
STATUTORY INSTRUMENTS

1998 No. 2307

The Lifting Operations and Lifting Equipment Regulations 1998

Reports and defects

- 10.**—(1) A person making a thorough examination for an employer under regulation 9 shall—
- (a) notify the employer forthwith of any defect in the lifting equipment which in his opinion is or could become a danger to persons;
 - (b) as soon as is practicable make a report of the thorough examination in writing authenticated by him or on his behalf by signature or equally secure means and containing the information specified in Schedule 1 to—
 - (i) the employer; and
 - (ii) any person from whom the lifting equipment has been hired or leased;
 - (c) where there is in his opinion a defect in the lifting equipment involving an existing or imminent risk of serious personal injury send a copy of the report as soon as is practicable to the relevant enforcing authority.
- (2) A person making an inspection for an employer under regulation 9 shall—
- (a) notify the employer forthwith of any defect in the lifting equipment which in his opinion is or could become a danger to persons;
 - (b) as soon as is practicable make a record of the inspection in writing.
- (3) Every employer who has been notified under paragraph (1) shall ensure that the lifting equipment is not used—
- (a) before the defect is rectified; or
 - (b) in a case to which sub-paragraph (c) of paragraph 8 of Schedule 1 applies, after a time specified under that sub-paragraph and before the defect is rectified.
- (4) In this regulation “relevant enforcing authority” means—
- (a) where the defective lifting equipment has been hired or leased by the employer, the Executive; and
 - (b) otherwise, the enforcing authority for the premises in which the defective lifting equipment was thoroughly examined.