

A Simple Guide to LOLER



Lifting Operations and Lifting Equipment Regulations 1998

LOLER came into force on 5th December 1998 alongside the Provision of and Use of Work Equipment Regulations 1998 (PUWER) to implement the EU's Amending Directive (95/63/EC) to the Use of Work Equipment Directive (AUWED).

LOLER replaced or forced an amendment to a number of other lifting related requirements such as;

- *Construction (Lifting Operations) Regulations 1961,*
- *Docks Regulations 1998,*
- *Lifting Plant and Equipment (Records of Test and Examination etc.) Regulations 1992.*

The Regulations aim is to make working life safer for everyone using and coming into contact with lifting equipment: employers and employees, contractors and others ^[3].

If you are an employer or self-employed and provide lifting equipment for use at work, or you have control of the use of equipment, then LOLER Regulations will apply to you.



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Do the regulations apply to me?

Well, if you are an employer or self-employed and provide lifting equipment for use at work, or you have control of the use of equipment, then the Regulations will apply to you.

As with all Health & Safety requirements LOLER cannot be considered in isolation. Everyone has duties under Health and Safety at Work Act 1974 to take reasonable care of themselves and others who may be affected by their actions and to co-operate with others. The Management of Health and Safety Regulations 1999, require a risk assessment to be carried out to identify the nature and level of risks associated with a lifting operation.

Geographically speaking, LOLER can be enforced wherever the Health and Safety at Work Act applies; this can be anywhere within Great Britain including offshore for works or activities within the territorial waters of Great Britain or in designated areas of the United Kingdom Continental Shelf.

Any equipment used at work for lifting or lowering loads, including attachments used for anchoring, fixing or supporting it, is covered by LOLER.



What “equipment” does LOLER cover?

Lifting equipment is defined as, *equipment, including accessories, which is designed and used for carrying loads*[3]. Basically it's any equipment used at work for lifting or lowering loads, including attachments used for anchoring, fixing or supporting it.

The Regulations cover a wide range of equipment including, cranes, excavators, fork-lift trucks, HIAB trucks, hoists, mobile elevating work platforms (MEWP), and vehicle inspection hoists. The definition also includes lifting accessories such as chains, slings, eyebolts and shackles.

If you allow employees to provide their own lifting equipment, then this too is covered by the Regulations.

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Well, that all seems pretty straightforward, so what do you actually have to do?

You need to ensure that in using any lifting equipment, the requirements of LOLER are met. For example, you should ensure that all lifting equipment is:

- **Sufficiently strong, stable and suitable** for the proposed use [regulation 4a].
- **Positioned or installed to prevent the risk of injury**, e.g. injury from the equipment or load striking people, or injury from the load drifting, free falling or from an unintentional release [regulation 6].
- **Visibly marked** with any appropriate information to be taken into account for its safe use, e.g. safe working load, special characteristics, or statements such as 'not for lifting people' [regulation 7].

Additionally, you must ensure that:

- The **load** being lifted (inc. lifting eyes, pallets etc) are **sufficiently strong, stable and suitable** for the proposed use [regulation 4b].
- Where equipment is used for the **lifting of people** must be **comprehensively safe** for such a purpose and **prevent personal injury** [regulation 5].
- **Lifting operations** (lifting or lowering a load) are **planned, supervised and carried out** in a safe manner by **trained, competent people** [regulation 8].
- **Before** any lifting equipment and accessories (new or used) are **put into operation**, it must be thoroughly examined **by a competent person** [regulation 9(1)]. This depends on the extent of the information available, see ACoP for information.
- Where lifting equipment is installed in a **new location** or **reconfigured** it is thoroughly **examined by a competent person** [regulation 9(2)].
- All lifting equipment and accessories that are in-service must be thoroughly examined **at intervals no longer than those specified in the regulation** (see below) or **shorter intervals** if the competent person **considers this appropriate**, or **in accordance with the intervals specified in the examination scheme for the equipment**. The **examination scheme** (intervals determined by risk assessment) may be drawn up by the user, owner, manufacturer or some other independent party provided they have the **necessary competence** [regulation 9(3)].
- The following are **examination intervals** specified by the regulation:
 - ♦ At least **six-monthly** for accessories and equipment used for **lifting persons**, i.e. passenger lifts, access platforms and man baskets.
 - ♦ At least **six-monthly** for **lifting accessories (tackle)**, i.e. slings, shackles and eyebolts.
 - ♦ At a minimum of **annually** for **all other equipment** not falling into the above categories, i.e. cranes and fork-lift trucks.
 - ♦ Where lifting equipment is exposed to **conditions which cause deterioration** that could lead to a dangerous situation.
 - ♦ Following **certain exceptional circumstances** such as an accident or long period without use.
- There must be **physical evidence of examination** (paper certificate or tag) to **accompany lifting equipment and accessories** [regulation 9(4)].
- The **Competent Person** carrying out the thorough examination must **identify defects** and **report** (in accordance with Schedule 1) to the employer within a specified timescale to **allow the necessary action to be undertaken**. This should be a **maximum of 28 days** from the examination [regulation 10].
- **Records** of thorough examinations must be **kept for at least two years** or **until the next examination and record is produced**, whichever is longer, so make sure you do! [regulation 11].

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How are the regulations enforced, and what happens if I don't comply?

Health and safety inspectors enforce the regulations, where there are serious risks, inspectors are prepared to take firm enforcement action which could lead to heavy fines or even imprisonment.

We must stress this is basic guidelines to the LOLER, and are not a substitute for the true regulations' requirements or ACoP, therefore we urge you to seek further advice and training prior to carrying out any lifting activities. All references below are available, free of charge from the websites below. Enjoy!



References

- (1) Lifting Operations and Lifting Equipment Regulations 1998 <http://www.legislation.gov.uk/ukxi/1998/2307/contents/made>
- (2) HSE ACoP L113: Safe use of lifting equipment: Approved Code of Practice <http://www.hse.gov.uk/pubns/books/l113.htm>
- (3) HSE Book Lifting Operations and Lifting Equipment Regulations (LOLER) 1998: Open learning guidance <http://www.hse.gov.uk/pubns/priced/loler.pdf>
- (4) HSE Research Report 125: Evaluation of the implementation of the use of work equipment directive and amending directive to the use of work equipment directive in the UK <http://www.hse.gov.uk/research/rrpdf/rr125.pdf>
- (5) The Institution of Engineering & Technology, Health & Safety Briefing No. 31 (HSB31) <http://www.theiet.org/factfiles/health/hsb31-page.cfm>

From the editor: We have tried to make sure the above article is as accurate and up-to-date as possible. If you think we have something wrong, or you feel we need to update it, please get in touch [here](#).

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