

Safety, Health and Welfare at Work (General Application) Regulations 1993

TWELFTH SCHEDULE (Regulation 59)

DANGEROUS OCCURRENCES

Lifting machinery, etc.

1. The collapse of, the overturning of, or the failure of any load-bearing part of—

(a) any lift, hoist, crane, derrick or mobile powered access platform;

(b) any excavator; or

(c) any pile-driving frame or rig having an overall height, when operating, of more than seven metres.

Pressure vessels

2. The explosion, collapse or bursting of any closed vessel, including a boiler or boiler tube, in which the internal pressure was above or below atmospheric pressure.

Electrical short circuit

3. Electrical short circuit or overload attended by fire or explosion which results in the stoppage of the plant involved for more than 24 hours.

Explosion or fire

4. An explosion or fire occurring in any plant or place of work which resulted in the stoppage of that plant or suspension of normal work in that place of work for more than twenty four hours, where such explosion or fire was due to the ignition of process materials, their by-products (including waste) or finished products.

Escape of flammable substances

5. The sudden uncontrolled release of one tonne or more of highly flammable liquid, liquified flammable gas, flammable gas or flammable liquid above its boiling point from any system, plant or pipe-line.

Collapse of scaffolding

6. The collapse or partial collapse of any scaffold more than five metres high which results in a substantial part of the scaffold falling or overturning, including, where the scaffold is slung or suspended a collapse or part collapse of the suspension arrangements (including an outrigger) which causes a working platform or cradle to fall more than five metres.

Collapse of building or structure

7. Any unintended collapse or partial collapse of —

(a) any building or structure under construction, reconstruction, alteration or demolition, or of any falsework, involving a fall of more than five tonnes of material; or

(b) any floor or wall of any building being used as a place of work, not being a building under construction, reconstruction, alteration or demolition.

Escape of a substance

8. The uncontrolled or accidental release or the escape of any substance from any apparatus, equipment, pipework, pipe-line, process plant, storage vessel, tank, in-works conveyance tanker, land-fill site, or exploratory land-drilling site, which, having regard to the nature of the substance and the extent and location of the release or escape, might have been liable to cause serious injury to any person.

Explosives

9. Any unintentional ignition or explosion of explosives.

Freight containers

10. (1) The failure of any container or of any load bearing part thereof while it is being raised, lowered or suspended.

(2) In this paragraph—

"container" means an article of transport equipment which is—

(a) of a permanent character and accordingly strong enough for repeated use, and

(b) designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading, and

(c) designed to be secured or readily handled or both, having corner fittings for these purposes, and
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(d) of a size such that the area enclosed by the outer bottom corners is either

(i) if the container is fitted with top corner fittings, at least 7 square metres, or

(ii) in any case at least 14 square metres

and includes a container when carried on a chassis but does not include a vehicle or packaging or any article of transport equipment designed solely for use in air transport, or a swap body except when it is carried by or on board a sea-going ship and is not mounted on a road vehicle or rail wagon.

"corner fittings" means an arrangement of apertures and faces at either the top or the bottom or both at the top and the bottom of the container for the purposes of handling, stacking and securing or any of those purposes.

Pipe-lines

11. Either of the following incidents in relation to a pipe-line—

(a) the bursting, explosion or collapse of a pipe-line or any part thereof;

(b) the unintentional ignition of anything in a pipe-line, or of anything which immediately before it was ignited was in a pipeline.

Conveyance of dangerous substances by road

12. (1) (a) Any incident in which a container tank, tank vehicle, tank semi-trailer, tank-trailer, tank-container or goods vehicle being used for conveying a dangerous substance by road—

(i) overturns; or

(ii) suffers damage to the package or tank in which the dangerous substance is being conveyed, and

(b) in which there is, in relation to such a container, tank, tank vehicle, tank semi-trailer, tank trailer or tank container—

(i) an uncontrolled release or escape of the dangerous substance being conveyed; or

(ii) a fire which involves the dangerous substance being conveyed.

"tank", "tank-container" and "vehicle" have the meanings respectively assigned to them by Regulation 2 of the Dangerous Substances (Conveyance of Scheduled Substances by Road) (Trade or Business) Regulations, 1980 (S.I. No. 235 of 1980), as amended; "container", "tank vehicle", "tank semi-trailer" and "tank trailer" have the meanings respectively assigned to them by Regulation 2 of the Dangerous Substances (Conveyance of Petroleum by Road) Regulations, 1979 (S.I. No. 314 of 1979); "dangerous substance" has the meaning assigned to it by section 24 of the Dangerous

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Substances Act, 1972 (No. 10 of 1972), as amended, and includes petroleum and petroleum-spirit within the meaning of that Act.

(2) Any incident involving a vehicle, other than a vehicle to which paragraph (1) applies, carrying a dangerous substance by road, where there is—

(a) an uncontrolled release or escape from any package or container of the dangerous substance or dangerous preparation being conveyed, or

(b) a fire which involves the dangerous substance or dangerous preparation being conveyed.

"dangerous substance" has the meaning assigned to it by Regulation 5 of the European Communities (Dangerous Substances) (Classification, Packaging and Labelling) Regulations, 1979 (S.I. No. 383 of 1979), and "dangerous preparation" has the meaning assigned to it by Regulation 5 of the European Communities (Dangerous Substances) (Classification, Packaging and Labelling of Dangerous Preparations) Regulations, 1992 (S.I. No. 393 of 1992).

Breathing Apparatus

13. Any incident where breathing apparatus while being used to enable the wearer to breathe independently of the surrounding environment malfunctions in such a way as to be likely either to deprive the wearer of oxygen or, in the case of use in a contaminated atmosphere, to expose the wearer to the contaminant to the extent in either case of posing a danger to his health, but excluding such apparatus while it is being used in a mine or is being maintained or tested.

Overhead electric lines

14. Any incident in which plant or equipment, including any other overhead line, either comes into contact with an overhead electric line in which the voltage exceeds 200 volts or causes an electrical discharge from such an electric line by coming into close proximity to it, unless in either case the incident was intentional, or any incident involving a live conductor accidentally falling due to breakage or otherwise.

Locomotives

15. Any accidental collision between a locomotive or a train and any other vehicle at a factory or at dock premises.

Bursting of vessel, etc.

16. The bursting of a revolving vessel, wheel, grindstone, or grinding wheel moved by mechanical power.

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