

# Guidance on the Purchase of New Machinery

## Information Sheet

January 2012

The purpose of this guidance is to assist those who specify and purchase machinery in relation to the associated safety and health issues which need to be considered.

The manufacture and supply of machinery for the European market is subject to the Machinery Directive 2006/42/EC. The Directive is applicable to:

- Machinery
- Interchangeable equipment
- Safety components
- Lifting accessories
- Chains, ropes and webbing
- Removable mechanical transmission devices
- Partly completed machinery, as defined in the Directive

The Directive includes the essential health and safety requirements for machinery, the procedures for establishing the conformity of machinery with the Directive, contents of the Declaration of Conformity and instructions for use.

It should be noted that Article 2 of the Directive excludes some forms of machinery from its scope - e.g. tractors.

The Directive also applies where second hand machinery from outside the EU is placed on the market or put into use for the first time in the EU, making the importer responsible for compliance with the duties of the manufacturer.

The Directive and a very comprehensive guide to it can be accessed on the European Commission web site dedicated to the Directive at

[http://ec.europa.eu/enterprise/sectors/mechanical/machinery/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/mechanical/machinery/index_en.htm)

The selection of suitable machinery is a key element in any business. For the purchase of relatively simple machinery, the following requirements may be all that are necessary:

- The absence of any obvious defect or uncontrolled hazard
- The presence of CE marking
- Supply of a Declaration of Conformity with the Machinery Directive 2006/42/EC either as a separate document or part of the users instructions
- Supply of instructions for use

Note that CE marking is not a guarantee of quality but an indication by the manufacturer that the product complies with all relevant Directives.



For some more complex cases, it is important that, where possible, a specification setting out the required performance of the machinery is produced. This is not only to ensure that the users' objectives are met but also to avoid situations where if the machinery is used for functions outside the scope intended by the designer, there is the danger that guards or other safety features will be set aside in order to get the job done resulting in injury or possibly death. Also if the purchaser of the machinery modifies it, they may find themselves now responsible for the duties of the manufacturer as set out in the Machinery Directive.

Whilst the Directive sets out various technical requirements, it is useful to check if there is a harmonised standard for the machine in question. Machinery manufactured in conformity with such a standard, references to which have been published in the Official Journal of the European Union, are presumed to comply with the essential health and safety requirements of the Directive, covered by the standard. Information on harmonised standards can be found at:

[http://ec.europa.eu/enterprise/sectors/mechanical/documents/standardization/machinery/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/mechanical/documents/standardization/machinery/index_en.htm)

Standards can be purchased through the National Standards Authority of Ireland.

{ <http://www.standards.ie/> }

In Annex IV to the Directive, there are 23 categories of machinery, listed in the appendix to this guidance, which are subject to specific conformity assessment procedures. Purchasers of such equipment should seek evidence, if not already provided, that the equipment has been appropriately assessed to one of these procedures.

The Directive has been transposed into Irish law by the European Communities (Machinery) Regulations, 2008 [S.I.No.407 of 2008] and the European Communities (Machinery) (Amendment) Regulations, 2011[S.I.No.310 of 2011]; the amendment deals specifically with pesticide application machinery.

Compliance by designers, manufacturers, importers or suppliers with the Machinery and other Directives is also required under section 16 of the Safety, Health and Welfare at Work Act 2005.

Regulation 28(a) of the 2007 Safety, Health and Welfare at Work (General Application) Regulations [S.I.No.299 of 2007] requires employers to ensure that any work equipment provided for use by employees complies with any relevant enactment implementing any relevant European Directive.

Irish legislation can be accessed at:

<http://www.irishstatutebook.ie/home.html>

The Health and Safety Authority is the competent authority for the Machinery Directive. If purchasers or users of machinery come across products they believe to be dangerous or non-compliant with the Directive they are requested to contact the Authority so that follow-up action can be taken with the manufacturer or supplier.

## Appendix

1. Circular saws (single or multi-blade) for working with wood and material with similar physical characteristics or for working with meat and material with similar physical characteristics, of the following types:

1.1. sawing machinery with fixed blade(s) during cutting, having a fixed bed or support with manual feed of the workpiece or with a demountable power feed;

1.2. sawing machinery with fixed blade(s) during cutting, having a manually operated reciprocating saw-bench or carriage;

1.3. sawing machinery with fixed blade(s) during cutting, having a built-in mechanical feed device for the workpieces, with manual loading and/or unloading;

1.4. sawing machinery with movable blade(s) during cutting, having mechanical movement of the blade, with manual loading and/or unloading.

2. Hand-fed surface planing machinery for wood-working.

3. Thicknessers for one-side dressing having a built-in mechanical feed device, with manual loading and/or unloading for wood-working.

4. Band-saws with manual loading and/or unloading for working with wood and material with similar physical characteristics or for working with meat and material with similar physical characteristics, of the following types:

4.1. sawing machinery with fixed blade(s) during cutting, having a fixed or reciprocating-movement bed or support for the workpiece;

4.2. sawing machinery with blade(s) assembled on a carriage with reciprocating motion.

5. Combined machinery of the types referred to in points 1 to 4 and in point 7 for working with wood and material with similar physical characteristics.

6. Hand-fed tenoning machinery with several tool holders for wood-working.

7. Hand-fed vertical spindle moulding machinery for working with wood and material with similar physical characteristics.

8. Portable chainsaws for wood-working.

9. Presses, including press-brakes, for the cold working of metals, with manual loading and/or unloading, whose movable working parts may have a travel exceeding 6 mm and a speed exceeding 30 mm/s.

10. Injection or compression plastics-moulding machinery with manual loading or unloading.

11. Injection or compression rubber-moulding machinery with manual loading or unloading.

## Appendix (continued)

12. Machinery for underground working of the following types:
  - 12.1. locomotives and brake-vans;
  - 12.2. hydraulic-powered roof supports.
13. Manually loaded trucks for the collection of household refuse incorporating a compression mechanism.
14. Removable mechanical transmission devices including their guards.
15. Guards for removable mechanical transmission devices.
16. Vehicle servicing lifts.
17. Devices for the lifting of persons or of persons and goods involving a hazard of falling from a vertical height of more than three metres.
18. Portable cartridge-operated fixing and other impact machinery.
19. Protective devices designed to detect the presence of persons.
20. Power-operated interlocking movable guards designed to be used as safeguards in machinery referred to in points 9, 10 and 11.
21. Logic units to ensure safety functions.
22. Roll-over protective structures (ROPS).
23. Falling-object protective structures (FOPS).

### Further Information:

The Health and Safety Authority's web site [www.hsa.ie](http://www.hsa.ie)  
 Contact the Health and Safety Authority at [wcu@hsa.ie](mailto:wcu@hsa.ie) or LoCall 1890 289 389