
STATUTORY INSTRUMENTS

1992 No. 3073

The Supply of Machinery (Safety) Regulations 1992

PART IV

ENFORCEMENT

Consequential disapplication of United Kingdom law

33.—(1) Subject to paragraph (3) below, any requirement which—

- (a) is imposed by or under any of the enactments (relating in various respects to the safety of machinery) specified in paragraph (2) below; and
- (b) but for the provisions of this paragraph, would have to be satisfied by or in respect of relevant machinery if it is to be lawfully supplied,

is hereby disapplied.

(2) The enactments referred to in paragraph (1) above are—

- (a) in the Factories Act 1961⁽¹⁾—
 - (i) subsection (1) of section 26 but only to the extent that it imposes requirements in respect of the supply of chains, ropes and lifting tackle to be put into service for raising or lowering goods or materials; and
 - (ii) subsections (1) and (6) of section 27;
- (b) in the Factories Act (Northern Ireland) 1965⁽²⁾—
 - (i) subsection (1) of section 27 but only to the extent that it imposes requirements in respect of the supply of chains, ropes and lifting tackle to be put into service for raising or lowering goods or materials; and
 - (ii) subsections (1) and (6) of section 28;
- (c) in the Construction (General Provisions) Regulations 1961⁽³⁾ (having effect as if made under the Factories Act 1961) and in the Construction (General Provisions) Regulations (Northern Ireland) 1963⁽⁴⁾ (having effect as if made under the Factories Act (Northern Ireland) 1965) respectively, regulation 26, paragraphs (1) and (2) of regulation 29 and regulation 31(1);
- (d) in the Construction (Lifting Operations) Regulations 1961⁽⁵⁾ (having effect as if made under the Factories Act 1961), and in the Construction (Lifting Operations) Regulations (Northern Ireland) 1963⁽⁶⁾ (having effect as if made under the Factories Act (Northern Ireland) 1965) respectively, regulations 10(1)(a), 11(3), 13(1), 13(2), 14(1), 14(4), 15, 16, 20(2), 21, 22, 24, 30(1), the first sentence of 30(2) and 34(1);

(1) 1961 c. 34.

(2) 1965 c. 20 (N.I.).

(3) S.I. 1961/1580, to which there are amendments not relevant to these Regulations.

(4) S.R. & O. (N.I.) 1963 No. 87.

(5) S.I. 1961/1581, amended by S.I. 1984/1593.

(6) S.R. & O. (N.I.) 1963 No. 86.

- (e) in the Shipbuilding & Ship-repairing Regulations 1960(7) (having effect as if made under the Factories Act 1961), regulations 33, 34(1), 35 and 36(1);
- (f) in the Shipbuilding & Ship-repairing Regulations (Northern Ireland) 1971(8) (made under the Factories Act (Northern Ireland) 1965), regulations 32, 33(1), 34 and 35(1);
- (g) in the Mines and Quarries Act 1954(9) and the Mines Act (Northern Ireland) 1969(10) respectively, sections 83 and 85(1);
- (h) in the Coal and Other Mines (Locomotives) Regulations 1956(11) (having effect as if made under the Mines and Quarries Act 1954), paragraphs (1), (2)(a) to (c) and (3) of regulation 3, regulation 4 and paragraphs (1)(a) to (g), (2) and (3) of regulation 5;
- (i) in the Coal and Other Mines (Support) Regulations 1966(12) (made under the Mines and Quarries Act 1954), regulation 16(2);
- (j) in the Miscellaneous Mines (General) Regulations 1956(13) (having effect as if made under the Mines and Quarries Act 1954), regulation 52;
- (k) in the Quarries (General) Regulations 1956(14) (having effect as if made under the Mines and Quarries Act 1954), regulation 14;
- (l) in the Quarry Vehicles Regulations 1970(15) (made under the Mines and Quarries Act 1954), regulations 3(1) and 4(1);
- (m) in the Agriculture (Threshers and Balers) Regulations 1960(16) (made under the Agriculture (Safety, Health and Welfare Provisions) Act 1956(17)) paragraph 7 of Part II of the Schedule thereto;
- (n) in the Coal Mines (Firedamp Drainage) Regulations 1960(18) (made under the Mines and Quarries Act 1954), regulation 11.
- (o) in the Docks Regulations 1988(19) (made under the Health and Safety at Work etc. Act 1974(20)) and in the Docks Regulations (Northern Ireland) 1989(21) (made under the Health and Safety at Work (Northern Ireland) Order 1978(22)) respectively, regulation 13(1)(a), (b), and (c), the words “or assembled” in regulation 13(1)(d), regulations 13(2)(b), (c) and (d), 14(1)(a) and 16(7);
- (p) in the Electricity at Work Regulations 1989(23) (made under the Health and Safety at Work etc. Act 1974) and in the Electricity at Work Regulations (Northern Ireland) 1991(24) (made under the Health and Safety at Work (Northern Ireland) Order 1978) respectively, regulation 26; and
- (q) in the Regulations specified in the first column of Schedule 7 hereto, the regulations respectively specified in the third column of that Schedule.

(7) S.I. 1960/1932.

(8) S.R. & O. (N.I.) 1971 No. 372.

(9) 1954 c. 70.

(10) 1969 c. 6 (N.I.).

(11) S.I. 1956/1771.

(12) S.I. 1966/881.

(13) S.I. 1956/1778.

(14) S.I. 1956/1780.

(15) S.I. 1970/168.

(16) S.I. 1960/1199; relevant amending instrument is S.I. 1981/1414.

(17) 1956 c. 49.

(18) S.I. 1960/1015.

(19) S.I. 1988/1655.

(20) 1974 c. 37.

(21) S.R. 1989 No. 320.

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

(23) S.I. 1989/635.

(24) S.R. 1991 No. 13.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) For the avoidance of doubt, it is hereby declared that nothing in paragraph (2) above affects the application of the enactments so listed to the use in service of relevant machinery.