

# Portable Appliance Testing

## Legal Requirements

The legislation of specific relevance to electrical maintenance is the **Health & Safety at Work Act 1974**, the **Management of Health & Safety at Work Regulations 1999**, the **Electricity at Work Regulations 1989**, the **Workplace (Health, Safety and Welfare) Regulations 1992** and the **Provision and Use of Work Equipment Regulations 1998**.

**The Health & Safety at Work Act 1974** puts the duty of care upon both the employer and the employee to ensure the safety of all persons using the work premises. This includes the self employed.

**The Management of Health & Safety at Work Regulations 1999** states:

"Every employer shall make suitable and sufficient assessment of:

- (a) the risks to the health and safety of his employees to which they are exposed whilst at work, and
- (b) the risks to ensure the health and safety of persons not in his employment arising out of or in connection with the conduct by him or his undertaking."

**The Provision and Use of Work Equipment Regulations 1998** states:

"Every employer shall ensure that work equipment is maintained in an efficient state, in efficient working order and in good repair."

The PUWER 1998 covers most risks that can result from using work equipment. With respect to risks from electricity, compliance with the Electricity at Work Regulations 1989 is likely to achieve compliance with the PUWER 1998.

PUWER 1998 only applies to work equipment used by workers at work. This includes all work equipment (fixed, transportable or portable) connected to a source of electrical energy. PUWER does not apply to fixed installations in a building. The electrical safety of these installations is dealt with only by the Electricity at Work Regulations.

**The Electricity at Work Regulations 1989** states:

"All systems shall at all times be of such construction as to prevent, so far as reasonably practicable, such danger."

"As may be necessary to prevent danger, all systems shall be maintained so as to prevent, so far as reasonably practicable, such danger."

"'System' means an electrical system in which all the electrical equipment is, or may be, electrically connected to a common source of electrical energy and includes such source and such equipment"

"'Electrical Equipment' includes anything used, intended to be used or installed for use, to generate, provide, transmit, transform, rectify, convert, conduct, distribute, control, store, measure or use electrical energy."

Scope of the legislation

It is clear that the combination of the HSW Act 1974, the PUWER 1998 and the EAW Regulations 1989 apply to all electrical equipment used in, or associated with, places of work. The scope extends from distribution systems down to the smallest piece of electrical equipment.

It is clear that there is a requirement to inspect and test all types of electrical equipment in all work situations.