

Directive 2009/104/EC of the European Parliament and of the Council  
of 16 September 2009 concerning the minimum safety and health  
requirements for the use of work equipment by workers at work  
(second individual Directive within the meaning of Article 16(1) of  
Directive 89/391/EEC) (codified version) (Text with EEA relevance)

CHAPTER I

GENERAL PROVISIONS

- Article 1 Subject matter  
Article 2 Definitions

CHAPTER II

EMPLOYERS' OBLIGATIONS

- Article 3 General obligations  
Article 4 Rules concerning work equipment  
Article 5 Inspection of work equipment  
Article 6 Work equipment involving specific risks  
Article 7 Ergonomics and occupational health  
Article 8 Informing workers  
Article 9 Training of workers  
Article 10 Consultation of workers and workers' participation

CHAPTER III

MISCELLANEOUS PROVISIONS

- Article 11 Amendment of the Annexes  
Article 12 Final provisions  
Article 13 Directive 89/655/EEC, as amended by the Directives listed in  
Annex...  
Article 14 This Directive shall enter into force on the 20th day...  
Article 15 This Directive is addressed to the Member States.  
Signature

---

ANNEX I

MINIMUM REQUIREMENTS (ii) and (b) of Article 4(1)...

1. General comment
2. General minimum requirements applicable to work equipment
  - 2.1. Work equipment control devices which affect safety must be clearly...
  - 2.2. It must be possible to start work equipment only by...

- 2.3. All work equipment must be fitted with a control to...
- 2.4. Where appropriate, and depending on the hazards the equipment presents...
- 2.5. Work equipment presenting risk due to falling objects or projections...
- 2.6. Work equipment and parts of such equipment must, where necessary...
- 2.7. Where there is a risk of rupture or disintegration of...
- 2.8. Where there is a risk of mechanical contact with moving...
- 2.9. Areas and points for working on, or maintenance of, work...
- 2.10. Work equipment parts at high or very low temperature must,...
- 2.11. Warning devices on work equipment must be unambiguous and easily...
- 2.12. Work equipment may be used only for operations and under...
- 2.13. It must be possible to carry out maintenance operations when...
- 2.14. All work equipment must be fitted with clearly identifiable means...
- 2.15. Work equipment must bear the warnings and markings essential to...
- 2.16. Workers must have safe means of access to, and be...
- 2.17. All work equipment must be appropriate for protecting workers against...
- 2.18. All work equipment must be appropriate for preventing the risk...
- 2.19. All work equipment must be appropriate for protecting exposed workers...
- 3. Additional minimum requirements applicable to specific types of work equipment...
  - 3.1. Minimum requirements for mobile work equipment, whether or not self-propelled...
    - 3.1.1. Work equipment with ride-on workers must be fitted out in...
    - 3.1.2. Where an inadvertent seizure of the drive unit between a...
    - 3.1.3. Where drive shafts for the transmission of energy between mobile...
    - 3.1.4. Mobile work equipment with ride-on workers must be designed to...
    - 3.1.5. Fork-lift trucks carrying one or more workers must be adapted...
    - 3.1.6. Self-propelled work equipment which may, when in motion, engender risks...
  - 3.2. Minimum requirements for work equipment for lifting loads
    - 3.2.1. When work equipment for lifting loads is installed permanently, its...
    - 3.2.2. Machinery for lifting loads must be clearly marked to indicate...
    - 3.2.3. Permanently installed work equipment must be installed in such a...
    - 3.2.4. Work equipment for lifting or moving workers must be such...

## ANNEX II

### PROVISIONS CONCERNING THE USE OF WORK EQUIPMENT

- General comment
- 1. General provisions for all work equipment
  - 1.1. Work equipment must be installed, located and used in such...
  - 1.2. Work equipment must be erected or dismantled under safe conditions,...

- 1.3. Work equipment which may be struck by lightning while being...
2. Provisions concerning the use of mobile equipment, whether or not...
  - 2.1. Self-propelled work equipment shall be driven only by workers who...
  - 2.2. If work equipment is moving around in a work area,...
  - 2.3. Organisational measures must be taken to prevent workers on foot...
  - 2.4. The transport of workers on mechanically driven mobile work equipment...
  - 2.5. Mobile work equipment with a combustion engine may not be...
3. Provisions concerning the use of work equipment for lifting loads...
  - 3.1. General considerations
    - 3.1.1. Work equipment which is mobile or can be dismantled and...
    - 3.1.2. Persons may be lifted only by means of work equipment...
    - 3.1.3. Measures must be taken to ensure that workers are not...
    - 3.1.4. Lifting accessories must be selected according to the loads to...
    - 3.1.5. Lifting accessories must be stored in a way that ensures...
  - 3.2. Work equipment for lifting non-guided loads
    - 3.2.1. When two or more items of work equipment used for...
    - 3.2.2. When using mobile work equipment for lifting non-guided loads, measures...
    - 3.2.3. If the operator of work equipment designed for lifting non-guided...
    - 3.2.4. Work must be organised in such a way that, when...
    - 3.2.5. All lifting operations must be properly planned, appropriately supervised and...
    - 3.2.6. If work equipment designed for lifting non-guided loads cannot maintain...
    - 3.2.7. Open-air use of work equipment designed for lifting non-guided loads...
4. Provisions concerning the use of work equipment provided for temporary...
  - 4.1. General provisions
    - 4.1.1. If, pursuant to Article 6 of Directive 89/391/EEC and Article...
    - 4.1.2. Ladders may be used as work stations for work at...
    - 4.1.3. Rope access and positioning techniques may be used only under...
    - 4.1.4. Depending on the type of work equipment selected on the...
    - 4.1.5. When the performance of a particular task requires the temporary...
    - 4.1.6. Temporary work at a height may be carried out only...
  - 4.2. Specific provisions regarding the use of ladders
    - 4.2.1. Ladders must be so positioned as to ensure their stability...
    - 4.2.2. The feet of portable ladders must be prevented from slipping...
    - 4.2.3. Ladders must be used in such a way that a...
  - 4.3. Specific provisions regarding the use of scaffolding
    - 4.3.1. When a note of the calculations for the scaffolding selected...
    - 4.3.2. Depending on the complexity of the scaffolding chosen, an assembly,...
    - 4.3.3. The bearing components of scaffolding must be prevented from slipping,...
    - 4.3.4. The dimensions, form and layout of scaffolding decks must be...
    - 4.3.5. When parts of a scaffolding are not ready for use,...
    - 4.3.6. Scaffolding may be assembled, dismantled or significantly altered only under...

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After  
IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

#### 4.4. Specific provisions regarding the use of rope access and positioning...

ANNEX III

ANNEX IV

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

- (1) [OJ C 100, 30.4.2009, p. 144.](#)
- (2) Opinion of the European Parliament of 8 July 2008 (not yet published in the Official Journal) and Council Decision of 13 July 2009.
- (3) [OJ L 393, 30.12.1989, p. 13.](#)
- (4) See Annex III, Part A.
- (5) [OJ L 183, 29.6.1989, p. 1.](#)
- (6) [OJ L 204, 21.7.1998, p. 37.](#)