

New Legislation Review – Republic of Ireland

Technical Bulletin

Allianz Engineering Inspection Services Ltd



Thorough Examination and Inspection by the Competent Person

The new regulations define categories of plant and equipment which require thorough examination and inspection. Fundamentally, the requirements for both are the same, with the law requiring the person undertaking the activity to be competent for the function, in relation to the hazardous nature of the equipment in question.

Thorough examination is the mode of scrutiny required by law to assess the integrity of the most hazardous plant, predominantly seen as equipment with a lifting and lowering function, and can be defined as follows:

A thorough examination is a systematic and detailed visual scrutiny of all critical load bearing parts and the functional testing of all safety critical devices. Where critical components and devices are hidden then they must be exposed for such detailed scrutiny. Where deemed necessary by the Competent Person, a thorough examination can be supported by the application of load and/or non-destructive testing.

The purpose of the thorough examination is to assess the integrity of the as seen condition of any given item of plant and equipment and to subsequently advise on defects affecting safety to persons. As such, it is essential that the person carrying out the thorough examination is competent for the function of examination, and can be defined as follows:

The duty holder should ensure that the person carrying out a thorough examination has suitable and sufficient practical and theoretical knowledge of the lifting equipment to be **thoroughly examined as will enable them to detect defects and weaknesses. Furthermore, they should be capable of assessing the significance of such defects and weaknesses in order to advise on the continued safe use of the equipment being examined.**

It is essential that the competent person is sufficiently independent and impartial to allow objective decisions to be made. This does not mean that competent persons must necessarily be employed from an external company. However, it is recognised that those individuals directly involved in the maintenance and repair may have a vested interest in the items that they may be subsequently requested to examine. As such, it is unlikely that they would satisfy an independence and impartiality requirement. If employers and others within their own organisations have the necessary competence then they can use it. The accreditation to act as an independent inspection body is widely recognised as being compliance with the international standard ISO 17020. Furthermore, where employers choose to undertake examinations 'in-house' then they must ensure that their 'in-house' examiners have the genuine authority and independence to ensure that examinations are properly carried out and that the necessary recommendations arising from them are made without fear or favour. Where relevant recommendations are not freely made then this could hide serious system failings which if not remedied in time could put people at risk.

The final deliverable is the report of thorough examination which must contain, as a minimum, the prescribed particulars as set out in Schedule 1, Part E of the regulations, summarised as follows:

- Details of the owner for whom the thorough examination was undertaken.
- Details of the location where the thorough examination was undertaken.
- Sufficient detail necessary to identify the item.
- Date of the current and last thorough examination.
- Capacity details of the equipment at all operating configurations.
- The nature of the thorough examination (i.e. periodic, post installation or repair, etc).
- The defects which are or could become a danger to persons, the remedial action required and the time scale within which the work must be completed.
- Date of the next thorough examination.
- Details of any tests undertaken as part of the thorough examination.
- Details of the individual who carried out the thorough examination.
- Details of the person authenticating the report.

Where such information is not present then the report cannot be deemed as a record of thorough examination in compliance with the regulations.

When dealing with plant and equipment which does not predominantly raise or lower loads then the legal requirement is to have such items inspected. The inspections are a monitor of degradation and assessment of both safety system adequacy and malfunction. Such equipment categories include hazardous plant items, as follows:

- Power presses.
- Press brakes.
- Material cutting guillotines.
- Woodworking equipment.
- Complex, interlocked guarding systems for hazardous process machinery (i.e. injection moulding, etc).
- Pressure systems.

In such cases, it is the owner's duty to both have the equipment inspected and ensure that the individual undertaking the inspection is competent for the function of detailed scrutiny.

Allianz has the experience, knowledge, practical ability and true independence and impartiality, to carry out both thorough examinations and inspections of plant and equipment, in order to provide the duty holder with a legally compliant examination service. Allianz Engineer Surveyors fulfil the role of the Competent Person, as set out in legislation. Our accreditation to ISO 17020 ensures that we provide our advice without fear or favour and in a practical manner so that we can fully support our clients in their desire to retain plant and equipment which is safe for continued use.

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