

**STATUTORY INSTRUMENTS.**

**S.I. No. 318 of 2006**

---

**Safety, Health and Welfare at Work (Work at Height) Regulations 2006**

PUBLISHED BY THE STATIONERY OFFICE  
DUBLIN

To be purchased directly from the  
GOVERNMENT PUBLICATION SALE OFFICE,  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,

Or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
51 ST. STEPHEN'S GREEN, DUBLIN 2,

(Tel: 01-6476834/35/37; LoCall 1890 213434; Fax: 01 6476843)  
or through any bookseller.

## ARRANGEMENT OF REGULATIONS

1. Citation.
2. Interpretation.
3. Organisation and planning.
4. Weather conditions.
5. Avoidance of risks from work at height.
6. Selection of work equipment for work at height.
7. Requirements for particular work equipment.
8. Fragile surfaces.
9. Falling objects.
10. Danger areas.
11. Inspection of work equipment.
12. Checking of places of work at height.
13. Amendment of Docks (Safety, Health and Welfare) Regulations 1960.
14. Amendment of Safety, Health and Welfare (Offshore Installations)(Operations) Regulations 1991.
15. Amendment of Safety, Health and Welfare at Work (Construction) Regulations 2001.

### SCHEDULE 1

Requirements for existing places of work and means of access or egress at height.

### SCHEDULE 2

Requirements for guard-rails etc.

### SCHEDULE 3

Requirements for working platforms.

### SCHEDULE 4

Requirements for collective safeguards for arresting falls.

### SCHEDULE 5

Requirements for personal fall protection systems.

### SCHEDULE 6

Requirements for ladders.

### SCHEDULE 7

Particulars to be included in a report of inspection.

## **S.I. No. 318 of 2006**

I, Tony Killeen, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 58 of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) Order 2005 (S.I. No. 316 of 2005)) and for the purpose of giving effect to Directive 2001/45/EC of the European Parliament and of the Council of 27 June 2001<sup>1</sup>, after consultation with the Health and Safety Authority, hereby make the following regulations:

### **Citation.**

1. These Regulations may be cited as the Safety Health and Welfare at Work (Work at Height) Regulations 2006.

### **Interpretation.**

2. (1) In these Regulations -

“access” includes ascent and descent;

“Act” means the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005);

“Directive” means Directive 2001/45/EC of the European Parliament and of the Council of 27 June 2001<sup>1</sup>;

---

<sup>1</sup> O.J. No. L.195, 19.7.2001, p. 46.

“egress” includes ascent and descent;

“fragile surface” means a surface, including fittings, that would be liable to fail if a person’s weight were to be applied to it in reasonably foreseeable circumstances;

“ladder” includes a fixed ladder and a stepladder;

“lifting equipment” means work equipment for lifting or lowering loads, and includes its attachments used for anchoring, fixing or supporting it;

“line” includes rope, chain or webbing;

“personal fall protection system” means -

- (a) a fall prevention, work restraint, work positioning, fall arrest or rescue system, other than a system in which the only safeguards are collective safeguards, or
- (b) rope access and positioning techniques;

“personal protective equipment” means any equipment designed to be worn or held by an employee for protection against one or more hazards likely to endanger the employee’s safety and health at work, and any addition or accessory designed to meet this objective, but does not include -

- (a) ordinary working clothes and uniforms not specifically designed to protect the safety and health of an employee,
- (b) personal protective equipment for the purposes of road transport,
- (c) sports equipment,
- (d) self-defence or deterrent equipment, or
- (e) portable devices for detecting and signalling risks and nuisances;

“scaffold” means any temporary structure, including its supporting components, whether fixed, suspended or mobile, that is used for supporting employees and materials or to gain access to any structure, and includes a working platform, a working stage, a gangway, a run, and a ladder or step-ladder (other than an independent ladder or step-ladder that does not form part of such a structure), together with any guard-rail, toe-board or other such safeguard and all fixings thereon, but does not include lifting equipment, or a structure only used to support another structure or equipment (including lifting equipment), and “scaffolding” shall be construed accordingly;

“work at height” means work in any place, including a place -

- (a) in the course of obtaining access to or egress from any place, except by a staircase in a permanent place of work, or

(b) at or below ground level,

from which, if measures required by these Regulations were not taken, an employee could fall a distance liable to cause personal injury, and any reference to carrying out work at height includes obtaining access to or egress from such place while at work;

“work equipment” means any machine, appliance, apparatus, tool or installation for use at work (whether exclusively or not) and includes anything to which Regulation 7 and Schedules 2 to 6 apply;

“working platform” means any platform used as a place of work or as a means of access to or egress from a place of work, including any scaffold, suspended scaffold, cradle, mobile platform, trestle, gangway, gantry and stairway that is so used.

(2) Any reference in these Regulations to the keeping of a copy of a report or plan includes reference to it being kept in a form in which it capable of being reproduced as a printed copy when required and which is secure from loss or unauthorised interference.

(3) A word or expression that is used in these Regulations and is also used in the Directive has the same meaning in these Regulations as it has in the Directive.

**Organisation, planning and risk assessment.**

3. (1) An employer shall ensure that work at height is properly planned, appropriately supervised and carried out in a manner that is, so far as is reasonably practicable, safe and without risk to health.

(2) For the purposes of these Regulations, planning of work includes -

- (a) the selection of work equipment in accordance with Regulation 6,
- (b) an appropriate risk assessment pursuant to section 19 of the Act, and
- (c) planning for emergencies and rescues.

(3) In identifying measures to comply with these Regulations, an employer shall take account of the risk assessment.

**Weather conditions.**

4. An employer shall ensure that work at height is carried out only when weather conditions do not jeopardise the safety and health of employees.



**Avoidance of risks from work at height.**

5. (1) Taking account of the general principles of prevention in Schedule 3 to the Act, an employer shall ensure that work is not carried out at height where it is reasonably practicable to carry out the work safely and without risk to health otherwise than at height.

(2) Without prejudice to the generality of paragraph (1) and taking account of the risk assessment, an employer shall ensure that work is not carried out at height unless it is reasonably practicable to do so safely and without risk to health.

(3) Where, having regard to paragraphs (1) and (2), it is necessary to carry out work at height, an employer shall take suitable and sufficient measures to prevent an employee falling a distance liable to cause personal injury.

(4) The measures required under paragraph (3) include -

(a) ensuring that the work is carried out -

(i) from an existing place of work, or

(ii) in the case of obtaining access or egress, by using an existing means of access or egress,

in compliance with Schedule 1, where it is practicable to do so safely and under appropriate ergonomic conditions, and

- (b) where it is not practicable for the work to be carried out in accordance with subparagraph (a), ensuring there is provided suitable and sufficient work equipment for preventing a fall occurring.

(5) Where the measures taken under paragraph (3) do not eliminate the risk of a fall occurring, an employer shall -

- (a) provide sufficient work equipment to minimise the distance of a potential fall and the risk of personal injury, and
- (b) without prejudice to the generality of paragraph (3), provide such additional training and instruction or take other additional suitable and sufficient measures to prevent so far as is practicable any employee falling a distance liable to cause personal injury.

(6) The measures required under this Regulation include the selection of work equipment in accordance with Regulation 6.

**Selection of work equipment for work at height.**

6. (1) An employer, in selecting work equipment for use in work at height, shall -
- (a) give collective protection measures priority over personal protection measures, and

- (b) take account of the following:
  - (i) the working conditions and the risks to the safety and health of employees at the place where the work equipment is to be used;
  - (ii) in the case of work equipment for access and egress, the distance and height to be negotiated;
  - (iii) the distance of a potential fall and the risk of personal injury;
  - (iv) the duration and frequency of use of the equipment;
  - (v) the need for easy and timely evacuation and rescue in an emergency;
  - (vi) any additional risk posed by the use, installation or removal of that work equipment or by evacuation and rescue from it;
  - (vii) the other requirements of these Regulations.

(2) An employer shall select work equipment for work at height that -

- (a) has characteristics, including dimensions, that are appropriate to the nature of the work to be performed and the foreseeable loadings,

- (b) allows safe passage, and
- (c) is, in other respects, the most suitable work equipment, having regard in particular to Regulation 5.

**Requirements for particular work equipment.**

7. An employer shall ensure that, in the case of -
- (a) a guard-rail, toe-board, barrier or similar means of protection, Schedule 2 is complied with,
  - (b) a working platform, Part 1 of Schedule 3 is complied with and, where scaffolding is provided, Part 2 of Schedule 3 is also complied with,
  - (c) a net, airbag or other collective safeguard for arresting falls that is not part of a personal fall protection system, Schedule 4 is complied with,
  - (d) a personal fall protection system, Part 1 of Schedule 5 is complied with,
  - (e) a work positioning system, Part 2 of Schedule 5 is complied with,
  - (f) rope access and positioning techniques, Part 3 of Schedule 5 is complied with,
  - (g) a fall arrest system, Part 4 of Schedule 5 is complied with,
  - (h) a work restraint system, Part 5 of Schedule 5 is complied with,
  - (i) a ladder, Schedule 6 is complied with.

**Fragile surfaces.**

8. (1) Taking account of the risk assessment, an employer shall ensure that no employee passes across or near, or works on, from or near, a fragile surface, where work can be carried out safely and under appropriate ergonomic conditions without his or her doing so.

(2) Where it is necessary to pass across or near, or work on, from or near a fragile surface, an employer shall -

- (a) take account of the risk assessment,
- (b) ensure, so far as is reasonably practicable, that suitable and sufficient platforms, coverings, guard rails or other similar means of support or protection are provided and used so that any foreseeable loading is supported by such supports or borne by such protection, and
- (c) where a risk of an employee falling remains despite the measures taken under this Regulation, take suitable and sufficient measures to minimise the distance of a potential fall and the risk of personal injury.

(3) Where an employee may pass across or near, or work on, from or near a fragile surface, an employer shall ensure that -

- (a) prominent warning notices are affixed at the approach to the place where the fragile surface is situated, or

- (b) where that is not practicable, such employee is made aware of it by other means.

**Falling objects.**

9. (1) An employer shall, where necessary to prevent injury to any employee, take account of the risk assessment and take suitable and sufficient steps to prevent, so far as is reasonably practicable, the fall of any material or object.

(2) Where it is not practicable to prevent the fall of any material or object as referred to in paragraph (1), an employer shall take suitable and sufficient steps to prevent any person being struck by any falling material or object that is liable to cause injury.

(3) An employer shall ensure that no material or object is thrown or tipped from height in circumstances where it is liable to cause injury to any person.

(4) An employer shall ensure that materials and objects are stored in such a way as to prevent risk to any employee arising from the collapse, overturning or unintended movement of such materials or objects.

**Danger areas.**

10. Without prejudice to the preceding requirements of these Regulations, an employer shall ensure that, where a place of work contains an area in which, owing to the nature of the work, there is a risk of any employee suffering personal injury by -

- (a) falling a distance, or
- (b) being struck by a falling object,

the place of work shall be, so far as is practicable, equipped with devices preventing unauthorised employees from entering such area and that such area is clearly indicated by warning signs or other appropriate means.

**Inspection of work equipment.**

11. (1) This Regulation applies only to work equipment to which Regulation 7 and Schedules 2 to 6 apply.

(2) An employer shall ensure that, where the safety of work equipment depends on how it is installed or assembled, it is not used after installation or assembly in any position unless it has been inspected in that position.

(3) Without prejudice to paragraphs (2) and (4), an employer shall ensure that work equipment exposed to conditions causing deterioration that is liable to result in dangerous situations is inspected -

- (a) at suitable intervals, and



- (b) where exceptional circumstances have occurred that are liable to jeopardise the safety of the work equipment, as soon as practicable following these exceptional circumstances.

(4) Without prejudice to paragraph (2), an employer shall ensure that a working platform -

- (a) used for construction work, and
- (b) from which an employee could fall 2 metres or more,

is not used in any position unless it has been inspected in that position within the previous 7 days or, in the case of a mobile working platform, inspected on the site, within the previous 7 days.

(5) A person carrying out an inspection of work equipment to which paragraph (4) applies shall -

- (a) promptly prepare a report containing the particulars specified in Schedule 7, and
- (b) within 24 hours of completing the inspection, provide the report, or a copy thereof, to the person on whose behalf the inspection was carried out.

(6) An employer receiving a report under paragraph (5) shall keep the report or a copy thereof -

(a) at the site where the inspection was carried out until the construction work is completed, and

(b) thereafter, at an office of the employer.

(7) An employer shall ensure that no work equipment under his or her control is used in another place of work, unless it is accompanied by evidence that the last inspection required to be carried out under this Regulation has been carried out.

(8) An employer shall ensure that the result of an inspection under this Regulation is recorded and kept available for inspection by inspectors of the Authority for 5 years from the date of inspection.

(9) Subject to paragraph (10), in this Regulation “inspection” means such visual or more rigorous inspection by a competent person as is appropriate for safety purposes, and includes any testing appropriate for those purposes.

(10) Where a thorough examination has been made of lifting equipment under a specific requirement of any of the relevant statutory provisions -

(a) it shall for the purposes of this Regulation, other than paragraph (4), be treated as an inspection of the lifting equipment, and

- (b) where a report of such examination has been prepared under the relevant statutory provisions this report of examination shall for the purposes of paragraph (8) be treated as the recording of the inspection.

**Checking of places of work at height.**

12. An employer shall ensure that the surface and every parapet, permanent rail or other such fall protection measure at every place of work at height are checked visually prior to use and at appropriate intervals during use.

**Amendment of the Docks (Safety, Health and Welfare) Regulations 1960.**

13. Regulation 5 of the Docks (Safety, Health and Welfare) Regulations 1960 (S.I. No. 279 of 1960) is revoked.

**Amendment of the Safety, Health and Welfare (Offshore Installations)(Operations) Regulations 1991.**

14. Subparagraphs (a) to (e) of Regulation 23(2) of the Safety, Health and Welfare (Offshore Installations)(Operations) Regulations 1991 (S.I. No. 16 of 1991) are revoked.

**Amendment of the Safety, Health and Welfare at Work (Construction) Regulations 2001.**

15. The Safety, Health and Welfare at Work (Construction) Regulations 2001 (S.I. No. 481 of 2001) are amended -

(a) in Regulation 2(1), by deleting the following definitions:

(i) “ladder”,

(ii) “sloping roof”,

(iii) “trestle scaffold”,

(iv) “working platform”,

and

(b) by revoking Regulations 25, 51 to 79, 83 and 87.

## SCHEDULE 1

*Regulation 5*

### REQUIREMENTS FOR EXISTING PLACES OF WORK AND MEANS OF ACCESS OR EGRESS AT HEIGHT

An existing place of work or means of access or egress at height shall -

- (a) be stable and of sufficient strength and rigidity for the purpose for which it is intended to be or is being used,
- (b) where applicable, rest on a stable, sufficiently strong surface,
- (c) be of sufficient dimensions to permit the safe passage of employees and the safe use of any plant or materials required to be used and provide a safe working area having regard to the work to be carried out there,
- (d) be provided with suitable and sufficient edge protection,
- (e) possess a surface that has no gap -
  - (i) through which an employee could fall,

- (ii) through which any material or object could fall and injure an employee, or
  - (iii) giving rise to other risk of injury to any employee, unless measures have been taken to ensure that no employee could be so injured,
- (f) be so constructed, used and maintained in such condition, as to prevent, so far as is reasonably practicable -
- (i) the risk of slipping or tripping, or
  - (ii) any employee being caught between it and any adjacent structure,

and

- (g) where it has moving parts, be prevented by appropriate devices from moving inadvertently during work at height.

## SCHEDULE 2

*Regulation 7(a)*

### REQUIREMENTS FOR GUARD-RAILS ETC.

1. A reference in this Schedule to a means of protection is to a guard-rail, toe-board, barrier or other similar means of protection.
  
2. A means of protection shall -
  - (a) be of sufficient dimensions, strength and rigidity for the purposes for which it is being used and otherwise suitable,
  - (b) be so placed, secured and used as to ensure, so far as is practicable, that it does not become accidentally displaced, and
  - (c) be so placed as to prevent, so far as is practicable, the fall of any employee, or any material or object from any place of work.
  
3. In relation to work at height involved in construction work -
  - (a) the top guard-rail or other similar means of protection shall be at least 950 millimetres above the edge from which any employee is liable to fall,

- (b) toe-boards shall be suitable and sufficient to prevent the fall of any employee, or any material or object, from any place of work, and
- (c) any intermediate guard-rail or similar means of protection shall be positioned so that any gap between it and other means of protection does not exceed 470 millimetres.

4. Any structure or part of a structure that supports a means of protection, or to which a means of protection is attached, shall be of sufficient strength and suitable for the purpose of such support or attachment.

5. (1) Subject to paragraph (2), there shall not be a lateral opening in a means of protection other than at a point of access to a ladder or stairway where an opening is necessary.

(2) A means of protection may be removed only for the time, and to the extent necessary, to gain access or egress, or for the performance of a particular task, and shall be replaced as soon as practicable.

(3) The particular task shall not be performed while the means of protection is removed, unless effective compensatory safety measures are in place.



## SCHEDULE 3

*Regulation 7(b)*

### PART 1

#### REQUIREMENTS FOR ALL WORKING PLATFORMS

##### **Definition.**

1. In this Schedule, “supporting structure” means any structure used for the purpose of supporting a working platform and includes any plant used for that purpose.

##### **Condition of surfaces.**

2. Any surface upon which any supporting structure rests shall be stable, of sufficient strength and of suitable composition to support safely the supporting structure, the working platform and any loading intended to be placed on the working platform.

##### **Stability of supporting structure.**

3. Any supporting structure shall -
- (a) be suitable and of sufficient strength and rigidity for the purpose for which it is being used,
  - (b) (i) in the case of a mobile structure, be prevented by appropriate devices from moving inadvertently during work at height, or

- (ii) in cases other than mobile structures, be prevented from slipping by secure attachment to the bearing surface or to another structure, by provision of an effective anti-slip device, or by other means of equivalent effectiveness,
- (c) be stable while being erected, used and dismantled, and
- (d) when altered or modified, be so altered or modified as to ensure that it remains stable.

**Stability of working platforms.**

4. A working platform shall -

- (a) be suitable and of sufficient strength and rigidity for the purpose for which it is intended to be used or is being used,
- (b) be so erected and used as to ensure that its components do not become accidentally displaced so as to endanger any employee,
- (c) when altered or modified, be so altered or modified as to ensure that it remains stable,
- (d) where it has moving parts, be prevented by appropriate devices from moving inadvertently during work at height, and

- (e) be dismantled in such a way as to prevent accidental displacement.

**Safety on working platforms.**

5. A working platform shall -

- (a) be of sufficient dimensions to permit the safe passage of employees and the safe use of any plant or materials required to be used, and to provide a safe working area having regard to the work being carried out there,
- (b) possess a suitable surface and, in particular, be so constructed that the surface of the working platform has no gap -
  - (i) through which an employee could fall,
  - (ii) through which any material or object could fall and injure an employee, or
  - (iii) giving rise to other risk of injury to any employee, unless measures have been taken to ensure that no employee could be so injured, and

- (c) be so erected and used, and maintained in such condition, as to prevent, so far as is reasonably practicable -
  - (i) the risk of slipping or tripping, or
  - (ii) any employee being caught between the working platform and any adjacent structure.

**Loading.**

- 6. A working platform and any supporting structure shall not be loaded so as to give rise to a risk of collapse or to any deformation that could affect its safe use.

**PART 2**

**ADDITIONAL REQUIREMENTS FOR SCAFFOLDING**

**Additional requirements for scaffolding.**

- 1. Strength and stability calculations for scaffolding shall be carried out unless -
  - (a) a note of the calculations covering the structural arrangements contemplated is available, or
  - (b) it is assembled in conformity with a generally recognised standard configuration.

2. Depending on the complexity of the scaffolding selected, an assembly, use and dismantling plan shall be drawn up by a competent person. This may be in the form of a standard plan, supplemented by items relating to specific details of the scaffolding in question.

3. A copy of the plan, including any instructions it may contain, shall be kept available for the use of persons concerned in the assembly, use, dismantling or alteration of scaffolding until it has been dismantled.

4. The dimensions, form and layout of scaffolding decks shall be appropriate to the nature of the work to be performed, suitable for the loads to be carried and permit work and passage in safety.

5. While a scaffold is not available for use, including during its assembly, dismantling or alteration, it shall be marked with warning signs in accordance with the Safety, Health and Welfare at Work (Signs) Regulations 1995 (S.I. No. 132 of 1995) and, where appropriate, be protected by barriers or other suitable means from unauthorised access or use.

6. Scaffolding shall be assembled, dismantled or significantly altered only under the supervision of a competent person and by persons who have received appropriate and specific training in the operations envisaged that addresses specific risks that the operations may entail and precautions to be taken, and, in particular -

- (a) in understanding the plan for the assembly, dismantling or alteration of the scaffolding concerned,
- (b) the need for safety during the assembly, dismantling or alteration of the scaffolding concerned,
- (c) measures to prevent the risk of persons, materials or objects falling,
- (d) safety measures in the event of changing weather conditions that could adversely affect the safety of the scaffolding concerned,
- (e) permissible loadings, and
- (f) any other risks that the assembly, dismantling or alteration of the scaffolding concerned may entail.

## **SCHEDULE 4**

*Regulation 7(c)*

### **REQUIREMENTS FOR COLLECTIVE SAFEGUARDS FOR ARRESTING FALLS**

1. Any reference in this Schedule to a safeguard is to a collective safeguard for arresting falls.
  
2. A safeguard may be used only if -
  - (a) the risk assessment has demonstrated that the work activity can, so far as is reasonably practicable, be performed safely while using it and without affecting its effectiveness,
  
  - (b) the use of other, safer work equipment is not practicable, and
  
  - (c) a sufficient number of persons (who are available, if required, to assist with any aspect of the safeguard's operation) have received adequate training specific to the safeguard, including rescue procedures.
  
3. A safeguard shall be suitable and of sufficient strength to arrest safely the fall of any employee who is liable to fall.

4. A safeguard shall -

- (a) in the case of a safeguard that is designed to be attached -
  - (i) be securely attached to all the required anchors, and
  - (ii) have anchors, and the means of attachment thereto, that are suitable and of sufficient strength and stability for the purpose of safely supporting the foreseeable loading in arresting any fall or during any subsequent rescue,
- (b) in the case of an airbag, landing mat or other similar safeguard, be stable, and
- (c) in the case of a safeguard that expands when arresting a fall, afford sufficient clearance.

5. Suitable and sufficient steps shall be taken to ensure, so far as practicable, that in the event of a fall by any employee, the safeguard itself does not cause injury to that employee.



## **SCHEDULE 5**

*Regulation 7(d) to (h)*

### **REQUIREMENTS FOR PERSONAL FALL PROTECTION SYSTEMS**

#### **PART 1**

### **REQUIREMENTS FOR ALL PERSONAL FALL PROTECTION SYSTEMS**

1. A personal fall protection system may be used by an employee only if -
  - (a) the risk assessment has demonstrated that -
    - (i) the work can, so far as is reasonably practicable, be performed safely while using that system, and
    - (ii) the use of other, safer work equipment is not practicable, and
  - (b) the user and a sufficient number of persons (who are available, if required, to assist with any aspect of the operations envisaged) have received adequate training specific to the operations envisaged, including immediate rescue procedures.
  
2. A personal fall protection system shall -

- (a) be suitable and of sufficient strength for the purposes for which it is being used, having regard to the work being carried out and any foreseeable loading, and
- (b) where appropriate -
  - (i) fit the employee,
  - (ii) be correctly fitted,
  - (iii) be adjustable to minimise injury to the user, if a fall occurs, and
  - (iv) be so designed, installed and used as to prevent unplanned or uncontrolled movement of the user.

3. A personal fall protection system designed for use with an anchor shall be securely attached to at least one anchor, and each anchor and the means of attachment thereto shall be suitable and of sufficient strength and stability for the purpose of supporting any foreseeable loading.

4. Suitable and sufficient steps shall be taken to prevent any employee falling or slipping from a personal fall protection system.

5. Suitable and sufficient steps shall be taken to ensure, so far as is practicable, that in the event of a fall by any employee, an injury from the personal fall protection system is minimised.

## **PART 2**

### **ADDITIONAL REQUIREMENTS FOR WORK POSITIONING SYSTEMS**

1. A work positioning system shall be used only if -
  - (a) the system includes a suitable backup system for preventing or arresting a fall, and
  - (b) where the system includes a line as a backup system, the user is connected to it.
  
2. Where it is not practicable to comply with paragraph (1), all reasonably practicable measures shall be taken to ensure that the work positioning system does not fail.

### **PART 3**

## **ADDITIONAL REQUIREMENTS FOR ROPE ACCESS AND POSITIONING TECHNIQUES**

1. A rope access or positioning technique may be used only if -
  - (a) subject to paragraph 3, it involves a system comprised of at least two separately anchored lines, of which one (“the working line”) is used as a means of access, egress and support, and the other is the safety line,
  - (b) the user is provided with a suitable harness and is connected by it to the working line and the safety line,
  - (c) the working line is equipped with safe means of ascent and descent and has a self-locking system to prevent the user falling, should he or she lose control of his or her movements, and
  - (d) the safety line is equipped with a mobile fall protection system that is connected to and travels with the user of the system.
  
2. Taking the risk assessment into account and depending, in particular, on the duration of the job and the ergonomic constraints, provision shall be made for a seat with appropriate accessories.

3. The system may be comprised of a single line where -
  - (a) the risk assessment has demonstrated that the use of a second line would entail higher risk to employees, and
  - (b) appropriate measures have been taken to ensure safety.

#### **PART 4**

##### **ADDITIONAL REQUIREMENTS FOR FALL ARREST SYSTEMS**

1. A fall arrest system shall incorporate means of absorbing energy and limiting the force applied to the user's body.
  
2. A fall arrest system shall not be used in a manner that -
  - (a) involves the risk of a line being cut,
  - (b) where its safe use requires a clear zone (allowing for any pendulum effect), does not afford such zone, or
  - (c) otherwise inhibits its performance or renders its use unsafe.

## **PART 5**

### **REQUIREMENT FOR WORK RESTRAINT SYSTEMS**

A work restraint system shall only be used if it is -

- (a) designed so that, if used correctly, it prevents the user from getting into a position in which a fall can occur, and
- (b) used correctly.

## SCHEDULE 6

*Regulation 7(i)*

### REQUIREMENTS FOR LADDERS

1. An employer shall ensure that a ladder is used for work at height only if the risk assessment has demonstrated that the use of more suitable work equipment is not justified because of the low risk and -
  - (a) the short duration of use, or
  - (b) existing features on site that he or she cannot alter.
  
