

Occupational Health and Safety (Pallet Trucks) Exemption 2009

Notifiable Instrument NI2009 — 192

made under the:

Occupational Health and Safety (Certification of Plant Users and Operators) Regulation 2000 - section 32 (Exemptions)

1 Name of instrument

This instrument is the *Occupational Health and Safety (Pallet Trucks) Exemption 2009*.

2 Commencement

This instrument commences on the day after notification.

3 Exemption

Persons operating a pallet truck of a type identified in this instrument are exempt from the operation of section 25 of the *Occupational Health and Safety (Certification of Plant Users and Operators) Regulation 2000* only to the extent that those persons are not required to hold a certificate of competency for the operation of a forklift truck.

4 Type of Pallet Truck

The types of pallet trucks that this instrument applies to are:

1. Pallet trucks which are pedestrian operated, where the operator is intended to control the truck whilst not riding on the truck.
2. Pallet trucks capable of providing a maximum lift not exceeding 225 millimetres.

5 Conditions

This exemption does not waive or reduce the employer's obligation under the *Occupational Health and Safety Act 1989* to provide employees with the information, instruction, training and supervision necessary to enable them to perform their work in a manner that is safe and without risk to their health.

The employer must develop a safe method of work which has regard to any risk assessment developed or approved by the manufacturer in respect of the operation of this type of plant.

Jon Quiggin
Delegate of the Chief Executive

9 April 2009