

1993 No. 19

HEALTH AND SAFETY**Provision and Use of Work Equipment Regulations
(Northern Ireland) 1993***Made* 19th January 1993*Coming into operation—**The whole Regulations except regulations
11 to 24 and 26 and Schedule 2
to the extent specified in
regulation 1(3)*

22nd February 1993

*Regulations 11 to 24 and 26 and
Schedule 2 to the extent specified
in regulation 1(3)*

1st January 1997

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The Department of Agriculture, the Department of Economic Development and the Department of the Environment acting jointly as the Department concerned(a) in exercise of the powers conferred by Articles 17(1), (2), (3) and (5) and 55(2) of and paragraphs 1(1), (2) and (3), 12(1) and 13 of Schedule 3 to the Health and Safety at Work (Northern Ireland) Order 1978(b) and of every other power enabling them 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 them to be appropriate, hereby make the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Provision and Use of Work Equipment Regulations (Northern Ireland) 1993.

(2) Subject to paragraph (3) these Regulations shall come into operation on 22nd February 1993.

(3) Regulations 11 to 24 and 26, and Schedule 2 in so far as they apply to work equipment first provided for use in the premises or undertaking before 22nd February 1993 shall come into operation on 1st January 1997.

Interpretation

2. In these Regulations—

“use” in relation to work equipment means any activity involving work equipment and includes starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning, and related expressions shall be construed accordingly;

“work equipment” means any machinery, appliance, apparatus or tool and any assembly of components which, in order to achieve a common end, are arranged and controlled so that they function as a whole.

Disapplication of these 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.

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

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

Application of requirements under these Regulations

4.—(1) The requirements imposed by these Regulations on an employer shall apply in respect of work equipment provided for use or used by any of his employees who is at work or who is on an offshore installation within the meaning assigned to that term by Article 3(4) of the Off-shore and Pipelines Safety Order (Northern Ireland) 1992(a).

(2) The requirements imposed by these Regulations on an employer shall also apply—

- (a) to a self-employed person, in respect of work equipment he uses at work;
- (b) to any person who has control, to any extent, of non-domestic premises made available to persons as a place of work, in respect of work equipment used in such premises by such persons and to the extent of his control; and
- (c) to any person to whom the provisions of the Factories Act (Northern Ireland) 1965(b) apply by virtue of section 175(5) of that Act as if he were the occupier of a factory, in respect of work equipment used in the premises deemed by that section to be a factory.

(3) Any reference in paragraph (2)(b) to a person having control of any premises or matter is a reference to the person having control of the premises or matter in connection with the carrying on by him of a trade, business or other undertaking (whether for profit or not).

Suitability of work equipment

5.—(1) Every employer shall ensure that work equipment is so constructed or adapted as to be suitable for the purpose for which it is used or provided.

(2) In selecting work equipment, every employer shall have regard to the working conditions and to the risks to the health or safety of persons which exist in the premises or undertaking in which that work equipment is to be used and any additional risk posed by the use of that work equipment.

(3) Every employer shall ensure that work equipment is used only for operations for which, and under conditions for which, it is suitable.

(4) In this regulation “suitable” means suitable in any respect which it is reasonably foreseeable will affect the health or safety of any person.

Maintenance

6.—(1) Every employer shall ensure that work equipment is properly maintained in an efficient state, in efficient working order and in good repair.

(2) Every employer shall ensure that where any machinery has a maintenance log, the log is kept up-to-date.

(a) S.I. 1992 No. 1728 (N.I. 17)

(b) 1965 c. 20

Specific risks

7.—(1) Where the use of work equipment is likely to involve a specific risk to health or safety, every employer shall ensure that—

- (a) the use of that work equipment is restricted to those persons given the task of using it; and
- (b) the carrying out of any repairs, modifications, maintenance or servicing of that work equipment is restricted to those persons who have been specifically designated to perform operations of that description (whether or not also authorised to perform other operations).

(2) The employer shall ensure that the persons designated for the purposes of sub-paragraph (b) of paragraph (1) have received adequate training related to any operations in respect of which they have been so designated.

Information and instructions

8.—(1) Every employer shall ensure that all persons who use work equipment have available to them adequate health and safety information and, where appropriate, written instructions pertaining to the use of the work equipment.

(2) Every employer shall ensure that any of his employees who supervises or manages the use of work equipment has available to him adequate health and safety information and, where appropriate, written instructions pertaining to the use of the work equipment.

(3) Without prejudice to the generality of paragraph (1) or (2), the information and instructions required by either of those paragraphs shall include information and, where appropriate, written instructions on—

- (a) the conditions in which and the methods by which the work equipment may be used;
- (b) foreseeable abnormal situations and the action to be taken if such a situation were to occur; and
- (c) any conclusions to be drawn from experience in using the work equipment.

(4) Information and instructions required by this regulation shall be readily comprehensible to those concerned.

Training

9.—(1) Every employer shall ensure that all persons who use work equipment have received adequate training for purposes of health and safety, including training in the methods which may be adopted when using the work equipment, any risks which such use may entail and precautions to be taken.

(2) Every employer shall ensure that any of his employees who supervises or manages the use of work equipment has received adequate training for purposes of health and safety, including training in the methods which may be adopted when using the work equipment, any risks which such use may entail and precautions to be taken.

Conformity with Community requirements

10.—(1) Every employer shall ensure that any item of work equipment provided for use in the premises or undertaking of the employer complies with any statutory provision which implements in Northern Ireland any of the relevant Community Directives listed in Schedule 1 which is applicable to that item of work equipment.

(2) Where it is shown that an item of work equipment complies with a statutory provision to which it is subject by virtue of paragraph (1) the requirements of regulations 11 to 24 shall apply in respect of that item of work equipment only to the extent that the relevant Community Directive implemented by that statutory provision is not applicable to that item of work equipment.

(3) This regulation applies to items of work equipment provided for use in the premises or undertaking of the employer for the first time after 21st February 1993.

Dangerous parts of machinery

11.—(1) Every employer shall ensure that measures are taken in accordance with paragraph (2) which are effective—

- (a) to prevent access to any dangerous part of machinery or to any rotating stock-bar; or
- (b) to stop the movement of any dangerous part of machinery or rotating stock-bar before any part of a person enters a danger zone.

(2) The measures required by paragraph (1) shall consist of—

- (a) the provision of fixed guards enclosing every dangerous part or rotating stock-bar where and to the extent that it is practicable to do so, but where or to the extent that it is not, then
- (b) the provision of other guards or protection devices where and to the extent that it is practicable to do so, but where or to the extent that it is not, then
- (c) the provision of jigs, holders, push-sticks or similar protection appliances used in conjunction with the machinery where and to the extent that it is practicable to do so, but where or to the extent that it is not, then
- (d) the provision of information, instruction, training and supervision.

(3) All guards and protection devices provided under sub-paragraph (a) or (b) of paragraph (2) shall—

- (a) be suitable for the purpose for which they are provided;
- (b) be of good construction, sound material and adequate strength;
- (c) be maintained in an efficient state, in efficient working order and in good repair;
- (d) not give rise to any increased risk to health or safety;
- (e) not be easily bypassed or disabled;
- (f) be situated at sufficient distance from the danger zone;

- (g) not unduly restrict the view of the operating cycle of the machinery, where such a view is necessary;
 - (h) be so constructed or adapted that they allow operations necessary to fit or replace parts and for maintenance work, restricting access so that it is allowed only to the area where the work is to be carried out and, if possible, without having to dismantle the guard or protection device.
- (4) All protection appliances provided under sub-paragraph (c) of paragraph (2) shall comply with sub-paragraphs (a) to (d) and (g) of paragraph (3).
- (5) In this regulation—
- “danger zone” means any zone in or around machinery in which a person is exposed to a risk to health or safety from contact with a dangerous part of machinery or a rotating stock-bar;
 - “stock-bar” means any part of a stock-bar which projects beyond the head-stock of a lathe.

Protection against specified hazards

12.—(1) Every employer shall take measures to ensure that the exposure of a person using work equipment to any risk to his health or safety from any hazard specified in paragraph (3) is either prevented, or, where that is not reasonably practicable, adequately controlled.

