
STATUTORY INSTRUMENTS

1992 No. 2793

HEALTH AND SAFETY

The Manual Handling Operations Regulations 1992

Made - - - - *5th November 1992*

Laid before Parliament *16th November 1992*

Coming into force - - *1st January 1993*

The Secretary of State, in exercise of the powers conferred on her by sections 15(1), (2), (3)(a), (5) (a) and (9) and 80(1), (2)(a) and (4) of, and paragraphs 1(1)(a) and (c) and 8 of Schedule 3 to, the Health and Safety at Work etc. Act 1974⁽¹⁾ (“ the 1974 Act”) and of all other powers enabling her in that behalf and—

- (a) for the purpose of giving effect without modifications to proposals submitted to her by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act; and
- (b) it appearing to her that the repeal of section 18(1)(f) of the Children and Young Persons Act 1933⁽²⁾ and section 28(1)(f) of the Children and Young Persons (Scotland) Act 1937⁽³⁾ except insofar as those provisions apply to such employment as is permitted under section 1(2) of the Employment of Women, Young Persons, and Children Act 1920⁽⁴⁾ is expedient in consequence of the Regulations referred to below after the carrying out by her of consultations in accordance with section 80(4) of the 1974 Act,

hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Manual Handling Operations Regulations 1992 and shall come into force on 1st January 1993.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“injury” does not include injury caused by any toxic or corrosive substance which—

- (a) has leaked or spilled from a load;
- (b) is present on the surface of a load but has not leaked or spilled from it; or

(1) 1974 c. 37; sections 15(1), 50(3) and 80(4) were amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 6, 16(3) and 19 respectively.
(2) 1933 c. 12.
(3) 1937 c. 37.
(4) 1920 c. 65.

(c) is a constituent part of a load;

and “injured” shall be construed accordingly;

“load” includes any person and any animal;

“manual handling operations” means any transporting or supporting of a load (including the lifting, putting down, pushing, pulling, carrying or moving thereof) by hand or by bodily force.

(2) Any duty imposed by these Regulations on an employer in respect of his employees shall also be imposed on a self-employed person in respect of himself.

Disapplication of Regulations

3. These Regulations shall not apply to or in relation to the master or crew of a sea-going ship or to the employer of such persons in respect of the normal ship-board activities of a ship’s crew under the direction of the master.

Duties of employers

4.—(1) Each employer shall—

(a) so far as is reasonably practicable, avoid the need for his employees to undertake any manual handling operations at work which involve a risk of their being injured; or

(b) where it is not reasonably practicable to avoid the need for his employees to undertake any manual handling operations at work which involve a risk of their being injured—

(i) make a suitable and sufficient assessment of all such manual handling operations to be undertaken by them, having regard to the factors which are specified in column 1 of Schedule 1 to these Regulations and considering the questions which are specified in the corresponding entry in column 2 of that Schedule,

(ii) take appropriate steps to reduce the risk of injury to those employees arising out of their undertaking any such manual handling operations to the lowest level reasonably practicable, and

(iii) take appropriate steps to provide any of those employees who are undertaking any such manual handling operations with general indications and, where it is reasonably practicable to do so, precise information on—

(aa) the weight of each load, and

(bb) the heaviest side of any load whose centre of gravity is not positioned centrally.

(2) Any assessment such as is referred to in paragraph (1)(b)(i) of this regulation shall be reviewed by the employer who made it if—

(a) there is reason to suspect that it is no longer valid; or

(b) there has been a significant change in the manual handling operations to which it relates; and where as a result of any such review changes to an assessment are required, the relevant employer shall make them.

Duty of employees

5. Each employee while at work shall make full and proper use of any system of work provided for his use by his employer in compliance with regulation 4(1)(b)(ii) of these Regulations.

Exemption certificates

6.—(1) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing exempt—

- (a) any of the home forces, any visiting force or any headquarters from any requirement imposed by regulation 4 of these Regulations; or
- (b) any member of the home forces, any member of a visiting force or any member of a headquarters from the requirement imposed by regulation 5 of these Regulations;

and any exemption such as is specified in sub-paragraph (a) or (b) of this paragraph may be granted subject to conditions and to a limit of time and may be revoked by the said Secretary of State by a further certificate in writing at any time.

(2) In this regulation—

- (a) “the home forces” has the same meaning as in section 12(1) of the Visiting Forces Act 1952⁽⁵⁾;
- (b) “headquarters” has the same meaning as in article 3(2) of the Visiting Forces and International Headquarters (Application of Law) Order 1965⁽⁶⁾;
- (c) “member of a headquarters” has the same meaning as in paragraph 1(1) of the Schedule to the International Headquarters and Defence Organisations Act 1964⁽⁷⁾; and
- (d) “visiting force” has the same meaning as it does for the purposes of any provision of Part I of the Visiting Forces Act 1952.

Extension outside Great Britain

7. These Regulations shall, subject to regulation 3 hereof, apply to and in relation to the premises and activities outside Great Britain to which sections 1 to 59 and 80 to 82 of the Health and Safety at Work etc. Act 1974 apply by virtue of the Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 1989⁽⁸⁾ as they apply within Great Britain.

Repeals and revocations

8.—(1) The enactments mentioned in column 1 of Part I of Schedule 2 to these Regulations are repealed to the extent specified in the corresponding entry in column 3 of that part.

(2) The Regulations mentioned in column 1 of Part II of Schedule 2 to these Regulations are revoked to the extent specified in the corresponding entry in column 3 of that part.

(5) 1952 c. 67.

(6) S.I. 1965/1536, to which there are amendments not relevant to these Regulations.

(7) 1964 c. 5.

(8) S.I. 1989/840.

