

---

STATUTORY INSTRUMENTS

---

**1992 No. 2932**

**The Provision and Use of Work Equipment Regulations 1992**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Provision and Use of Work Equipment Regulations 1992.

(2) Subject to paragraph (3), these Regulations shall come into force on 1st January 1993.

(3) Regulations 11 to 24 and 27 and Schedule 2 in so far as they apply to work equipment first provided for use in the premises or undertaking before 1st January 1993 shall come into force on 1st January 1997.

**Interpretation**

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

“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.

(2) Any reference in these Regulations to—

(a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered; and

(b) a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears.

**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.

**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 section 1(4) of the Offshore Safety Act 1992(1).

(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 1961(2) 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 to be a factory by that section.

(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 and 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 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.

### **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) 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 paragraphs (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 enactment (whether in an Act or instrument) which implements in Great Britain 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 an enactment (whether in an Act or instrument) 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 enactment 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 31st December 1992.

### **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-paragraphs (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, and “adequately” shall be construed accordingly.

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

- (a) the Control of Lead at Work Regulations 1980(3);
- (b) the Ionising Radiations Regulations 1985(4);
- (c) the Control of Asbestos at Work Regulations 1987(5);
- (d) the Control of Substances Hazardous to Health Regulations 1988(6);
- (e) the Noise at Work Regulations 1989(7);
- (f) the Construction (Head Protection) Regulations 1989(8).

### **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 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 risk to health and safety which is greater than or of a different nature from such risks 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.

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

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

---

(3) S.I. 1980/1248.  
(4) S.I. 1985/1333.  
(5) S.I. 1987/2115; amended by S.I. 1988/712.  
(6) S.I. 1988/1657; amended by S.I. 1990/2026 and S.I. 1991/2431.  
(7) S.I. 1989/1790.  
(8) S.I. 1989/2209.

(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 a 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 reasonably practicable;
- (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 a risk to his health or safety as a result of the work equipment starting, but where neither of these is reasonably practicable;
- (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 a 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;
- (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 a 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 a 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 a 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 and safety.

### **Warnings**

**24.—(1)** Every employer shall ensure that work equipment incorporates any warnings or warning devices which are appropriate for reasons of health and 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<sup>(9)</sup>;

---

(9) 1952 c. 67.

- (b) “headquarters” has the same meaning as in article 3(2) of the Visiting Forces and International Headquarters (Application of Law) Order 1965<sup>(10)</sup>;
- (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.

### **Extension outside Great Britain**

**26.** These Regulations shall, subject to regulation 3, 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 1974 Act apply by virtue of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1989<sup>(11)</sup> as they apply within Great Britain.

### **Repeals, saving and revocations**

**27.**—(1) Subject to paragraph (2), the enactments mentioned in Part I of Schedule 2 are repealed to the extent specified in column 3 of that Part.

(2) Nothing in this regulation shall affect the operation of any provision of the Offices, Shops and Railway Premises Act 1963<sup>(12)</sup> as that provision has effect by virtue of section 90(4) of that Act.

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

Signed by order of the Secretary of State.

*Patrick McLoughlin*  
Parliamentary Under Secretary of State,  
Department of Employment

17th November 1992

---

<sup>(10)</sup> S.I. 1965/1536, to which there are amendments not relevant to these regulations.

<sup>(11)</sup> S.I. 1989/840.

<sup>(12)</sup> 1963 c. 41.