

Lifting Equipment And The Law - General Guidance

The current Legislation relating to legal compliance & safe use of Lifting Equipment is as follows :-

The Health & Safety at Work Act: 1974.

The Supply of Machinery (Safety) Regulations 1992 & its amendment 2006/42/EC (which apply to the manufacture & supply of Lifting Equipment)

Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), both of which apply to the examination, maintenance and use of lifting equipment.

In the context of this legislation the requirements are:-

1. The equipment is safe and suitable for its purpose.

To meet the requirements, the manufacturer must identify the hazards associated with the equipment he makes and eliminate them or reduce the risk to an acceptable level. To show he has done so he affixes the CE mark to the equipment and issues an E.C. Declaration of Conformity. In practice the equipment is always tested in some way often by a proof load test but also by sample break tests and non destructive testing methods.

Employers have a general duty to provide their employees with suitable and safe equipment, and to ensure that the new equipment complies with the relevant E.C directive.

2.The personnel who use the equipment are suitably trained.

The manufacturer or the supplier is obliged to provide instructions for use and the employer is obliged to ensure the equipment is properly used. This is usually done by training / instruction the employees based on generally accepted practice and the instructions provided by the manufacturer. Often such information & training needs to be tailored to the particular industry or site. Employees must only use equipment for which they have received training and use it in the manner in which they have been trained.

3.The equipment is maintained in a safe condition.

All equipment should be periodically* thoroughly examined by a competent person and a record kept of the result. In addition to this formal examination it should be regularly inspected and it is good practice to check equipment each time before use. Any equipment found to be unfit for a further period of service should be withdrawn.

This also calls for regular preventative maintenance. Such maintenance not only prolongs the useful life of the equipment but ensures that it is always fit for service. When repairs affect load bearing parts the equipment should be thoroughly examined and if necessary re-tested by a competent person before further use.

Employees should always co-operate by making equipment available for examination & maintenance.

4.Record of conformity, test, examination etc are kept.

All equipment should have a 'birth certificate' to show that, when first made available for use, it complied with the relevant requirements. For new equipment this will be an E.C. Declaration of Conformity which may be combined with a manufacturer's certificate if called for by the standard worked to. For older equipment it will be a certificate of test & examination only.

When equipment is re-tested and / or examined in service, a record of results should be kept. The records should be cross referenced to enable the history of the equipment to be traced.

The above is a very simple summary but reflects the spirit of the legislation where everyone has a responsibility for safety.

*Under the LOLER the thorough examination regime is flexible but if the user opts for fixed periods, the maximum will be as shown in Table 1.

TYPE OF EQUIPMENT	MAXIMUM PERIOD
Lifting equipment for lifting persons and lifting accessories	6 months
All other lifting equipment	12 months

Table 1 Maximum Periods Between Thorough Examinations

Before commencing any lifting operation you need to know the following :- About the load, About the Lifting Machine, About the Site, and having done your research you are ready to start the basic 9 point procedure as follows :- (1) Co-operate with others. (2) Select & install the lifting structure and / or lifting machine, (3) Select the lifting gear, (4) Check the lifting gear, (5) Assemble the lifting gear, (6) Make a trial lift, (7) Lift and travel the load, (8) Make a trial landing, (9) Clear up.

This page has been prepared for basic guidance only, for more complete information both LOLER & PUWER approved codes of practice (ACoP) and guidance are available through HSE books. The L.E.E.A 'LIFTING EQUIPMENT - A USER'S POCKET GUIDE' is available through ROPE AND MARINE SERVICES LTD.