



S.I.S. LIFTING OPERATION AND LIFTING EQUIPMENT REGULATIONS 1998

Prepared by LEIA Safety and Environment Committee



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Introduction

This Information Sheet is one of a series produced by the LEIA Safety and Environment Committee on topics relevant to the Lift and Escalator Industry. Whilst every effort has been taken in the production of these sheets, it must be acknowledged that they should be read in conjunction with the relevant legislation, codes of practice etc. They should not be taken as an authoritative interpretation of the law but guidance to it.

SCOPE

The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and applies in all premises and work situations subject to the Health and Safety at Work Act and build on the requirements of the Provision and Use of Work Equipment Regulations 1998.

The regulations apply to new and existing lifts and lifting equipment for use at work

Escalators are not covered by LOLER but by the Workplace Regulations. However, the lifting equipment used to position an escalator is covered by LOLER.

Stairlifts and other equipment for use at work do fall under the scope of LOLER.

- Lifting equipment has wide scope under these regulations including goods and passenger lifts, scissors lifts, patient hoists, construction site hoists, mobile elevating working platforms, ropes, slings, tackles, eye bolts, cranes, gin wheels,
- The regulations apply equally to **lifting** and **lowering** activities.

DEFINITIONS

LIFTING EQUIPMENT

The regulations apply only to equipment for work activities. *They do not apply to equipment for use by members of the public such as lifts for use by customers at shopping centres, or in blocks of flats. In these circumstances employers will need to satisfy the requirements of the Health and Safety at Work Act, principally Sections 3 and 4. It is considered that if the requirements of LOLER are followed this will probably satisfy their legal duties.*

LOAD

Any material or people lifted or lowered by the lifting equipment.

COMPETENT PERSON – Thorough Examination

A Competent person is someone who has appropriate practical and theoretical knowledge and actual experience of the type of machinery or plant which they have to examine as will enable them to detect defects or weaknesses. It is the purpose of the examination to discover, and to assess (Risk Assessment) their importance in relation to the strength and functions of the particular machinery or plant.

THOROUGH EXAMINATION

'Thorough Examination' of lifting equipment is a detailed examination performed by a competent person whose purpose is to determine the condition of the lifting equipment and report upon its worthiness for continued use in a safe manner.

RESPONSIBILITIES

The requirements of these regulations apply to employers, the self-employed, and those persons at work who use, supervise or manage the use of lifting equipment. Any person who provides lifting equipment for use at work will be required to comply with LOLER and the relevant aspects of PUWER.

The following addresses particular and relevant aspects of the Regulations.

REGULATIONS

REGULATION 3 – Application

The ACoP and guidance to this regulation describes how and where LOLER applies and also gives some general information of particular relevance to lifts.

Safe means of access and egress to lifting equipment should be provided. Where practicable permanent means should be installed e.g. stairwells, fixed ladders.

Protection from slips trips and falls should be provided when persons are required to work on the lifting equipment e.g. maintenance, inspection. This protection could comprise of barriers, toe boards and mid-rail bars that should be fixed to the lifting equipment. The protection system should be of adequate strength to withstand the weight of any person or object falling against it, and prevent objects falling and injuring someone below.

Work platforms on lifting equipment should be slip resistant especially where equipment is likely to be exposed to adverse weather conditions or hostile environments (wallclimbers). A risk assessment should be considered to minimise the hazard.

REGULATION 4 - Strength and Stability

When selecting lifting equipment, account must be taken that it is of adequate strength and is suitable for the intended task. There should always be an adequate factor of safety when considering the maximum load to be lifted or lowered.

Where lifting equipment is to be anchored to a structure e.g. lifting beam, the risk assessment should ensure that it can withstand the load that will be placed upon it.

REGULATION 5 - Lifting Equipment Used for Lifting Persons

Lifting equipment used for lifting people (e.g. a passenger lift) shall be designed such that persons using the lift are prevented from being crushed, trapped, struck, or falling from the carrier. There must be suitable devices to prevent the carrier from falling in the event of a failure in the suspension system and that any person trapped in the carrier can be freed.

In the lift industry the 'carrier' is the lift car and designed in accordance with the relevant standards used in the industry will address the requirement of this regulation.

It is recommended that lift car entry/exit points should be suitably protected to prevent someone being struck by the doors. Such protection may include modern electronic safety devices that can

significantly reduce contact between the doors and person. These devices are considered especially appropriate in accommodation for the elderly.

Safety devices must be fitted to all lift cars to prevent the risk of falling. The safety device must be independent of the means of suspension.

As persons trapped in lift cars can be distressed it is recommended that two-way voice communication be used to summon assistance. If this system is not available an audible alarm is required which must function at all times.

Lifting equipment not designed for lifting people should be 'derated' to provide a safety factor of at least twice that required for other lifting (e.g. A device with a SWL of 1000kgs will be derated to 500kgs when lifting persons) See Appendix 1 for a worked example.

