

SCHEDULE 2

DANGEROUS OCCURRENCES

PART I

GENERAL

Lifting machinery, etc.

1. The collapse of, the overturning of, or the failure of any load-bearing part of any—
 - (a) lift or hoist;
 - (b) crane or derrick;
 - (c) mobile powered access platform;
 - (d) access cradle or window-cleaning cradle;
 - (e) excavator;
 - (f) pile-driving frame or rig having an overall height, when operating, of more than 7 metres;
or
 - (g) fork lift truck.

Pressure systems

2. The failure of any closed vessel (including a boiler or boiler tube) or of any associated pipework, in which the internal pressure was above or below atmospheric pressure, where the failure has the potential to cause the death of any person.

Freight containers

3.—(1) The failure of any freight container in any of its load-bearing parts while it is being raised, lowered or suspended.

(2) In this paragraph, “freight container” means a container as defined in regulation 2(1) of the Freight Containers (Safety Convention) Regulations 1984⁽¹⁾.

Overhead electric lines

4. Any unintentional incident in which plant or equipment either—
 - (a) comes into contact with an uninsulated overhead electric line in which the voltage exceeds 200 volts; or
 - (b) causes an electrical discharge from such an electric line by coming into close proximity to it.

Electrical short circuit

5. Electrical short circuit or overload attended by fire or explosion which results in the stoppage of the plant involved for more than 24 hours or which has the potential to cause the death of any person.

(1) [S.I. 1984/1890](#).

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Explosives

- 6.—(1) Any of the following incidents involving explosives—
- (a) the unintentional explosion or ignition of explosives other than one—
 - (i) caused by the unintentional discharge of a weapon where, apart from that unintentional discharge, the weapon and explosives functioned as they were designed to do; or
 - (ii) where a fail-safe device or safe system of work functioned so as to prevent any person from being injured in consequence of the explosion or ignition;
 - (b) a misfire (other than one at a mine or quarry or inside a well or one involving a weapon) except where a fail-safe device or safe system of work functioned so as to prevent any person from being endangered in consequence of the misfire;
 - (c) the failure of the shots in any demolition operation to cause the intended extent of collapse or direction of fall of a building or structure;
 - (d) the projection of material (other than at a quarry) beyond the boundary of the site on which the explosives are being used or beyond the danger zone in circumstances such that any person was or might have been injured thereby;
 - (e) any injury to a person (other than at a mine or quarry or one otherwise reportable under these Regulations) involving first-aid or medical treatment resulting from the explosion or discharge of any explosives or detonator.

(2) In this paragraph “explosives” means any explosive of a type which would, were it being transported, be assigned to Class 1 within the meaning of the Classification and Labelling of Explosives Regulations 1983⁽²⁾ and “danger zone” means the area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives.

Biological agents

7. Any accident or incident which resulted or could have resulted in the release or escape of a biological agent likely to cause severe human infection or illness.

Malfunction of radiation generators, etc.

- 8.—(1) Any incident in which—
- (a) the malfunction of a radiation generator or its ancillary equipment used in fixed or mobile industrial radiography, the irradiation of food or the processing of products by irradiation, causes it to fail to de-energise at the end of the intended exposure period; or
 - (b) the malfunction of equipment used in fixed or mobile industrial radiography or gamma irradiation causes a radioactive source to fail to return to its safe position by the normal means at the end of the intended exposure period.

(2) In this paragraph, “radiation generator” has the same meaning as in regulation 2 of the Ionising Radiations Regulations 1985⁽³⁾.

Breathing apparatus

- 9.—(1) Any incident in which breathing apparatus malfunctions—
- (a) while in use, or

(2) S.I. 1983/1140.

(3) S.I. 1985/1333.

- (b) during testing immediately prior to use in such a way that had the malfunction occurred while the apparatus was in use it would have posed a danger to the health or safety of the user.
- (2) This paragraph shall not apply to breathing apparatus while it is being—
 - (a) used in a mine; or
 - (b) maintained or tested as part of a routine maintenance procedure.

