987, p. 31), Council Directive 88/180/EEC (O.J. No. L81, 26.3.1988, p. 69) and Council Directive 88/181/EEC (O.J. No. L81, 26.3.1988, p. 71).
10. Council Directive 84/539/EEC on the approximation of the laws of the Member States relating to electro-medical equipment used in human or veterinary medicine (O.J. No. L300, 19.11.1984, p. 179).
11. Council Directive 86/295/EEC on the approximation of the laws of the Member States relating to roll-over protective structures (ROPS) for certain construction plant (O.J. No. L186, 8.7.1986, p. 1).
12. Council Directive 86/296/EEC on the approximation of the laws of the Member States relating to falling-object protective structures (FOPS) for certain construction plant (O.J. No. L186, 8.7.1986, p. 10).
13. Council Directive 86/662/EEC on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders (O.J. No. L384, 31.12.1986, p. 1) as amended by Commission Directive 89/514/EEC (O.J. No. L253, 30.8.89, p. 35).
14. Council Directive 86/663/EEC on the approximation of the laws of the Member States relating to self-propelled industrial trucks (O.J. No. L384, 31.12.1986, p. 12) as amended by Commission Directive 89/240/EEC (O.J. No. L100, 12.4.1989, p. 1).
15. Council Directive 87/404/EEC on the harmonisation of the laws of the Member States relating to simple pressure vessels (O.J. No. L220, 8.8.1987, p. 48) as amended by Council Directive 90/488/EEC (O.J. No. L270, 2.10.1990, p. 25) and Article 2 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).
16. Council Directive 89/106/EEC on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (O.J. No. L40, 11.2.1989, p. 12) as amended by Article 4 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).
17. Council Directive 89/336/EEC on the approximation of the laws of the Member States relating to electromagnetic compatibility (O.J. No. L139, 23.5.1989, p. 19) as amended by Council Directive 92/31/EEC (O.J. No. L126, 12.5.1992, p. 11) and Article 5 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).
18. Council Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery (O.J. No. L183, 29.6.1989, p. 9) as amended by Council Directive 91/368/EEC (O.J. No. L198, 22.7.1991, p. 16), Council Directive 93/44/EEC (O.J. No. L175, 19.7.1993, p. 12) and Article 6 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).

19. Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (O.J. No. L399, 30.12.1989, p. 18) as amended by Council Directive 93/95/EEC (O.J. No. L276, 9.11.1993, p. 11) and Article 7 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).
20. Council Directive 90/385/EEC on the approximation of the laws of the Member States relating to active implantable medical devices (O.J. No. L189, 20.7.1990, p. 17) as amended by Article 9 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).
21. Council Directive 90/396/EEC on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (O.J. No. L196, 26.7.1990, p. 15) as amended by Article 10 of Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1).''

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Provision and Use of Work Equipment Regulations (Northern Ireland) 1993 ("the 1993 Regulations") by substituting a new Schedule for Schedule 1 to the 1993 Regulations. Items of work equipment provided for use in the premises or undertaking of an employer must comply with any statutory provision which implements in Northern Ireland any of the relevant Community Directives listed in Schedule 1 to the 1993 Regulations which is applicable to such items of work equipment. The new Schedule 1 updates the references to a number of the listed Community Directives to take account of their amendment by later Directives, in particular Council Directive 93/68/EEC (O.J. No. L220, 30.8.1993, p. 1), known as the "CE Marking Directive".