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STATUTORY INSTRUMENTS

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**1998 No. 2306**

**The Provision and Use of Work Equipment Regulations 1998**

**PART III**

**MOBILE WORK EQUIPMENT**

**Rolling over of mobile work equipment**

**26.**—(1) Every employer shall ensure that where there is a risk to an employee riding on mobile work equipment from its rolling over, it is minimised by—

- (a) stabilising the work equipment;
- (b) a structure which ensures that the work equipment does no more than fall on its side;
- (c) a structure giving sufficient clearance to anyone being carried if it overturns further than that; or
- (d) a device giving comparable protection.

(2) Where there is a risk of anyone being carried by mobile work equipment being crushed by its rolling over, the employer shall ensure that it has a suitable restraining system for him.

(3) This regulation shall not apply to a fork-lift truck having a structure described in subparagraph (b) or (c) of paragraph (1).

(4) Compliance with this regulation is not required where—

- (a) it would increase the overall risk to safety;
- (b) it would not be reasonably practicable to operate the mobile work equipment in consequence; or
- (c) in relation to an item of work equipment provided for use in the undertaking or establishment before 5th December 1998 it would not be reasonably practicable.