1989 No. 132

HEALTH AND SAFETY

AGRICULTURE

Agriculture (Ladders) Regulations (Northern Ireland) 1989

Made	*5th April 1989*
Coming into operation . .	*22nd May 1989*

The Department of Agriculture, being the Department concerned(**a**) in exercise of the powers conferred on it by Article 17(1) and (2) of and paragraphs 1(1), (2) and (14) of Schedule 3 to the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling it in that behalf, after consultation, in accordance with Article 46(1) of that Order, with the Health and Safety Agency for Northern Ireland and such other bodies as appear to the Department to be appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Agriculture (Ladders) Regulations (Northern Ireland) 1989 and shall come into operation on 22nd May 1989.

Interpretation

2. In these Regulations—

"agriculture" includes horticulture, fruit growing, seed growing, dairy farming, livestock breeding and keeping, forestry, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the preparation of land for agricultural use;

"employee" means an individual who works under a contract of employment in agriculture;

"ladder" includes every kind of ladder (including steps), whether made of wood, metal or other material but does not include a permanently fixed ladder, or a ladder made of rope or other non-rigid material;

"rung" means the rail or tread, serving as a step, set into the stiles of a ladder;

"steps" means a ladder provided with a means of self-support;

"stile" means the side-rail of a ladder into which the rungs are fitted;

"tie-rod" means a metal rod, extending through both stiles, which is so secured as to prevent the stiles moving apart.

(**a**) *See* S.I. 1978/1039 Art. 2(2)
(**b**) S.I. 1978/1039 (N.I. 9)

Obligations applicable to employers and employees

3.—(1) The employer of an employee shall not cause or permit to be used by the employee, in the course of his employment, any ladder unless it is of good construction and sound material, and is properly maintained.

(2) Without prejudice to the generality of sub-paragraph (1), a ladder shall not be regarded as complying therewith if—

(*a*) where the ladder has wooden stiles or rungs, the grain thereof does not run lengthwise, or either stile or any rung contains any defect likely to weaken it which reasonable examination would disclose;

(*b*) where the ladder has wooden stiles, any rung of the ladder is supported solely by nails or screws;

(*c*) where the ladder has wooden rungs, the rungs are not fixed into the stiles by rabbet, notch or mortise, and (unless tie-rods are fitted not more than 610 millimetres from each end of the ladder and not more than 2.44 metres apart throughout its length) are not through-tenoned and wedged in the stiles;

(*d*) in the case of steps, it is not fitted with a device that is effective, in the circumstances in which it is used, in preventing the back support from spreading;

(*e*) the distance between adjacent rungs exceeds 305 millimetres from centre to centre.

(3) An employer shall not cause or permit an employee, in the course of his employment, to use, and an employee so employed shall not use, any ladder if—

(*a*) it is not strong enough for the purpose and manner of its use;

(*b*) any rung is missing;

(*c*) it is not equally supported on each stile, and is not securely placed or held in position;

(*d*) the top of the ladder does not extend at least 1.07 metres above any point at which it is necessary for the worker to get on or off the ladder.

(4) Sub-paragraph (3)(*d*) shall not apply—

(*a*) to steps; or

(*b*) if there is available to the employee, apart from the ladder itself, some means of secure hand-hold.

Reporting by employees of defects

4.—(1) If any ladder, with which an employee is employed to work, develops a defect to which this regulation applies, any such employee employed to work with that ladder shall, on discovering that defect, stop using it and report the defect to his employer.

(2) The defects to which this regulation applies are—

(*a*) the absence of any rung;

(*b*) the cracking or breaking of any stile or rung; and

(*c*) in the case of steps, the absence or breaking of any step, cord or device with which such steps were designed to be operated.