

SCHEDULE 1

Regulation 3

(Amendment of the principal Regulations coming into force on 1st September 1994)

PART I

1. In regulation 2(1), at the end of the definition of “Machinery Directive” there shall be added—
“and as further amended by—
 - (a) Article 1(10) excluding (a), (b) and (q);
 - (b) Article 1(11)(a) and (b); and
 - (c) Article 1(12)(c), (d), (e) and (f),of Council Directive [93/44/EEC](#)(1)
2. In regulation 22(3)—
 - (a) at the end of sub-paragraph (a) “and” shall be omitted; and
 - (b) at the end of sub-paragraph (b) there shall be added—
“; and
 - (c) accompanied by a translation thereof in one of the official languages of the country in which the machinery is to be used in accordance with the requirements for the translation of the instructions as specified in sub-paragraph (a) above”.
- 3.—(1) In Schedule 3—
 - (a) at the end of the PRELIMINARY OBSERVATIONS the following paragraphs shall be added—
“The essential health and safety requirements have been grouped according to the hazards which they cover.
Machinery presents a series of hazards which may be indicated under more than one heading in this Annex.
The manufacturer is under an obligation to assess the hazards in order to identify all those which apply to his machinery; he must then design and construct it taking account of his assessment.”;
 - (b) for the penultimate paragraph in section 1.2.4 there shall be substituted—
“Once active operation of the emergency stop control has ceased following a stop command, that command must be sustained by engagement of the emergency stop device until that engagement is specifically overridden; it must not be possible to engage the device without triggering a stop command; it must be possible to disengage the device only by an appropriate operation, and disengaging the device must not restart the machinery but only permit restarting.”;
 - (c) after section 1.5.13 there shall be inserted—
“(1.5.14) *Risk of being trapped in a machine*
Machinery must be designed, constructed or fitted with a means of preventing an exposed person from being enclosed within it or, if that is impossible, with a means of summoning help.

(1.5.15) *Risk of slipping, tripping or falling*

(1) OJNo. L175, 19.7.93, p.12.

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Parts of the machinery where persons are liable to move about or stand must be designed and constructed to prevent persons slipping, tripping or falling on or off these parts.”;

- (d) the second paragraph of section 1.6.2 shall be omitted;
- (e) for the first indent in section 1.7.4(a) there shall be substituted—
 - “a repeat of the information with which the machinery is marked, except the serial number (see 1.7.3) together with any appropriate additional information to facilitate maintenance (e.g. addresses of the importer, repairers etc.);”;
- (f) for section 1.7.4(b) there shall be substituted—

“The instructions must be drawn up in one of the Community languages by the manufacturer or his authorised representative established in the Community. On being put into service, all machinery must be accompanied by a translation of the instructions in the language or languages of the country in which the machinery is to be used and by the instructions in the original language. This translation must be done either by the manufacturer or his authorised representative established in the Community or by the person introducing the machinery into the language area in question. By way of derogation from this requirement, the maintenance instructions for use by specialised personnel employed by the manufacturer or his authorised representative established in the Community may be drawn up in only one of the Community languages understood by that personnel.”;
- (g) for section 1.7.4(d) there shall be substituted—

“Any literature describing the machinery must not contradict the instructions as regards safety aspects. The technical documentation describing the machinery must give information regarding the airborne noise emissions referred to in (f) and, in the case of hand-held and/or hand-guided machinery, information regarding vibration as referred to in 2.2.”;
- (h) in the title of section 2, the word “ADDITIONAL” shall be omitted;
- (i) in sections 2.1, 2.2 and 2.3, the words “In addition to the essential health and safety requirements set out in 1 above,” shall be omitted;
- (j) for the first paragraph in section 3 there shall be substituted—

“Machinery presenting hazards due to mobility must be designed and constructed to meet the requirements set out below.”;
- (k) for the first paragraph in section 4 there shall be substituted—

“Machinery presenting hazards due to lifting operations-mainly hazards of load falls and collisions or hazards of tipping caused by a lifting operation-must be designed and constructed to meet the requirements set out below.”;
- (l) at the end of section 4.2.3 the following paragraph shall be inserted—

