

Safety Services

Guidance on Buying, Selling / Supplying and Disposing of Machinery and Work Equipment

Introduction

1. The scope of the term “work equipment” is extremely wide and covers almost any item of equipment used at work including:
 - Hand tools such as hammers, knives, handsaws etc
 - Single machines such as drilling machines, circular saws etc.
 - Apparatus such as laboratory equipment
 - Lifting equipment such as hoists, lift trucks and lifting equipment
 - Any other equipment such as ladders etc.
 - An installation such as a series of machines connected together

Guidance

2. This guidance note will deal only with issues relating to machinery such as drilling machines, circular saws, lathes etc and apparatus such as laboratory equipment.

Buying New Equipment

3. An item of work equipment first provided for use from the 5th December 1998 must meet ALL the requirements of the Provision and Use of Work Equipment Regulations 1998 (PUWER). The same requirements apply when bringing any second hand work equipment onto site. The supply of work equipment and machinery is governed by the Supply of Machinery (Safety) Regulations, which require that any machinery supplied is safe and that manufacturers / suppliers ensure that:
 - Machinery meets specific health and safety requirements which include the provision of sufficient instructions.
 - A technical file for the machinery has been drawn up.
 - There is a declaration of conformity for the machinery which should be issued with it.
 - There is a CE marking affixed to the machinery.
4. These requirements apply to equipment supplied or manufactured in the European Union. Any equipment purchased from outside this area should comply with the requirements of the Supply of Machinery (Safety) Regulations 1992 but because this equipment is imported from outside the EU, the person importing it will take on the legal responsibilities of the manufacturer. This could include someone bringing in equipment from another university.

Note : when procuring equipment, you cannot assume that the supplier / manufacturer has adequately dealt with all the health and safety risks which might arise from using the equipment. You must make your own checks, and where you find that a risk is

inadequately controlled, you must take steps to improve the situation. See HSE leaflet www.hse.gov.uk/pubns/indg271.htm

5. When buying new equipment, the following should always be considered:

- What health and safety risks might there be when using the machine?
- Are there any dangerous parts, and what guards are provided / required?
- Will the equipment need emergency stop controls and how can electrical supplies be isolated?
- How do the controls and control system work?
- Will dust or fumes be produced by the machine? If these are likely to be in significant quantities, can an existing extraction system be adapted to cope with the new machine or will new systems be needed?
- Has the machinery been designed to minimise noise and vibration levels?
- Are there any extremely hot or very cold parts of the machine and can they be insulated or protected?
- Are there any lasers, thickness gauges or radioactive sources in the equipment and what precautions are there to stop any exposure?
- What has been done to eliminate the risks of electric shock particularly during maintenance work, when covers or control panel doors may be open?
- Are there possible risks from other sources of stored energy such as hydraulic or pneumatic systems?
- Is there clear information about installation, maintenance and breakdown procedures?
- What training will be required both for users and for maintenance of equipment?

6. When new equipment has been purchased then the following should be checked before it is put into use:

- There is a CE mark. Ask for a copy of the EC declaration of conformity if you have not been given one.
- The supplier has explained what the machinery is designed to be used for and what it cannot be used for.
- Make sure a manual has been supplied which includes instructions for safe use, assembly, installation, commissioning, safe handling, adjustment and maintenance, and final disposal.
- Make sure the instruction manual is written in a language you are very familiar with (or can obtain a technically competent translation).
- Make sure information has been provided about any remaining risks from the machine and the precautions you need to take to deal with them i.e. electrical, hydraulic, pneumatic, thermal
- Check that data about noise and vibration levels have been provided and where necessary explained to you
- Ensure that any warning signs are visible and easy to understand.

- For a complex or custom-built machine, arrange for a trial run so you can be shown the safety features and how they work.
 - Satisfy yourself that the machine is safe and you understand how to operate it safely.
 - Make sure any early concerns about safety of the machine once it is commissioned and in use are reported to and discussed with the suppliers.
7. Even though the equipment may have a CE marking never assume that it is safe. The manuals supplied by the manufacturer should include:
- Drawings of the machinery and its control circuits
 - Specifications and standards used in the design
 - Relevant test results and other data
 - Operating instructions
 - Technical reports
8. Under PUWER, the purchase of second hand machinery is no different from the purchase of new equipment. Second hand equipment is new to the organisation and therefore will need to fulfil the same requirements as new equipment.

Supplying Machinery

9. When supplying machinery, eg to a sponsor or collaborator, it is necessary to ensure that the machinery is safe and also that: -
- Machinery meets relevant essential health and safety requirements which include the provision of sufficient instructions.
 - A technical file for the machinery has been drawn up and in certain cases the machinery has been type examined by a certified body.
 - A declaration of conformity for the machinery has been issued with it.
 - A CE mark is clearly affixed to the machinery.

What happens when selling / supplying second hand equipment?

10. The Supply of Machinery (Safety) Regulations 1992 only apply to the first supply of machinery and if you are selling equipment that has not been altered *in any way* these regulations do not apply. The original documentation and requirements can be passed on to the new owner. If the equipment has been substantially refurbishment or altered then the requirements of the regulations are fully applicable.
11. However, where the Supply of Machinery (Safety) Regulations do not apply, the requirements of the Health and Safety at Work Act 1974 section 6 do apply. This section places a duty on any person who designs, manufactures, imports or supplies any article for use at work to ensure, so far as is reasonably practicable, that the article is so designed and constructed that it will be safe and without risks to health. Adequate information about the use for which the article is designed is also required.

Disposal of Work Equipment

12. Advice should always be sought before equipment is disposed of to find the appropriate means of disposal. A duty of care exists, and any person disposing of waste must take into account any relevant legal requirements. This includes the disposal of components inside work equipment such as polychlorinated biphenyls, asbestos, heavy metals, radioactive sources, etc. Manual handling or lifting issues will also need to be taken into account.
13. Specific legislation relating to the disposal of waste electrical and electronic equipment came into force on 13th August 2004 in the form of the Waste Electrical and Electronic Equipment Directive. Information on this and other waste issues can be found at <http://www.environment-agency.gov.uk>

Further Information

HSE Simple Guide to the Provision and Use of Work Equipment Regulations 1998 (at www.hse.gov.uk/pubns/indg291.pdf)

HSE Guidance on Using Work Equipment Safely at www.hse.gov.uk/pubns/indg229.pdf)

HSE Guidance on Supplying New Machinery at <http://www.hse.gov.uk/pubns/indg270.pdf>)

HSE Guidance on Buying New Machinery at www.hse.gov.uk/pubns/indg271.htm)

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