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Signed by order of the Secretary of State.

5th November 1992

Patrick McLoughlin
Parliamentary Under Secretary of State,
Department of Employment

SCHEDULE 1

Regulation 4(1)(b)(i)

FACTORS TO WHICH THE EMPLOYER MUST HAVE REGARD
AND QUESTIONS HE MUST CONSIDER WHEN MAKING
AN ASSESSMENT OF MANUAL HANDLING OPERATIONS

Column 1 <i>Factors</i>	Column 2 <i>Questions</i>
<p>1. The tasks</p>	<p>Do they involve:</p> <ul style="list-style-type: none"> — holding or manipulating loads at distance from trunk? — unsatisfactory bodily movement or posture, especially: <ul style="list-style-type: none"> — twisting the trunk? — stooping? — reaching upwards? — excessive movement of loads, especially: <ul style="list-style-type: none"> — excessive lifting or lowering distances? — excessive carrying distances? — excessive pushing or pulling of loads? — risk of sudden movement of loads? — frequent or prolonged physical effort? — insufficient rest or recovery periods? — a rate of work imposed by a process?
<p>2. The loads</p>	<p>Are they:</p> <ul style="list-style-type: none"> — heavy? — bulky or unwieldy? — difficult to grasp? — unstable, or with contents likely to shift? — sharp, hot or otherwise potentially damaging?
<p>3. The working environment</p>	<p>Are there:</p> <ul style="list-style-type: none"> — space constraints preventing good posture? — uneven, slippery or unstable floors? — variations in level of floors or work surfaces? — extremes of temperature or humidity? — conditions causing ventilation problems or gusts of wind? — poor lighting conditions?
<p>4. Individual capability</p>	<p>Does the job:</p> <ul style="list-style-type: none"> — require unusual strength, height, etc? — create a hazard to those who might reasonably be considered to be pregnant or to have a health problem? — require special information or training for its safe performance?

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Column 1 <i>Factors</i>	Column 2 <i>Questions</i>
5. Other factors	Is movement or posture hindered by personal protective equipment or by clothing?

SCHEDULE 2

Regulation 8

REPEALS AND REVOCATIONS

PART I

REPEALS

Column 1 <i>Short title of enactment</i>	Column 2 <i>Reference</i>	Column 3 <i>Extent of repeal</i>
The Children and Young Persons Act 1933.	1933 c. 12.	Section 18(1)(f) except insofar as that paragraph applies to such employment as is permitted under section 1(2) of the Employment of Women, Young Persons, and Children Act 1920 (1920 c. 65).
The Children and Young Persons (Scotland) Act 1937.	1937 c. 37.	Section 28(1)(f) except insofar as that paragraph applies to such employment as is permitted under section 1(2) of the Employment of Women, Young Persons, and Children Act 1920.
The Mines and Quarries Act 1954.	1954 c. 70.	Section 93; in section 115 the word “ninety-three”.
The Agriculture (Safety, Health and Welfare Provisions) Act 1956.	1956 c. 49.	Section 2.
The Factories Act 1961.	1961 c. 34.	Section 72.
The Offices, Shops and Railway Premises Act 1963.	1963 c. 41.	Section 23 except insofar as the prohibition contained in that section applies to any person specified in section 90(4) of the same Act. In section 83(1) the number “23”.

PART II

REVOCATIONS

Column 1 <i>Title of instrument</i>	Column 2 <i>Reference</i>	Column 3 <i>Extent of revocation</i>
The Agriculture (Lifting of Heavy Weights) Regulations 1959.	S.I.1959/2120.	The whole Regulations.
The Construction (General Provisions) Regulations 1961.	S.I. 1961/1580.	In regulation 3(1)(a) the phrase “and 55”; regulation 55.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. Subject to the exceptions specified in paragraph 2 below, these Regulations give effect as respects Great Britain to the substantive provisions of Council Directive [90/269/EEC](#) on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (OJNo. L 156, 21.6.90, p. 9)

2. These Regulations do not extend to sea transport (*regulation 3*); nor do they give effect to the first indent of article 6.1 of the Directive referred to in paragraph 1 above.

3. Regulation 4 requires each employer—

- (a) so far as it is reasonably practicable to do so, to avoid the need for his employees to undertake manual handling operations at work which involve a risk of their being injured; or
- (b) where it is not reasonably practicable to avoid the need for his employees to undertake any manual handling operations at work which involve a risk of their being injured—
 - (i) to assess all such manual handling operations to be undertaken by them having regard to Schedule 1 to these Regulations,
 - (ii) to reduce the risk of injury to those employees arising out of their undertaking any such manual handling operations to the lowest level reasonably practicable, and
 - (iii) to provide any of those employees who are undertaking any such manual handling operations with certain information about the loads to be carried by them; and
- (c) in the circumstances specified in paragraph (2) of that regulation, to review (and where necessary change) any assessment such as is referred to in sub-paragraph (b)(i) above.

4. Regulation 2(1) defines, among other expressions, what is meant by “injury”, “injured” and “manual handling operations” and regulation 2(2) provides that where these Regulations impose duties on employers in respect of their employees those duties are also imposed on self-employed persons in respect of themselves.

5. Regulation 5 requires each employee while at work to make full and proper use of systems of work provided for his use by his employer in compliance with that employer's duty under regulation 4(1)(b)(ii) of these Regulations.

6. Regulation 6 enables the Secretary of State for Defence to grant certificates of exemption from these Regulations in the interests of national security.

7. Regulation 7 extends the application of these Regulations to and in relation to certain premises and activities outside Great Britain.

8. Regulation 8 (together with Schedule 2) repeals a number of enactments and revokes a number of instruments.