(2) The measures required by paragraph (1) shall—

(a) be measures other than the provision of personal protective equipment or of information, instruction, training and supervision, so far as is reasonably practicable; and

(b) include, where appropriate, measures to minimise the effects of the hazard as well as to reduce the likelihood of the hazard occurring.

(3) The hazards referred to in paragraph (1) are—

(a) any article or substance falling or being ejected from work equipment;

(b) rupture or disintegration of parts of work equipment;

(c) work equipment catching fire or overheating;

(d) the unintended or premature discharge of any article or of any gas, dust, liquid, vapour or other substance which, in each case, is produced, used or stored in the work equipment;

(e) the unintended or premature explosion of the work equipment or any article or substance produced, used or stored in it.

(4) For the purposes of this regulation “adequate” means adequate having regard only to the nature of the hazard and the nature and degree of exposure to the risk.

(5) This regulation shall not apply where any of the following Regulations apply in respect of any risk to health or safety for which such Regulations require measures to be taken to prevent or control such risk, namely—

- (a) the Ionising Radiations Regulations (Northern Ireland) 1985(a);
- (b) the Control of Lead at Work Regulations (Northern Ireland) 1986(b);
- (c) the Control of Asbestos at Work Regulations (Northern Ireland) 1988(c);
- (d) the Noise at Work Regulations (Northern Ireland) 1990(d);
- (e) the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990(e);
- (f) the Construction (Head Protection) Regulations (Northern Ireland) 1990(f).

High or very low temperature

13. Every employer shall ensure that work equipment, parts of work equipment and any article or substance produced, used or stored as the case may be in work equipment which, in each case, is at a high or very low temperature shall have protection where appropriate so as to prevent injury to any person by burn, scald or sear.

Controls for starting or making a significant change in operating conditions

14.—(1) Every employer shall ensure that, where appropriate, work equipment is provided with one or more controls for the purposes of—

- (a) starting the work equipment (including re-starting after a stoppage for any reason); or
- (b) controlling any change in the speed, pressure or other operating conditions of the work equipment where such conditions after the change result in any risk to health or safety which is greater than, or of a different nature from, any such risk before the change.

(2) Subject to paragraph (3), every employer shall ensure that where a control is required by paragraph (1), it shall not be possible to perform any operation mentioned in sub-paragraph (a) or (b) of that paragraph except by a deliberate action on such control.

(3) Paragraph (1) shall not apply to re-starting or changing operating conditions as a result of the normal operating cycle of an automatic device.

Stop controls

15.—(1) Every employer shall ensure that, where appropriate, work equipment is provided with one or more readily accessible controls, the operation of which will bring the work equipment to a safe condition in a safe manner.

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- (a) S.R. 1985 No. 273
 - (b) S.R. 1986 No. 36
 - (c) S.R. 1988 No. 74
 - (d) S.R. 1990 No. 147
 - (e) S.R. 1990 No. 374
 - (f) S.R. 1990 No. 424

(2) Any control required by paragraph (1) shall bring the work equipment to a complete stop where necessary for reasons of health or safety.

(3) Any control required by paragraph (1) shall, if necessary for reasons of health or safety, switch off all sources of energy after stopping the functioning of the work equipment.

(4) Any control required by paragraph (1) shall operate in priority to any control which starts or changes the operating conditions of the work equipment.

Emergency stop controls

16.—(1) Every employer shall ensure that, where appropriate, work equipment is provided with one or more readily accessible emergency stop controls unless it is not necessary by reason of the nature of the hazards and the time taken for the work equipment to come to a complete stop as a result of the action of any control provided by virtue of regulation 15(1).

(2) Any control required by paragraph (1) shall operate in priority to any control required by regulation 15(1).

Controls

17.—(1) Every employer shall ensure that all controls for work equipment shall be clearly visible and identifiable, including by appropriate marking where necessary.

(2) Except where necessary, the employer shall ensure that no control for work equipment is in a position where any person operating the control is exposed to any risk to his health or safety.

