
STATUTORY INSTRUMENTS

1992 No. 3073

The Supply of Machinery (Safety) Regulations 1992

PART II

APPLICATION

Exclusion of machinery covered by other Directives

Exclusion of specific machinery

9.—(1) These Regulations do not apply to—

- (a) roll-over protective structures as referred to in Article 1 of Council Directive [86/295/EEC](#) on the approximation of the laws of the member States relating to roll-over protective structures (ROPS) for certain construction plant(1);
- (b) falling-object protective structures as referred to in Article 1 of Council Directive [86/296/EEC](#) on the approximation of the laws of the member States relating to falling-object protective structures (FOPS) for certain construction plant(2); or
- (c) industrial trucks as referred to in Article 1 of Council Directive [86/663/EEC](#) on the approximation of the laws of the member States relating to self-propelled industrial trucks(3),

which are supplied or put into service for the first time in the Community before 1st July 1995.

(2) On and after 1st July 1995, in respect of machinery mentioned in paragraph (1) above which is supplied or put into service for the first time in the Community on or before 31st December 1995, a supplier may comply with—

- (a) the requirements of these Regulations; or
- (b) the requirements of—
 - (i) in the case of roll-over protective structures, the Roll-over Protective Structures for Construction Plant (EEC Requirements) Regulations 1988(4);
 - (ii) in the case of falling-object protective structures, the Falling-object Protective Structures for Construction Plant (EEC Requirements) Regulations 1988(5); or
 - (iii) in the case of industrial trucks, in Great Britain, the Self-Propelled Industrial Trucks (EEC Requirements) Regulations 1988(6) as amended by the Self-Propelled Industrial Trucks (EEC Requirements) (Amendment) Regulations 1989(7), and

(1) OJ No. L186, 8.7.86, p.1.

(2) OJ No. L186, 8.7.86, p.10.

(3) OJ No. L384, 31.12.86, p.12. Council Directive [86/663/EEC](#) was adapted to technical progress by Commission Directive [89/240/EEC](#) (OJ No. L100, 12.4.89, p.1).

(4) S.I. 1988/363.

(5) S.I. 1988/362.

(6) S.I. 1988/1736.

(7) S.I. 1989/1035.

in Northern Ireland, the Self-Propelled Industrial Trucks (EEC Requirements) Regulations (Northern Ireland) 1990⁽⁸⁾.

Machinery where risks are wholly covered by other Directives

10.—(1) These Regulations do not apply to—

- (a) machinery where all the essential health and safety requirements which would have applied to it, but for the provisions of this sub-paragraph, relate to risks wholly covered by Community Directives other than the Machinery Directive to the extent that any enactment implementing any such Directive is applicable to that machinery; or
- (b) machinery which is electrical equipment in so far as the risks as to the safety of such equipment are mainly of electrical origin.

(2) In paragraph (1)(b) above, “electrical equipment” has the meaning given by Article 1 of Council Directive [73/23/EEC](#) on the harmonization of the laws of member States relating to electrical equipment designed for use within certain voltage limits⁽⁹⁾.

⁽⁸⁾ S.R. 1990 No. 172.

⁽⁹⁾ OJ No. L77, 26.3.73, p.29.