REGULATION 6 – Positioning and Installation

Lifting equipment must be positioned and installed such that the loads are under control at all times in order to minimise the risk to persons in the vicinity of the lifting operation.

A conventional lift should be protected by a suitable and substantial enclosure to minimise the risks of persons being struck on lift landings. LEIA Safety Information Sheet: Safety at Lift Landings. For major repair and construction work in occupied buildings full height screening is recommended.

The recommendation by the HSE is that imperforate doors should replace lattice gates especially where children could be present (e.g. hotels). If this is not practicable suitably located protective plates at the leading edge to prevent access of fingers, and toe pickets to prevent access of a foot through the gates should be provided.

REGULATION 7 – Marking of Lifting Equipment

Lifting equipment should be marked with its safe working load (kgs) and any characteristics necessary for its safe use. Lifting equipment designed for the lifting of persons should be clearly marked that it is for lifting persons. In addition, any carrier should clearly display the maximum number of persons to be carried.

Lifting equipment not designed for carrying passengers but might be used as such in error should be clearly marked that it is not designed for lifting persons.

E.g. Goods Lift Only – NO PASSENGERS PERMITTED

REGULATION 8 – Organisation of Lifting Operations

A competent person must properly plan all lifting and lowering operations and any risks identified should have a safe system of work produced. (e.g. method statement) this is sometimes referred to as a 'Lifting Plan'. This would apply where the lift company is lifting equipment during repairs or refurbishment. In the planning of a lifting operation consideration must be taken of the weight of the load, the equipment used, the anticipated path the load will take, where it will be picked and set down, the method of slinging, possibly a trial lift and the release of slings.

Where appropriate, derating of the lifting equipment must be considered due to environmental factors (adverse weather conditions). Consideration should also be given to the methods of slinging and attachment of slings. (e.g. angle of legs)

Any lifting operation where a number of persons are involved clear communication is essential.

REGULATION 9 – Thorough Examination and Inspection

The regulations require that employers ensure that:-

Before lifting equipment is placed into service for the first time it must be thoroughly examined for any defects by a competent person, usually the lift installer. In the case of new lifts installed since 1 July 1999 a 'Declaration of Conformity' must be issued with the lift and is valid for 12 months of the lift being placed into service.

All lifting equipment used for lifting persons and lifting accessories (e.g. slings) shall be thoroughly examined by a competent person at least every 6 months and for other lifting equipment at least every 12 months. In certain situations, the examination could be in

accordance with a written examination scheme, in cases of doubt advice from the Competent Person is to be sought

The employer shall ensure that no lifting equipment is used unless it is accompanied by evidence of the last thorough examination (i.e. the certificate).

Lifting equipment used for the installation, maintenance and repair of lifts must be accompanied with evidence that it has been examined as required by LOLER. Thorough examination of hired lifting equipment is the responsibility of the Hire Company who should provide evidence of the examination. Companies hiring equipment should ensure certificate accompanies equipment, do not use if there is no certificate.

Thorough Examination of Lifts

Typically, Thorough Examination of Lifts is carried out by the client's insurer acting as the Competent Person. In cases where the Lift maintenance contractor is asked by the client to perform this legal duty attention is drawn to HSE guidance:

[Thorough examination and testing of lifts - Simple guidance for lift owners. \(INDG339\)](#)

A competent person is someone who has sufficient technical and practical knowledge of the lift to be able to detect any defects and assess how significant they are. It is also important that the competent person is sufficiently independent and impartial to allow them to make an objective assessment of the lift. For this reason, it is not advisable for the same person who performs routine maintenance to carry out the thorough examination, as they are then responsible for assessing their own work.

REGULATION 10 – Reports and Defects

The competent person shall notify the employer immediately of any defect in the lifting equipment, which in his opinion is or could become a danger to persons.

The competent person must complete a report of the thorough examination in writing as schedule 1 of LOLER and submitted to the owner/employer as well as any person from whom the equipment has been hired or leased. The report should be completed and forwarded within 28 days.

Where there is a defect in the lifting equipment involving an existing or imminent risk of serious personal injury then send a copy of the report as soon as is practicable to the relevant enforcing authority.

REGULATION 11 – Keeping of Information

Where a 'Declaration of Conformity' has been issued for lifting equipment the employer shall keep that declaration for as long as the equipment is in operation. In the case of thorough examinations the report must be available on request for inspection and retained for two years. In the case where the thorough examination includes a test the report must be kept available until the next such report is made (minimum two years)

ESSENTIAL READING

The Lifting Operations and Lifting Equipment Regulations 1998

L113 Safe use of lifting equipment - The Lifting Operations and Lifting Equipment Regulations 1998 Approved Code of Practice and Guidance.

INDG 339 (Rev1) 01/08 Thorough examination and testing of lifts - Simple guidance for lift owners

Appendix 1

Worked Example of derating when lifting persons