(3) Every employer shall ensure where appropriate—

(a) that, so far as is reasonably practicable, the operator of any control is able to ensure from the position of that control that no person is in a place where he would be exposed to any risk to his health or safety as a result of the operation of that control, but where or to the extent that it is not, then

(b) that, so far as is reasonably practicable, systems of work are effective to ensure that, when work equipment is about to start, no person is in a place where he would be exposed to any risk to his health or safety as a result of the work equipment starting, but where neither of these is reasonably practicable, then

(c) that an audible, visible or other suitable warning is given by virtue of regulation 24 whenever work equipment is about to start.

(4) Every employer shall take appropriate measures to ensure that any person who is in a place where he would be exposed to any risk to his health or safety as a result of the starting or stopping of work equipment has sufficient time and suitable means to avoid that risk.

Control systems

18.—(1) Every employer shall ensure, so far as is reasonably practicable that all control systems of work equipment are safe.

(2) Without prejudice to the generality of paragraph (1), a control system shall not be safe unless—

- (a) its operation does not create any increased risk to health or safety;
- (b) it ensures, so far as is reasonably practicable, that any fault in or damage to any part of the control system or the loss of supply of any source of energy used by the work equipment cannot result in additional or increased risk to health or safety; and
- (c) it does not impede the operation of any control required by regulation 15 or 16.

Isolation from sources of energy

19.—(1) Every employer shall ensure that, where appropriate, work equipment is provided with suitable means to isolate it from all its sources of energy.

(2) Without prejudice to the generality of paragraph (1), the means mentioned in that paragraph shall not be suitable unless they are clearly identifiable and readily accessible.

(3) Every employer shall take appropriate measures to ensure that re-connection of any energy source to work equipment does not expose any person using the work equipment to any risk to his health or safety.

Stability

20. Every employer shall ensure that work equipment or any part of work equipment is stabilised by clamping or otherwise where necessary for purposes of health or safety.

Lighting

21. Every employer shall ensure that suitable and sufficient lighting, which takes account of the operations to be carried out, is provided at any place where a person uses work equipment.

Maintenance operations

22. Every employer shall take appropriate measures to ensure that work equipment is so constructed or adapted that, so far as is reasonably practicable, maintenance operations which involve any risk to health or safety can be carried out while the work equipment is shut down or, in other cases—

- (a) maintenance operations can be carried out without exposing the person carrying them out to any risk to his health or safety; or
- (b) appropriate measures can be taken for the protection of any person carrying out maintenance operations which involve any risk to his health or safety.

Markings

23. Every employer shall ensure that work equipment is marked in a clearly visible manner with any marking appropriate for reasons of health or safety.

Warnings

24.—(1) Every employer shall ensure that work equipment incorporates any warnings or warning devices which are appropriate for reasons of health or safety.

(2) Without prejudice to the generality of paragraph (1), warnings given by warning devices on work equipment shall not be appropriate unless they are unambiguous, easily perceived and easily understood.

Exemption certificates

25.—(1) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing exempt any of the home forces, any visiting force or any headquarters from any of the requirements of these Regulations and any such exemption 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(a);
- (b) “headquarters” has the same meaning as in Article 3(2) of the Visiting Forces and International Headquarters (Application of Law) Order 1965(b);
- (c) “visiting force” has the same meaning as it does for the purposes of any provision of Part I of the Visiting Forces Act 1952.

Repeals and revocations

26.—(1) The enactments mentioned in Part I of Schedule 2 are repealed to the extent specified in column 3 of that Part.

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

Sealed with the Official Seal of the Department of Agriculture on 19th January 1993.

(L.S.)

I. C. Henderson

Assistant Secretary

Sealed with the Official Seal of the Department of Economic Development on 19th January 1993.

(L.S.)

Philip B. Strong

Assistant Secretary

(a) 1952 c. 67

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

Sealed with the Official Seal of the Department of the Environment on
19th January 1993.

(L.S.)

Trevor Pearson

Assistant Secretary

Relevant Community Directives

1. Council Directive 73/23/EEC on the harmonization 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).
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).
3. Council Directive 81/1051/EEC amending 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. L376, 30.12.1981, p. 49).
4. 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).
5. 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).
6. 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).
7. 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).
8. 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).
9. 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).
10. 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).
11. Commission Directive 85/405/EEC adapting to technical progress 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. L233, 30.8.1985, p. 9).
12. Commission Directive 85/406/EEC adapting to technical progress 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. L233, 30.8.1985, p. 11).