Diving operations

- 10. Any of the following incidents in relation to a diving operation—
 - (a) the failure or the endangering of—
 - (i) any lifting equipment associated with the diving operation, or
 - (ii) life support equipment, including control panels, hoses and breathing apparatus, which puts a diver at risk;
 - (b) any damage to, or endangering of, the dive platform, or any failure of the dive platform to remain on station, which puts a diver at risk;
 - (c) the trapping of a diver;
 - (d) any explosion in the vicinity of a diver; or
 - (e) any uncontrolled ascent or any omitted decompression which puts a diver at risk.

Collapse of scaffolding

- 11. The complete or partial collapse of—
 - (a) any scaffold which is—
 - (i) more than 5 metres in height which results in a substantial part of the scaffold falling or overturning; or
 - (ii) erected over or adjacent to water in circumstances such that there would be a risk of drowning to a person falling from the scaffold into the water; or
 - (b) the suspension arrangements (including any outrigger) of any slung or suspended scaffold which causes a working platform or cradle to fall.

Train collisions

12. Any unintended collision of a train with any other train or vehicle, other than one reportable under Part IV of this Schedule, which caused, or might have caused, the death of, or major injury to, any person.

Wells

- 13. Any of the following incidents in relation to a well (other than a well sunk for the purpose of the abstraction of water)—
 - (a) a blow-out (that is to say an uncontrolled flow of well-fluids from a well);
 - (b) the coming into operation of a blow-out prevention or diversion system to control a flow from a well where normal control procedures fail;
 - (c) the detection of hydrogen sulphide in the course of operations at a well or in samples of well-fluids from a well where the presence of hydrogen sulphide in the reservoir being drawn on by the well was not anticipated by the responsible person before that detection;

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- (d) the taking of precautionary measures additional to any contained in the original drilling programme following failure to maintain a planned minimum separation distance between wells drilled from a particular installation; or
- (e) the mechanical failure of any safety critical element of a well (and for this purpose the safety critical element of a well is any part of a well whose failure would cause or contribute to, or whose purpose is to prevent or limit the effect of, the unintentional release of fluids from a well or a reservoir being drawn on by a well).

Pipelines or pipeline works

14. The following incidents in respect of a pipeline or pipeline works—

- (a) the uncontrolled or accidental escape of anything from, or inrush of anything into, a pipeline which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours;
- (b) the unintentional ignition of anything in a pipeline or of anything which, immediately before it was ignited, was in a pipeline;
- (c) any damage to any part of a pipeline which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours;
- (d) any substantial and unintentional change in the position of a pipeline requiring immediate attention to safeguard the integrity or safety of a pipeline;
- (e) any unintentional change in the subsoil or seabed in the vicinity of a pipeline which has the potential to affect the integrity or safety of a pipeline;
- (f) any failure of any pipeline isolation device, equipment or system which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours; or
- (g) any failure of equipment involved with pipeline works which has the potential to cause the death of, major injury or damage to the health of any person.

Fairground equipment

15. The following incidents on fairground equipment in use or under test—

- (a) the failure of any load-bearing part;
- (b) the failure of any part designed to support or restrain passengers; or
- (c) the derailment or the unintended collision of cars or trains.

Carriage of dangerous substances by road

16.—(1) Any incident involving a road tanker or tank container used for the carriage of a dangerous substance in which—

- (a) the road tanker or vehicle carrying the tank container overturns (including turning onto its side);
- (b) the tank carrying the dangerous substance is seriously damaged;
- (c) there is an uncontrolled release or escape of the dangerous substance being carried; or
- (d) there is a fire involving the dangerous substance being carried.

(2) In this paragraph, “carriage”, “dangerous substance”, “road tanker” and “tank container” have the same meanings as in regulation 2(1) of the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992(4).

17.—(1) Any incident involving a vehicle used for the carriage of a dangerous substance, other than a vehicle to which paragraph 16 applies, where there is—

- (a) an uncontrolled release or escape of the dangerous substance being carried in such a quantity as to have the potential to cause the death of, or major injury to, any person; or
- (b) a fire which involves the dangerous substance being carried.

(2) In this paragraph, “carriage” and “dangerous substance” have the same meaning as in regulation 2(1) of the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992(5).

(4) S.I. 1992/743; to which there are amendments not relevant to these regulations.

(5) S.I. 1992/742; relevant amending instruments are S.I. 1993/1746 and S.I. 1994/669.