

OHS – Lifting Machines and lifting tackle.

In our industry, there are various names given to lifting machines that lift and lower vehicles up and down, so that work can be done from or to the underside or tyres of the vehicle. The OHS Act refers to lifting machines as “a power driven machine which is designed and constructed for the purpose of raising or lowering a load, or moving it..., and includes a block and tackle, hoist, crane, but does not include an elevator (passenger lift), escalator; goods hoist or builders hoist”. We refer to our vehicle lifts as vehicle lifts, vehicle hoists or vehicle ramps.

The Driven Machinery Regulations 18 (5) states that “No user (of a lifting machine) **SHALL** use or permit the use of a lifting machine unless:

the whole installation and working parts are to be thoroughly examined and subjected to a performance test, as prescribed by the standard to which it was manufactured, by a person who has knowledge and experience of the type of machinery involved (interpret this as a competent person, and the new draft states that the person must be registered with the Engineering Council) before it is used, and thereafter at intervals not exceeding 12 months, provided that if the above performance tests are not done, the lifting machine is load tested to 110 % of its rated mass load, commonly referred to as a load test.

Most interpretations of this regulation then believe that the lift only needs to be checked annually. However, the next regulation, DMR 18 (6) states that “notwithstanding the requirements of regulation 5, the user shall cause all ropes (cables), chains hooks, sheaves, brakes and safety devices to be thoroughly examined by a (competent) person as described in regulation 5 (above) at intervals not exceeding 6 months.

Now this is where the problem of interpretation occurs.

The Act states that a performance or load test (either one is sufficient) is done annually, but that all the safety devices, including brakes and cables are thoroughly inspected every six months.

Strict interpretation is:

That the thorough inspections are done 6 monthly, by a competent person, and that the registers to prove this fact are available for inspection, **and** that a performance test or load test is also done, over and above the inspections. Therefore, in effect, the employer has to prove that the safety inspections were done on all the cables, safety devices, brakes etc, and that the vehicle lift would be able to lift the mass (load) that it was designed to lift. This is a legal requirement, and the law states you **SHALL** do it.

This means that the employer has no option other than to do the inspection/test, and no amount of reasoning, based on cost, or any other reason will be tolerated. If an incident does occur, and an employee (including temporary and casual workers or fixed term contractors), visitor, or customer is severely injured or killed, the employer can face a fine of R 1 million, and a jail term of 10 years.

Our advice: Use a competent service provider, preferably registered with the Engineering Council to undertake your 6 monthly inspections and performance test, so that you limit the possibility of an incident occurring, and all of your employees, visitors and customers will be safe.

Do you need help or advice? Please contact the RMI4OHS joint venture partners:

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