13. Commission Directive 85/407/EEC adapting to technical progress 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. L233, 30.8.1985, p. 16).
14. Commission Directive 85/408/EEC adapting to technical progress 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. L233, 30.8.1985, p. 18).
15. Commission Directive 85/409/EEC adapting to technical progress 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. L233, 30.8.1985, p. 20).
16. Commission Directive 87/252/EEC adapting to technical progress 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. L117, 5.5.1987, p. 22 with corrigenda at O.J. No. L158, 18.6.1987, p. 31).
17. Council Directive 87/405/EEC amending 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. L220, 8.8.1987, p. 60).
18. Council Directive 88/180/EEC amending 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. L81, 26.3.1988, p. 69).
19. Council Directive 88/181/EEC amending 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. L81, 26.3.1988, p. 71).
20. 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).
21. 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).
22. 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).
23. 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).
24. 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).
25. 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).

26. 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).
27. Commission Directive 89/240/EEC adapting to technical progress Council Directive 86/663/EEC on the approximation of the laws of the Member States relating to self-propelled industrial trucks (O.J. No. L100, 12.4.1989, p. 1).
28. 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).
29. 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).
30. Commission Directive 89/514/EEC adapting to technical progress 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. L253, 30.8.1989, p. 35).
31. 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).
32. 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).
33. 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).
34. Council Directive 91/368/EEC amending Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery (O.J. No. L198, 22.7.1991, p. 16).
35. Council Directive 92/31/EEC amending Directive 89/336/EEC on the approximation of the laws of the Member States relating to electromagnetic compatibility (O.J. No. L126, 12.5.92, p. 11).

PART I

REPEALS

(1) <i>Chapter</i>	(2) <i>Short Title</i>	(3) <i>Extent of Repeal</i>
1965 c. 20	Factories Act (Northern Ireland) 1965	Sections 13 to 17, 18 and 20.
1966 c. 26	Office and Shop Premises Act (Northern Ireland) 1966	Section 17.
1969 c. 6	Mines Act (Northern Ireland) 1969	Sections 81(1) and 82.
S.I. 1983/150 (N.I. 4)	Quarries (Northern Ireland) Order 1983	Article 5(a), (b) and (d).

PART II

REVOCATIONS

(1) <i>Reference</i>	(2) <i>Title</i>	(3) <i>Extent of Revocation</i>
S.R. & O. 1905/1103	Regulations dated 17th October 1905 Self-Acting Mule Spinning Regulations 1905.	The whole Regulations.
S.R. & O. 1921/1932, amended by S.R. 1982 No. 32	Aerated Water Regulations 1921.	Regulations 1, 2 and 8.
S.R. & O. (N.I.) 1922 No. 72 (p. 54)	Woodworking Machines Regulations (Northern Ireland) 1922.	Regulations 1, 2, 10 to 23.
S.R. & O. (N.I.) 1927 No. 64 (p. 90)	Woodworking Machinery (Amendment) Regulations (Northern Ireland) 1927	The whole Regulations.
S.R. & O. (N.I.) 1939 No. 73 (p. 178)	Factories (Operations at Unfenced Machinery) Regulations (Northern Ireland) 1939.	The whole Regulations.
S.R. & O. (N.I.) 1946 No. 65 (p. 245)	Woodworking (Amendment of Scope) Special Regulations (Northern Ireland) 1946.	The whole Regulations.
S.R. & O. (N.I.) 1946 No. 167 (p. 244)	Factories (Operations at Unfenced Machinery – Amended Schedule) Regulations (Northern Ireland) 1946.	The whole Regulations.

