



SECOND HAND FORKLIFT TRUCKS

Version - Updated September 2020

Copyright © 2020 – British Frozen Food
Federation

All Rights Reserved

Introduction

While there is no specific legislation solely for the purposes of fork lift truck (FLT) safety, there are a number of aspects of current legislation that have direct effect on the purchase and use of fork lift trucks at work, applying to both new and second hand equipment.

In general, the Health and Safety at Work, etc Act 1974 (HSWA) sets the duty of the employer to provide safe plant and equipment. Furthermore, the Management of Health and Safety at Work Regulations 1999 (MHSWR) set requirements to assess the hazards and risks that the worker may be exposed to.

The main requirement of the Provision and Use of Work Equipment Regulations 1998 (PUWER) is that all work equipment is suitable for the purpose intended and that it is adequately maintained and inspected. The following PUWER regulations are directly relevant to FLT's:

- Regulation 4, giving a requirement to ensure the suitability of the FLT for the purpose for which it is intended to be used.
- Regulation 5, requiring that the FLT is kept adequately maintained to prevent risks to health and safety.
- Regulation 26, regarding the duty to provide certain types of FLT with the means to prevent it rolling over and causing injury to the driver.
- Regulation 27, regarding the provision of means to reduce the risk of those FLT's not covered in regulation 26 from overturning.
- Regulation 28, covering the general requirements to prevent self-propelled work equipment, such as an FLT, from causing a risk to the safety of people while it is in motion.

A FLT is work equipment for lifting and lowering of loads and consequently needs to comply with the requirements set out in the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). Although all the regulations are relevant to the use of FLT's, the most significant are the following:

- The need to ensure that the forklift truck is adequately strong and sufficiently stable to lift (and, by implication, carry) the load.
- The need to ensure the safety of the equipment used to lift people, ensuring that a proprietary cage which was designed and made for the purpose is used.
- The requirement for a thorough examination at intervals of:
 - not more than 12 months for equipment that lifts a load
 - not more than six months for equipment used to lift people, or if it is a lifting accessory, eg the chains, the forks and the mast.

When looking to purchase a second-hand FLT these requirements must be met either by the supplier or the business purchasing the truck. Most suppliers will have already performed a number of checks including the thorough examinations, but it is sensible to confirm with them that this is the case. When purchasing, a competent person should do their own inspection to ensure that there is no visible damage and that relevant paperwork is in order.





British Frozen Food Federation

Registered Office: Warwick House, Unit 7, Long Bennington Business Park, Main Road, Long Bennington, Newark, Nottinghamshire NG23 5JR

Tel: 01400 283090

Fax: 01400 283098

Websites: www.bfff.co.uk

www.freshfromthefreezer.co.uk

A company limited by guarantee. Registered in England and Wales No. 7687541

VAT Reg. No. GB 115 5466 23

