



Collective **inspiration**

Provision and use of **Work Equipment**

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This brief outlines the legal requirement the Provision and Use of Work Equipment Regulations 1998 (PUWER) which came into force on 5 December 1998. Whilst the main requirements are summarized, the reader is advised to refer to the complete set of Regulations and the corresponding ACOP to ensure compliance. The Regulations have been produced to ensure that risks to persons using work equipment is prevented or adequately controlled. In general terms, the Regulations require that equipment provided for use at work is:

- suitable for the intended use;
- safe for use, maintained in a safe condition and inspected to ensure this remains the case;
- used only by people who have received adequate information, instruction and training; and accompanied by suitable safety measures, e.g. PPE protective devices..

Equipment covered by PUWER

This includes any equipment which is used by an employee at work is covered, for example hammers, knives, ladders, drilling machines, power presses, circular saws, photocopiers, lifting equipment (including lifts), dumper trucks, motor vehicles and equipment used for starting, stopping the equipment, repairing, modifying, maintaining, servicing, cleaning and transporting.

Persons affected by PUWER

All employers, self-employed persons and persons who provide, use or control equipment at work (known as duty holders). They do not apply to equipment used by the public, e.g. compressed air equipment used in a garage forecourt, (which are covered by the Health and Safety at Work etc Act 1974.Act). The Regulations apply to factories, offshore installations, offices, shops, hospitals, hotels, places of entertainment etc. PUWER also applies in common parts of shared buildings and temporary places of work such as construction sites.

Main requirements of PUWER

Duty holders must ensure that the work equipment provided meets the requirements of PUWER i.e. they should ensure that it is:

- suitable for use, and for the purpose and conditions in which it is used;
- maintained in a safe condition for use so that people's health and safety is not at risk;
- inspected to ensure that it is, and continues to be, safe for use. Any inspection should be carried out by a competent person with records kept until the next inspection.

Duty holders should also ensure that risks, created by the use of the equipment, are eliminated where possible or controlled by:

- taking appropriate 'hardware' measures, e.g. providing suitable guards, protection devices, markings and warning devices, system control devices (such as emergency stop buttons) and personal protective equipment; and
- taking appropriate 'software' measures such as following safe systems of work (e.g. ensuring maintenance is only performed when equipment is shut down etc), and providing adequate information, instruction and training. A combination of these measures may be necessary depending on the requirements of the work, your assessment of the risks involved, and the practicability of such measures. You need to ensure that people using work equipment have received adequate training, instruction and information for the particular equipment.

Mobile work equipment

In addition to these general requirements which apply to all work equipment, Part III of PUWER contains specific duties regarding mobile work equipment, for example fork-lift trucks and dumper trucks. You should ensure that where mobile work equipment is used for carrying people, it is suitable for this purpose. Measures should be taken to reduce the risks (e.g. from it rolling over) to the safety of the people being carried, the operator and anyone else.

Power presses

Part IV of the Regulations also contains specific requirements regarding power presses. In particular, you should have a power press, and associated guard or protection device, thoroughly examined at specified intervals and inspected daily in use to ensure that it is safe. This work should only be performed by a competent person; records should be kept.

Enforcement of PUWER

Health and Safety (HSE) inspectors enforce the Regulations. Because of the particular problems faced by hire companies in meeting the requirements of regulations 26 and 27 of PUWER (i.e. taking appropriate action to minimise the risks from mobile work equipment rolling over), inspectors will adopt a practical approach to enforcement. Advice is given in HSE information documentation.

Further information

The following publications are available from HSE Books:

Safe use of work equipment. Provision and Use of Work Equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and Guidance L22 HSE Books 1998 ISBN 0 7176 1626 6

HSE Simple Guide to PUWER <http://www.hse.gov.uk/pubns/indg291.pdf>

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The IET is unable to provide further information on this topic. Please contact the HSE. <http://www.hse.gov.uk/>

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