
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. The Regulations require an employer who provides for use, or whose employee uses, a conventional tower crane at work on a construction site, to notify the Health and Safety Executive (“the Executive”) of information relating to the conventional tower crane mentioned in the Schedule to these Regulations.

2. The duties under the Regulations apply also to—

- (a) a self-employed person, in respect of a conventional tower crane he uses at work; and
- (b) a person who has control to any extent of the management, supervision and use of a conventional tower crane, subject to the extent of that control.

3. Regulation 4(1)(a) requires an employer to notify the Executive of the information relating to the conventional tower crane as mentioned in the Schedule to these Regulations, within 14 days of the completion of the thorough examination of the conventional tower crane, (required by the Lifting Operations and Lifting Equipment Regulations 1998).

4. Regulation 4(1)(b) requires that where no thorough examination has been carried out (as is referred to in regulation 4(1)(a)) in respect of that conventional tower crane within 14 days of its installation by the employer, they must notify the Executive of the information mentioned in paragraphs 1 to 3 of the Schedule, as soon as reasonably practicable. In addition, an employer must also notify the Executive of the information in paragraphs 4 to 6 of the Schedule, which relates to any subsequent thorough examination, within 14 days of that information becoming available.

5. Regulation 4(2) requires an employer to notify the Executive of the information mentioned in the Schedule within 14 days of any thorough examination carried out following a periodic examination of the conventional tower crane (required by the Lifting Operations and Lifting Equipment Regulations 1998).

6. The Regulations also contain provision for conventional tower cranes which were installed and thoroughly examined prior to the commencement of these Regulations (regulation 6) and provision for exemption certified by the Secretary of State for Defence, in the interests of national security (regulation 5).

7. A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Health and Safety Executive, Economic Advisers Unit, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS.