



Jersey

SAFEGUARDING OF WORKERS (CRANES AND LIFTING APPLIANCES) (JERSEY) REGULATIONS 1978

Official Consolidated Version

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Jersey

SAFEGUARDING OF WORKERS (CRANES AND LIFTING APPLIANCES) (JERSEY) REGULATIONS 1978

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SAFEGUARDING OF WORKERS (CRANES AND LIFTING APPLIANCES) (JERSEY) REGULATIONS 1978¹

THE STATES in pursuance of Article 9 of the [Health and Safety at Work \(Jersey\) Law 1989](#), have made the following Regulations –

Commencement [[see endnotes](#)]

PART 1

INTRODUCTORY

1 Interpretation

In these Regulations, unless the context otherwise requires –

“agricultural land” means land, including land under glass, used by way of trade or business for purposes of agriculture;

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens and nursery grounds;

“approved” means approved for the time being by certificate of the Minister;

“building operation” means the construction, structural alteration, repair or maintenance of a building or any appurtenance thereof (including repointing, redecoration and external cleaning of the structure), the demolition of a building or any appurtenance thereof, and the preparation for, and laying the foundation of, an intended building or any appurtenance thereof;

“crane” means an appliance incorporating a structural member above ground level, or having a jib, and by means of which a load may be raised, lowered or suspended either by –

- (a) a hook permanently attached to the structural member or the jib; or
- (b) a hook or any other securing device which is suspended from the structural member or jib by means of a rope or chain which forms an integral part of the appliance in such a manner as to permit movement of the hook or other securing device in any direction;

and by means of which the load may be moved from one position to another by movement of the appliance as a whole, or by movement of the structural member or jib;

“harbour” includes any port, dock, pier, quay or jetty;

“lifting appliance” means an excavator, fork-lift truck, mechanical grab, mechanical shovel, piling machine of any description, pulley or pulley block, a winch which is designed to be used by itself, and any other prescribed appliance;

“maintained” means maintained in an efficient state, in efficient working order, and in good repair;

“prescribed” means prescribed by Order;

“safe working load” means the relevant safe working load required to be specified in the latest certificate issued for the purposes of Regulations 5 and 25;

“work of engineering construction” means the construction, structural alteration or repair (including repointing and repainting) or the demolition of –

- (a) any bridge, gas-holder, harbour, pipeline, reservoir, sewer, sewage works, watercourse or waterworks;
- (b) any steel or reinforced concrete structure, other than a building;
- (c) any road, airfield or sea defence works; and
- (d) such other works as may be prescribed.

2 Application

- (1) Subject to paragraph (2), these Regulations shall apply to any process of raising, lowering or suspending loads from a crane or lifting appliance, being a process which involves a risk of bodily injury being caused to persons gainfully occupied in employment, which is carried out at a place where such persons are so occupied and in the course of such employment.
- (2) These Regulations shall not apply to agricultural land, except that, where any building operation or work of engineering construction is carried out on such land, or any part thereof, these Regulations shall apply to any process mentioned in paragraph (1) used in connection with such operation or work.
- (3) These Regulations shall not apply to a person by reason only that the person employs another, or is employed, as a domestic servant in a private household.

3 Obligations

- (1) The owner of any crane or lifting appliance to which these Regulations apply shall comply with the requirements of Part 2 and Regulations 18 and 28.
- (2) Every employer of workers carrying on any of the processes to which these Regulations apply shall comply with the requirements of Part 3, except Regulation 20(2), (3) and (4).
- (3) The master or officer in charge of a vessel shall comply in relation thereto with Regulations 20(2), (3) and (4) and 26.

- (4) Every person employed shall comply with the requirements of such of these Regulations as relate to the performance of, or the refraining from, an act by the person and shall co-operate in carrying out these Regulations and, if the person discovers any defect in any crane or lifting appliances, shall report such defect without unreasonable delay to the person's employer or foreman.
- (5) No employer shall allow a crane or lifting appliance to be used by persons employed by the employer which does not comply with Part 2 and Regulation 25.
- (6) No contractor, employer or person employed carrying out any operations or works to which these Regulations apply shall wilfully and without reasonable cause do anything likely to endanger the contractor, employer, employee or others.

PART 2

CRANES AND LIFTING APPLIANCES

4 Construction and maintenance of cranes and lifting appliances

- (1) Cranes and lifting appliances shall be of good construction and properly assembled, and shall not be erected or dismantled except under the supervision of a competent person.
- (2) Every part of a crane or lifting appliance, including any means used for anchoring, fixing or supporting and stabilizing it, the failure of which would be liable to affect its safe working, shall be –
 - (a) of good design, properly made, sound material, adequate strength for the purpose for which it is used and free from patent defect;
 - (b) be properly maintained.

5 Testing and examination of cranes and certain lifting appliances

- (1) No crane shall be taken into use for the first time, or after it has undergone any alterations or repair likely to affect its strength or stability, unless it has been tested and thoroughly examined by a competent person and a certificate of such test and examination containing the approved particulars and signed by the person carrying out the test and examination has been made.
- (2) A crane shall not be used unless it has been thoroughly examined by a competent person at least once within the preceding period of 12 months, or at such lesser period as may be prescribed, and a report of the results of every such examination containing the approved particulars and signed by the person carrying out the examination has been made.
- (3) If a competent person making a thorough examination under paragraph (1) or (2) forms the opinion that a crane cannot continue to be used with safety, the competent person shall –
 - (a) immediately inform both the owner and the user of the crane who shall, on receipt of that information, cause the crane to be taken out of use; and
 - (b) forward a written report to an inspector within 28 days.

- (4) If the report of the person making a thorough examination of a crane under paragraph (2) states that, in the person's opinion, it is necessary for the crane to be retested and thoroughly examined within a specified period of time, it shall not be used after the period specified in the report has elapsed, unless it has been retested and thoroughly examined and a certificate issued in accordance with paragraph (1).
- (5) If the report of the person making a thorough examination of a crane under paragraph (2) states that, in the person's opinion, it cannot continue to be used with safety beyond a specified period of time unless certain repairs are carried out, it shall not be used after that time until the repairs have been carried out.
- (6) At every fourth examination made under paragraph (2), the person making the examination shall state in the person's report whether, in the person's opinion, it is necessary for that crane to be retested and thoroughly examined as required by paragraph (1) and the period within which this should be done.
- (7) This Regulation shall apply to a prescribed lifting appliance to such extent as may be prescribed.

6 Stability of cranes and lifting appliances

- (1) Appropriate precautions shall be taken to ensure the stability of a crane or lifting appliance which is to be used on a surface which is uneven or which is likely to subside under the weight of the crane or lifting appliance and its load.
- (2) After each erection of a tower crane, or other crane which is stabilized by portable ballast, on a site of a building operation or a work of engineering construction, and after each removal of such a crane about or to such a site, or after any adjustment to any member of such a crane, being a removal or adjustment which involves changes in the arrangements for anchoring or ballasting the crane, the security of the anchorage or the adequacy of the ballasting, as the case may be, shall, before the crane is taken into use, be tested by a competent person, by the imposition of –
 - (a) a load of 25 % above the maximum load to be lifted by the crane as erected at the positions where there is a maximum pull on each anchorage; or
 - (b) a lesser load arranged to provide an equivalent test of the anchorage or ballasting arrangements,and a report of the test containing the approved particulars and signed by the person carrying out the test shall be made forthwith.
- (3) Any portable ballast used to stabilize a crane shall be properly placed on the crane structure and be sufficiently secured to prevent it being accidentally displaced.
- (4) If a crane's stability is secured by means of removable weights, a diagram or notice indicating the position and amount of the weights shall be fixed on the crane where it can be readily seen, and each removable weight shall be marked with its own weight.
- (5) No crane shall be used or erected in weather conditions likely to endanger its stability.
- (6) As soon as practicable after a crane has been exposed to weather conditions likely to have affected its stability, the anchorage arrangements and ballast shall be examined by a competent person, and the crane shall not be used again until all steps necessary to ensure its stability have been taken.

- (7) A suitable level indicator shall be permanently fitted to every mobile crane, other than a crane which travels on a line or rails, and shall at all times be clearly legible to the crane operator from the crane operator's operating position in the cabin.

7 Travelling cranes

- (1) Without prejudice to Regulation 4, all rails on which a crane moves shall –
- (a) be supported and secured to a base or foundation in such a manner as to prevent any movement of the rails sufficient to endanger the safe use of the crane;
 - (b) have an even surface where in contact with the wheels of the crane;
 - (c) be provided with stops or buffers of adequate strength at each extremity of use.²
- (2) Adequate measures shall be taken to ensure that the rails are kept free from any object or material liable to cause danger by obstructing the rails.

8 Overhead travelling cranes

- (1) If any person is employed or working on or near the wheel track of an overhead travelling crane in any place where the person would be liable to be struck by the crane, effective measures shall be taken by warning the operator of the crane, or otherwise, to ensure that the crane does not approach within 20 feet (6100 mm) of that place.
- (2) If any person is employed or working otherwise than as mentioned in paragraph (1), but in a place above floor level, where the person would be liable to be struck by an overhead travelling crane, or by any load carried by such a crane, effective measures shall be taken to warn the person of the approach of the crane, unless the person's work is so connected with or dependent on the movement of the crane as to make a warning unnecessary.

9 Coupled cranes

- (1) Where 2 cranes are required to raise or lower a single load –
- (a) the lifting operation shall be planned in advance;
 - (b) a competent person shall be appointed to supervise the lifting operation and shall be present throughout the operation;
 - (c) so far as is practicable, cranes of equal capacity and similar design shall be used;
 - (d) the lifting operation shall be so arranged that the load on each crane shall not exceed 3/4 of the safe working load of the crane.
- (2) More than 2 cranes shall not be used to raise or lower a single load.

10 Marking of safe working loads

- (1) The safe working load and distinguishing number or mark shall be marked on every crane, winch, pulley, pulley block, fork-lift truck and any prescribed lifting appliance.
- (2) Every crane having a safe working load which varies according to the operating radius or inclination of the jib shall be fitted with an accurate indicator which shows the operating radius and inclination of the jib for the time being, so that the safe working load corresponding to the operating radius or inclination of the jib is shown on the indicator, or can be calculated by reference to tables provided in the operator's cabin of the crane which have been prepared by the maker of the crane or by a competent person.
- (3) The indicators and tables mentioned in paragraph (2) shall be properly maintained and shall at all times be clearly legible to the crane operator from the crane operator's operating position in the cabin.
- (4) Tables which are provided in accordance with paragraph (2) shall have suitable and sufficient entries to enable an operator to determine the safe working load of the crane at any operating radius or any position of the jib within the range of operating radii or angles of inclination of the jib.

11 Automatic safe load indicators

- (1) Every crane of a prescribed type or class shall, within the prescribed period, be fitted with an automatic safe load indicator of an approved type.
- (2) Every automatic safe load indicator shall be tested and thoroughly examined by a competent person every 6 months, and shall be tested by a competent person before the crane to which it is fitted is next taken into use after –
 - (a) the crane has been wholly or partially dismantled; and
 - (b) after any erection, alteration, or removal of the crane likely to have affected the proper operation of the indicator.
- (3) A report of the results of any test or thorough examination required by this Regulation containing the approved particulars and signed by the person carrying out the test or thorough examination shall be made forthwith to the owner of the crane.

12 Safe access to and egress from cranes or lifting appliances

- (1) A safe means of access and egress with, where necessary, adequate hand holds and foot holds shall be provided for –
 - (a) the operator of a crane or lifting appliance; and
 - (b) any person engaged on the examination, lubrication or repair of a crane or lifting appliance where it is possible for that person to fall a distance of more than 6 feet 6 inches (1980 mm).
- (2) No ladder, or run of ladders, forming an integral part of a crane or lifting appliance and which rises a vertical distance of more than 30 feet (9140 mm), shall be used, unless there is provided an intermediate landing place or places, such that the vertical distance between any 2 successive landing places does not exceed 30 feet.

- (3) Every landing place to which paragraph (2) applies shall be of adequate dimensions and, except where it is necessary to provide access for the ladder, shall be provided with secure fencing at least 3 feet (920 mm) in height, consisting of upper and lower rails and placed so as to prevent, so far as possible, persons from falling.
- (4) Every vertical ladder to which paragraph (2) applies shall be fitted with guard hoops of adequate strength spaced at suitable intervals along the ladder.

13 Brakes, controls and other safety devices

- (1) Every crane or lifting appliance, other than a crane or lifting appliance which is hand-operated in such a way that the operator can control the load, or a lifting appliance which is self-sustaining, shall be provided with an efficient braking system which shall be capable of sustaining anything being raised, lowered or suspended within its capacity.
- (2) Every lever, handle, switch or other device provided for controlling the operation of any part of a crane or lifting appliance and whose accidental movement or displacement is liable to cause danger shall, where practicable, unless it is so placed or the appliance is so constructed as to prevent accidental movement or displacement, be provided with a suitable spring or other locking arrangement to prevent the accidental movement or displacement.
- (3) Every lever, handle, switch or other device provided for controlling the operation of any part of a crane or lifting appliance, other than the rotating handles for raising or lowering the load on a winch or non-derricking jib crane not operated by mechanical power, shall have on or adjacent to it clear markings to indicate its purpose and mode of operation.

14 Cranes with derricking jibs

Every crane with a derricking jib which is operated through a clutch, other than a crane in which the hoisting drum and the derricking drum are independently driven, or the mechanism driving the derricking drum is self-locking, shall be provided with an effective interlocking arrangement between the derricking clutch and the pawl sustaining the derricking drum which shall ensure that –

- (a) the clutch cannot be disengaged unless the pawl is in effective engagement with the derricking drum; and
- (b) the pawl cannot be disengaged unless the clutch is in effective engagement with the derricking drum.

15 Precautions where crane or lifting appliance has travelling or slewing motion

Without prejudice to the requirements of Regulation 7, on every stage gantry or other place where a crane or lifting appliance having a travelling or slewing motion is in use, an unobstructed passageway not less than 2 feet (610 mm) wide shall be maintained between any part of the appliance liable so to move and any guard rails, fencing or other object that may cause a trap, and if, at any time, it is impracticable to maintain such a passageway at any place, all practicable steps shall be taken to prevent the access of any person to that place at that time.

16 Cabins for operators of cranes

Every crane shall have a suitable cabin for the operator which shall –

- (a) afford the crane operator adequate protection from the weather; and
- (b) where reasonably practicable, be provided with suitable means of heating which does not result in the escape within the cabin of any injurious or offensive fumes:

Provided that these requirements shall not apply if the person operating the crane is protected from the weather by a building or other structure, or the crane is used only occasionally, or for short periods.

17 Powers of inspectors to require cranes and lifting appliances to be tested

If an inspector has reasonable grounds for considering that a crane or lifting appliance may not continue to be used with safety, the inspector may, by notice served on the owner of the crane or lifting appliance, require it to be tested and thoroughly examined, in the manner required by Regulation 5(1), by a competent person chosen by the inspector, and the crane or lifting appliance shall not be used after the date of service of the notice unless it has been thoroughly examined and tested in the manner aforesaid and certified by the competent person as being safe for further use.

PART 3**LIFTING OPERATIONS****18 Operators of cranes and certain lifting appliances**

No crane, excavator, fork-lift truck, mechanical grab, mechanical shovel or piling machine shall be operated by any person unless –

- (a) the person's employer, or the owner of the crane or appliance, has certified that the person is competent for the purpose; or
- (b) the person is operating the crane or appliance for training purposes under the direct and constant supervision of a person who has been so certified,

and the employer or owner, as the case may be, shall keep available for inspection by an inspector any certificate given under this Regulation.

19 Signalling

- (1) If the person operating a crane has not a clear and unrestricted view of the load, or, where there is no load, of the point of attachment for a load, and of its vicinity throughout the operation, except at any place where such view is not necessary for safe working, there shall be appointed, and suitably stationed, one or more competent persons as may be necessary to give necessary signals to the operator.
- (2) Every signal given by a signaller for the movement or stopping of a crane shall be distinctive and shall be clearly audible or visible to the person to whom it is given.
- (3) The operator shall obey only the signals of the person appointed to give the signals, except that the operator must obey a signal for an emergency stop given by any person employed.

20 Safe means of access and egress and safe place of work for persons engaged in lifting operations

- (1) A safe means of access to and egress from their place of work shall be provided for all persons who are engaged in lifting operations.
- (2) In the case of lifting operations which are carried out on board a vessel, safe access to and egress from the vessel shall be provided for the persons engaged on such operations by such one or more of the following means as is suitable and sufficient in the circumstances, that is to say –
 - (a) gangways;
 - (b) the ship's accommodation ladders,and, insofar as it is not reasonably practicable to provide either of those means, one or more ladders of adequate strength.
- (3) Every gangway, ship's accommodation ladder and ladder provided under paragraph (2) shall be –
 - (a) of good design, properly made, sound material, adequate strength for the purpose for which it is used, and free from patent defect;
 - (b) properly maintained;
 - (c) adequately secured; and
 - (d) adjusted as often and to such an extent as is necessary to ensure that it is kept at a safe angle of inclination to the horizontal.
- (4) No gangway or ship's accommodation ladder provided under paragraph (2) shall be used unless –
 - (a) it is of sufficient width for the purpose for which it is used and in any case not less than 22 inches (560 mm) wide;
 - (b) it is fenced throughout its length on each side to a height of at least 3 feet (920 mm) by means of upper and lower rails or taut ropes or chains or by other equally safe means.
- (5) Without prejudice to the preceding paragraphs, every place at which any person works in connection with operations involving the use of cranes and lifting appliances shall, so far as is reasonably practicable, be made and kept safe for any person working there.

21 Load not to exceed safe working load

No crane or lifting appliance, other than an excavator or a mechanical grab, shall be loaded beyond its safe-working load, except for the purpose of testing the crane or appliance as required by Regulation 5, or for the purpose of testing an automatic safe load indicator as required by Regulation 11(2).

22 Attendance at suspended loads

No load shall be kept suspended from a crane or lifting appliance, unless there is a competent person at the controls of the crane or appliance while the load is suspended.

23 Secureness of loads

- (1) Every part of a load shall be securely held or supported whilst being raised, lowered or suspended and shall be adequately secured to prevent danger from slipping or displacement.
- (2) Where a load is liable, whilst being moved on a crane or lifting appliance, to come into contact with, and to displace, any object, measures shall be taken to prevent the danger so far as is reasonably practicable.
- (3) No bale, crate or similar package shall be raised, lowered or suspended by means of any band, strap or wire forming part of that bale, crate or package unless it has been specially designed for that purpose.

24 Teagle openings and similar doorways

- (1) Every teagle opening or similar doorway used for raising or lowering goods or materials, whether by mechanical power or otherwise, shall be securely fenced and shall be provided with a secure hand hold on each side.
- (2) The fencing shall be properly maintained and shall, except when the raising or lowering of goods or materials is being carried on at the opening or doorway, be kept in position.

25 Carrying of persons

- (1) No power-driven lifting appliance shall be used for carrying any person.
- (2) No person shall be carried by a crane except –
 - (a) in a suitable chair, skip or other receptacle of at least 3 feet (920 mm) internal depth; or
 - (b) on a stage or platform each side of which is provided with secure fencing at least 3 feet (920 mm) in height consisting of upper and lower guard rails, and toe-boards not less than 6 inches (155 mm) in depth, all of which are an integral part of the stage or platform,and which is suspended from the hook of the crane.
- (3) When a person is carried from a crane by an appliance complying with paragraph (2) –
 - (a) effective measures shall be taken to prevent the appliance from spinning or tipping in a manner liable to be dangerous to that person;
 - (b) effective measures shall be taken to ensure that the appliance is attached to the crane hook in such a way that it cannot be accidentally displaced;
 - (c) the appliance shall be –
 - (i) of good design, properly made, sound material, adequate strength for the purpose for which it is used, and free from patent defect,
 - (ii) properly maintained, and
 - (iii) inspected by a competent person before being taken into use for the first time on any day on which it is used;

- (d) before being taken into use for the first time after manufacture, or after it has undergone any alterations or repairs likely to affect its strength, the appliance shall be tested and thoroughly examined by a competent person and a certificate of such test and examination containing the approved particulars signed by the person carrying out the test and examination and specifying the safe working load shall be obtained;
 - (e) the appliance shall be marked with its safe working load, its own weight and the maximum number of persons it is permitted to carry;
 - (f) the appliance shall not be used to carry any load or materials, other than those required for the immediate use of the persons using it, and the combined weight of the person or persons and any load or materials carried shall not exceed its safe working load;
 - (g) the crane by which the appliance is carried shall be fitted with limit switches which automatically stop –
 - (i) the hoisting, and
 - (ii) where appropriate, the derricking motion of the crane,when the hook or jib, as the case may be, reaches the upper and lower safe limits of movement, but which allow the movement of the crane to be reversed after they have actuated;
 - (h) the operator of the crane shall not leave the controls of the crane unattended.
- (4) If more than one person is carried by an appliance, complying with paragraph (2), one person on the appliance shall be detailed to give any signals necessary for its safe movement and the operator of the crane shall obey the signals of that person alone, except that the crane operator shall obey any emergency stop signal given by any person employed whether carried on the appliance or not.
- (5) No appliance used for carrying persons in accordance with this Regulation shall be loaded beyond its safe working load, except for the purpose of testing.

26 Cranes and cargo winches forming part of the permanent equipment of vessels

A crane or cargo winch which forms part of the permanent equipment of a vessel shall not be used in any lifting operation unless it complies with the requirements of the appropriate provisions of the Protection Against Accidents (Dockers) Convention (Revised) 1932 of the International Labour Organization.

PART 4

MISCELLANEOUS

27 Certificates of exemption

The Minister may, subject to such conditions, if any, as may be specified therein, by certificate in writing, which the Minister may at his or her discretion revoke at any time, exempt from all or any of the requirements of these Regulations –

- (a) any premises or any class or description of premises;

- (b) any machinery, plant, equipment or appliance or any class or description of machinery, plant, equipment or appliance; or
- (c) any work or any class or description of work,

if the Minister is satisfied that the requirements in respect of which the exemption is granted are not necessary for the protection of persons employed or are not reasonably practicable.

28 Reports and other documents

Every report and record made and all certificates and particulars given in pursuance of any requirements of Parts 2 and 3 shall be kept readily available for inspection by an inspector and by any person who is responsible for complying with those Parts and shall be kept for a period of 4 years after the date to which the reports and other documents relate.

29 Orders

- (1) The Minister may make Orders for prescribing anything which, under these Regulations, the Minister is required or authorized to prescribe.
- (2) The [Subordinate Legislation \(Jersey\) Law 1960](#), shall apply to Orders made under these Regulations.

30 Citation

These Regulations may be cited as the Safeguarding of Workers (Cranes and Lifting Appliances) (Jersey) Regulations 1978.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Safeguarding of Workers (Cranes and Lifting Appliances) (Jersey) Regulations 1978	R&O.6597	5 March 1979 except Articles 6(7), 12(2), (3) and (4) which commenced 5 March 1980
Safeguarding of Workers (Electricity at Work) (Jersey) Regulations 1983	R&O.7201	1 February 1984
States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005	R&O.48/2005	9 December 2005

Table of Renumbered Provisions

Original	Current
PART I	PART 1
1(1)	1
1(2)	spent, omitted from this revised edition
PART II	PART 2
6(8)	spent, omitted from this revised edition
7(3)	repealed by R&O.7201
12(5)	spent, omitted from this revised edition
PART III	PART 3
PART IV	PART 4
30	spent, omitted from this revised edition
31	30
Schedule	spent, omitted from this revised edition

Table of Endnote References

- ¹ *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *Regulation 7(1) amended by R&O.7201*