
STATUTORY INSTRUMENTS

2010 No. 332

The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Work at Height) Regulations 2010

PART 2

DUTIES OF EMPLOYERS

Assessment and selection of work equipment for work at height

8.—(1) In identifying the measures required by this regulation, the employer shall take account in particular of—

- (a) the risk assessment required by regulation 7 of the General Duties Regulations (having regard to the general duties contained in regulation 5 of those Regulations and the particular risks of carrying out work at height);
- (b) the requirements of regulation 6 of the Merchant Shipping and Fishing Vessels (Provision and Use of Work Equipment) Regulations 2006; and
- (c) the requirements of regulation 7 of the Merchant Shipping and Fishing Vessels (Lifting Operations and Lifting Equipment) Regulations 2006.

(2) The employer shall ensure that work equipment for temporary work at height provided for use or used by workers is the most suitable to ensure and maintain safe working conditions.

(3) When providing work equipment in accordance with paragraph (2), the employer shall—

- (a) give collective protection measures priority over personal protection measures;
- (b) select work equipment that has characteristics including dimensions which—
 - (i) are appropriate to the nature of the work to be performed;
 - (ii) are appropriate to foreseeable loads and stresses;
 - (iii) allow passage without danger; and
- (c) in the case of work equipment which is a means of access to a workplace at height—
 - (i) select the most suitable work equipment taking into account the frequency of passage, the height to be negotiated and the duration of use;
 - (ii) ensure the choice of work equipment permits evacuation in the event of imminent danger; and
 - (iii) ensure that passage in either direction between the work equipment selected and a working platform does not give rise to any additional risk of falling.