2. Any surface upon which a ladder rests shall be stable, firm, of sufficient strength and of suitable composition to support safely the ladder, so that the ladder's rungs or steps and any loading intended to be placed on it remain horizontal.
  
3. A ladder shall be so positioned as to ensure its stability during use.
  
4. A suspended ladder shall be attached in a secure manner so that, with the exception of a flexible ladder, it cannot be displaced and swinging is prevented.

5. A portable ladder shall be prevented from slipping during use by -
  - (a) securing the stiles at or near their upper or lower ends,
  - (b) effective anti-slip or other effective stability devices, or
  - (c) any other arrangement of equivalent effectiveness.
  
6. A ladder used for access shall be long enough to protrude sufficiently above the place of landing to which it provides access, unless other measures have been taken to ensure a firm handhold.
  
7. No interlocking or extension ladder shall be used unless its sections are prevented from moving relative to each other while in use.
  
8. A mobile ladder shall be prevented from moving before it is used.
  
9. Where a ladder or run of ladders rises a vertical distance of 9 metres or more above its base, sufficient safe landing areas or rest platforms shall be provided at suitable intervals, where reasonably practicable.



10. A ladder shall be used in such a way that -

- (a) a secure handhold and secure support are always available to the employee, and
- (b) the employee can maintain a safe handhold when carrying a load unless, in the case of a step ladder, the maintenance of a handhold is not practicable when a load is carried, and the risk assessment has demonstrated that the use of a stepladder is justified because of -
  - (i) the low risk, and
  - (ii) the short duration of use.

## **SCHEDULE 7**

*Regulation 11*

### **PARTICULARS TO BE INCLUDED IN A REPORT OF INSPECTION**

1. The name and address of the person for whom the inspection was carried out.
2. The location of the work equipment inspected.
3. A description of the work equipment inspected.
4. The date and time of the inspection.
5. Details of any matter identified that could give rise to a risk to the safety or health of any employee.
6. Details of any action taken as a result of any matter identified in paragraph 5.
7. Details of any further action considered necessary.
8. The name and position of the person making the report.

GIVEN under my hand,

this 21<sup>st</sup> day of June 2006

---

Tony Killeen

Minister of State at the  
Department of Enterprise,  
Trade and Employment.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations transpose into Irish law the provisions of Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work, as amended by Council Directive 95/63/EC of 5 December 1995 and Directive 2001/45/EC of the European Parliament and of the Council of 27 June 2001, relating to the use of work equipment when carrying out work at a height.

The Regulations, are also based on the general principles of prevention in Schedule 3 to the Safety, Health and Welfare at Work Act 2005, whereby work is not carried out at height where it is reasonably practicable to carry out the work safely otherwise than at height. Where work at height is necessary, safe systems of work should be established and proper planning and organisation should take place.

The Regulations set out specific requirements for, inter alia, organisation, planning and risk assessment of work at height, avoidance of risks from work at height, selection of work equipment for work at height, inspection of work equipment, fragile surfaces and falling objects.

In addition, the regulations provide that the work equipment most suitable to ensure and maintain safe working conditions must be selected and collective protection measures must be given priority over personal protection measures.

The detailed requirements for the use of equipment such as ladders, scaffoldings and other working platforms as well as the requirements for fall protection systems, including nets, airbags and rope-access, are set out in the Schedules to the Regulations.

The Regulations, inter alia, revoke and replace Regulations 25, 51 to 79, 83 and 87 and the definitions of “ladder”, “sloping roof”, “trestle scaffold” and “working platform” in Regulation 2(1) of the Safety, Health and Welfare at Work (Construction) Regulations 2001 (S.I. No 481 of 2001) as amended.

The Regulations also revoke Regulation 23(2)(a) to (e) of the Safety, Health and Welfare (Offshore Installations) (Operations) Regulations 1991 (S.I. No. 16 of 1991) and Regulation 5 of the Docks (Safety, Health and Welfare) Regulations 1960 (S.I. No.279 of 1960).