
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 305

**Provision and Use of Work Equipment
Regulations (Northern Ireland) 1999**

Part II

General

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 “adequately” means adequately having regard only to the nature of the hazard and the nature and degree of exposure to the risk.

(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 Ionising Radiations Regulations (Northern Ireland) 1985(1);
- (b) the Control of Asbestos at Work Regulations (Northern Ireland) 1988(2);
- (c) the Noise at Work Regulations (Northern Ireland) 1990(3);
- (d) the Construction (Head Protection) Regulations (Northern Ireland) 1990(4);

(1) S.R. 1985 No. 273, amended by S.R. 1993 No. 20 and S.R. 1999 No. 150

(2) S.R. 1988 No. 74, amended by S.R. 1993 No. 20, S.R. 1993 No. 26 and S.R. 1999 No. 150

(3) S.R. 1990 No. 147, amended by S.R. 1993 No. 20 and S.R. 1999 No. 150

(4) S.R. 1990 No. 424, amended by S.R. 1993 No. 20 and S.R. 1999 No. 150

Status: This is the original version (as it was originally made).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

- (e) the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1995⁽⁵⁾;
- (f) the Control of Lead at Work Regulations (Northern Ireland) 1998⁽⁶⁾.

⁽⁵⁾ S.R. 1995 No. 51, amended by S.R. 1995 No. 60 and S.R. 1999 No. 150
⁽⁶⁾ S.R. 1998 No. 281, amended by S.R. 1999 No. 150