

Legislation and Guidance Supporting the Use of MEWPs

Modern health and safety legislation tends to be goal setting rather than prescriptive. Instead of giving fixed rules it often provides goals or essential requirements that need to be met. One consequence of this is that users have to assess the risks of working at height, select the most appropriate equipment to use and ensure it is used and maintained properly.

There is growing awareness that, often, the best solution for temporary work at height is a purpose-built, proprietary working platform; such as a mobile elevating work platform, mast climbing work platform or transport platform. IPAF is committed to raising safety standards by encouraging the use of working platforms where they provide a safe means of access to height. As part of this process it is actively involved in the development of design standards and safe use guidance for working platforms. This includes working with its members, the European Commission, national authorities and other groups and associations to provide guidance on health and safety law and its implementation.

Referring to the law, the Machinery Directive 98/37/EC is intended to encourage trade of machinery throughout EC member states. It includes essential safety requirements that manufacturers must meet before placing working platforms on the European market. The Directive is implemented in the UK by the Supply of Machinery (Safety) Regulations. A new version of the Directive 2006/42/EC has been published and will come into force on 29 December 2009. National regulations implementing the new Directive should also be in force by this date.

The use of working platforms in the UK is covered primarily by the Health and Safety at Work Etc. Act 1974. Under this Act several sets of Regulations have been written and are in force. These Regulations include the following that are of particular relevance to the use of working platforms:

- Management of Health and Safety at Work Regulations 1999
- Provision and Use of Work Equipment Regulations 1998
- Lifting Equipment and Lifting Operations Regulations 1998
- Work at Height Regulations 2005
- Construction Design and Management Regulations 2007

The above legislation is often supported by Approved Codes of Practice, industry codes of practice, standards and guidance that are intended to help duty holders understand how to comply with the law. The codes of practice and guidance can assist users select and use equipment safely in their work activities. The guidance is important because it is often referred to by the courts as authoritative or expert guidance on how to comply with the law.