(1) <i>Reference</i>	(2) <i>Title</i>	(3) <i>Extent of Revocation</i>
S.R. & O. (N.I.) 1963 No. 87 to which there are amendments not relevant to these Regulations	Construction (General Provisions) Regulations (Northern Ireland) 1963.	Regulations 42, 43 and 57.
S.R. & O. (N.I.) 1971 No. 117	Abrasive Wheels Regulations (Northern Ireland) 1971.	In regulation 3, paragraphs (2), (3) and (4); and regulations 4, 6 to 8, 10 to 16, 18 and 19.
S.R. & O. (N.I.) 1971 No. 372	Shipbuilding and Ship-repairing Regulations (Northern Ireland) 1971.	Regulation 66.
S.R. 1985 No. 11	Agriculture (Field Machinery) Regulations (Northern Ireland) 1985.	Regulation 3(1)(b). In the Schedule Part I, paragraph 1(1), the definitions of "haymaking machine", "manual", "pedestrian controlled" and "pulley". In the Schedule Part II, paragraphs 1 to 7 and 12 to 14. Part III of the Schedule the whole part.
S.R. 1988 No. 219	Agriculture (Power Take-Off) Regulations (Northern Ireland) 1988.	The whole Regulations.
S.R. 1989 No. 413	Agriculture (Circular Saws) Regulations (Northern Ireland) 1989.	Regulation 3(a), (b) and (c) and Parts I, II, III of the Schedule.
S.R. 1989 No. 414	Agriculture (Stationary Machinery) Regulations (Northern Ireland) 1989.	The whole Regulations.

(This note is not part of the Regulations.)

1. These Regulations impose health and safety requirements with respect to the provision and use of work equipment, which is defined in regulation 2.

2. The Regulations implement in Northern Ireland certain provisions of Council Directive 89/655/EEC on the minimum safety and health requirements for the use of work equipment by workers at work (O.J. No. L393, 30.12.89, p. 33) ("the Directive") with the exception of the following matters:—

- (a) the Regulations do not apply in relation to the master or crew of a seagoing 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 (regulation 3);
- (b) a general requirement to ensure that work equipment may be used without impairment to safety or health (*Article 3.1 of the Directive*);
- (c) a general requirement to minimise risks where they cannot be eliminated (*Article 3.2 of the Directive*);
- (d) a requirement for containment or extraction devices in certain cases (*point 2.5, second indent of the Annex to the Directive*);
- (e) a requirement for safe means of access to and safe places of work (*point 2.16 of the Annex to the Directive*);
- (f) protection from electrical risks (*point 2.19 of the Annex to the Directive*).

3. The Regulations impose requirements upon employers in respect of work equipment provided for or used by their employees at work. The requirements are also applied to self-employed persons and persons in control of specified premises in the circumstances set out in regulation 4.

Regulation 11 to 24 and 26 and Schedule 2 in so far as they apply to work equipment first provided for use before 22nd February 1993, come into operation on 1st January 1997.

4. The Regulations make provision with respect to:—

- (a) the suitability of work equipment (*regulation 5*);
- (b) the maintenance of work equipment and keeping up to date of any maintenance log (*regulation 6*);
- (c) the duty of employers where the use of work equipment is likely to involve a specific risk to health or safety (*regulation 7*);
- (d) the duty of employers to provide information, instructions and training for persons who use work equipment and also for certain other employees (*regulations 8 and 9*);
- (e) the duty of employers to ensure that work equipment complies with requirements of European Community Directives (*regulation 10 and Schedule 1*);

- (f) the protection of persons from dangerous parts of machinery and rotating stock-bars (*regulation 11*);
- (g) the prevention or control of exposure of any person to any risk caused by certain specified hazards (*regulation 12*);
- (h) protection from high or very low temperature (*regulation 13*);
- (i) controls (including emergency and other stop controls) and control systems (*regulations 14 to 18*);
- (j) the isolation of work equipment from sources of energy (*regulation 19*);
- (k) the stability of work equipment (*regulation 20*);
- (l) lighting at any place where work equipment is used (*regulation 21*);
- (m) taking measures to ensure that work equipment is so constructed or adapted that maintenance operations can be carried out in specified ways (*regulation 22*);
- (n) appropriate markings, warnings, or warning devices (*regulations 23 and 24*).

5. The Secretary of State for Defence may grant exemptions from the Regulations in the interests of national security (*regulation 25*).

6. Certain statutory provisions are repealed or revoked (*regulation 26 and Schedule 2*).

7. A person who contravenes the Regulations is guilty of an offence under Article 31 of the Health and Safety at Work (Northern Ireland) Order 1978.