“Machinery serving specific levels at which operators can gain access to the load platform in order to stack or secure the load must be designed and constructed to prevent uncontrolled movement of the load platform, in particular while being loaded or unloaded.”;
- (m) for the title to section 5 there shall be substituted—

“ESSENTIAL HEALTH AND SAFETY REQUIREMENTS FOR MACHINERY INTENDED FOR UNDERGROUND WORK”;

and
- (n) for the first paragraph of section 5 there shall be substituted—

“Machinery intended for underground work must be designed and constructed to meet the requirements set out below.”.

(2) Sub-paragraph (1)(f) above transposes Article 1(10)(h) of Council Directive 93/44/EEC and in that sub-paragraph references to the Community shall be read as references to the European Economic Area and references to the Community languages shall be read as including references to the official languages of the other EEA States(2).

4. For Schedule 4 there shall be substituted—

“SCHEDULE 4

Regulation 2(2)

(Annex IV of the Machinery Directive)

1. Circular saws (single or multi-blade) for working with wood and analogous materials or for working with meat and analogous materials.

1.1 Sawing machines with fixed tool during operation, having a fixed bed with manual feed of the workpiece or with a demountable power feed.

1.2 Sawing machines with fixed tool during operation, having a manually operated reciprocating saw-bench or carriage.

1.3 Sawing machines with fixed tool during operation, having a built-in mechanical feed device for the workpieces, with manual loading and/or unloading.

1.4 Sawing machines with movable tool during operation, with a mechanical feed device and manual loading and/or unloading.

2. Hand-fed surface planing machines for woodworking.

3. Thicknessers for one-side dressing with manual loading and/or unloading for woodworking.

4. Band-saws with a fixed or mobile bed and band-saws with a mobile carriage, with manual loading and/or unloading, for working with wood and analogous materials or for working with meat and analogous materials.

5. Combined machines of the types referred to in 1 to 4 and 7 for working with wood and analogous materials.

6. Hand-fed tenoning machines with several tool holders for woodworking.

7. Hand-fed vertical spindle moulding machines for working with wood and analogous materials.

8. Portable chain saws for woodworking.

9. Presses, including press-brakes, for the cold working of metals, with manual loading and/or unloading, whose movable working parts may have a travel exceeding 6mm and a speed exceeding 30 mm/s.

10. Injection or compression plastics-moulding machines with manual loading or unloading.

11. Injection or compression rubber-moulding machines with manual loading or unloading.

12. Machinery for underground working of the following types:

- machinery on rails: locomotives and brake-vans.
- hydraulic-powered roof supports.
- internal combustion engines to be fitted to machinery for underground working.

(2) Paragraphs 8 and 10 of Protocol 1 annexed to the Agreement on the European Economic Area.

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13. Manually-loaded trucks for the collection of household refuse incorporating a compression mechanism.
14. Guards and detachable transmission shafts with universal joints as described in paragraph 3.4.7(3).
15. Vehicles servicing lifts.”.

PART II

1. In regulation 2(2) for the definition of “transposed harmonised standard” there shall be substituted—
““transposed harmonised standard” means a national standard of an EEA State which transposes a harmonised standard.”.
2. For regulation 6(1) there shall be substituted—
“(1) These Regulations do not apply to machinery which the supplier believes (with reasonable cause) will be put into service in a country outside the European Economic Area.”.
3. For regulation 17 there shall be substituted—
“17. For the purposes of these Regulations, an approved body is a body responsible for carrying out functions relating to the conformity assessment procedures set out in Article 8 of the Machinery Directive and described in regulations 14 and 15 above which has been—
 - (a) appointed as a United Kingdom approved body pursuant to regulation 18 below;
or
 - (b) appointed by an EEA State other than the United Kingdom.”.
4. In regulation 22(3) for “An EEC declaration” there shall be substituted “An EC declaration”.

(3) This is a reference to section 3.4.7 of the essential health and safety requirements set out in Schedule 3 to these Regulations.