

PUWER & LOLER Explained

A practical overview of the different responsibilities and where each applies to MHE

Forklift trucks and other material handling equipment are subject to several layers of safety control.

Two of the regulations most commonly associated with MHE are:

PUWER - the Provision and Use of Work Equipment Regulations 1998

and

LOLER - the Lifting Operations and Lifting Equipment Regulations 1998

They are related, but they are not interchangeable.

In most workplaces, lifting equipment is also work equipment. That means equipment such as a forklift truck can be subject to **both PUWER and LOLER at the same time**. HSE confirms that PUWER applies to work equipment generally, while LOLER adds specific requirements where that equipment is used for lifting or lowering loads.

Understanding the difference matters because having a current LOLER Thorough Examination does not, by itself, demonstrate that every safety-critical part of a forklift is safe.

For example, the lifting system may satisfy LOLER requirements while a defect exists with the brakes, steering or tyres - areas controlled principally through PUWER.

The objective should therefore not be to decide whether **PUWER or LOLER** applies.

For many items of MHE, the answer is:

Both.

What is PUWER?

PUWER stands for the **Provision and Use of Work Equipment Regulations 1998**.

PUWER applies very broadly to equipment used at work. HSE describes work equipment as machinery, appliances, apparatus, tools or installations used at work.

For MHE operators and fleet managers, PUWER provides much of the framework around the safe condition and use of the equipment.

In practical terms, PUWER requires work equipment to be:

- suitable for its intended use;
- safe for use;
- maintained in a safe condition;
- inspected where necessary;
- used by people who have received appropriate information, instruction and training;
- provided with appropriate safety controls and protective measures;
- used in accordance with specific requirements applying to mobile work equipment.

For a forklift truck, this reaches considerably further than the lifting mechanism.

It includes the condition and safe operation of systems such as:

- brakes;
- steering;
- tyres and wheels;
- controls;
- operator restraints;
- lights;
- warning devices;
- visibility systems;
- guarding;
- general vehicle condition.

PUWER therefore concerns the **truck as a piece of work equipment**, not simply its ability to lift a load.

Inspection under PUWER

PUWER does not specify one universal inspection interval for every piece of equipment.

HSE states that the need for inspection and the frequency of inspection should be determined through **risk assessment**. Equipment exposed to conditions that may cause deterioration and create significant safety risks requires an appropriate inspection regime.

The interval may therefore depend on factors such as:

- frequency of use;
- intensity of operation;
- operating environment;
- age and condition;
- manufacturer recommendations;
- previous defects;
- the consequences of failure.

An identical type of truck operating intensively outside may need a different inspection regime from one used occasionally in a clean indoor environment.

Where a PUWER inspection is required, HSE states that the result should be recorded and retained at least until the next inspection. Electronic records are acceptable provided they are held securely and can be made available when required.

Maintenance and inspection are not the same thing

PUWER also requires work equipment to be maintained in a safe condition.

It is important not to treat **maintenance**, **inspection** and **Thorough Examination** as interchangeable activities.

Maintenance is intended to keep equipment in safe working order.

Inspection is intended to identify deterioration or other conditions that could create a safety risk.

A Thorough Examination is a specific statutory examination required under LOLER for applicable lifting equipment.

One activity does not automatically replace another.

What is LOLER?

LOLER stands for the **Lifting Operations and Lifting Equipment Regulations 1998**.

LOLER applies to lifting equipment used at work and to lifting operations — an operation concerned with the **lifting or lowering of a load**. A load can include goods, materials or people.

LOLER places additional requirements on lifting equipment because failure during a lifting operation can create particularly serious risks.

LOLER requires, amongst other things, that:

- lifting equipment is suitable for the task;
- it has adequate strength and stability;
- appropriate safe working load information is provided;
- lifting operations are properly planned;
- appropriate supervision is provided;
- lifting operations are carried out safely;
- lifting equipment is Thoroughly Examined where required;
- examination records are maintained;
- relevant defects are reported and acted upon.

Where people are lifted, additional requirements apply because of the increased consequences of failure.

What is a Thorough Examination?

A **Thorough Examination** is not simply another name for a service.

HSE describes it as a systematic and detailed examination of the lifting equipment and safety-critical parts, carried out by a **competent person** at specified intervals. The competent person must then produce a written report.

Depending on the equipment and the competent person's judgement, a Thorough Examination can involve:

- visual examination;
- functional checks;
- measurement of wear;
- non-destructive testing where appropriate;
- testing where justified;
- examination of internal or dismantled components where necessary.

The scope should be sufficient for the competent person to determine whether the lifting equipment can continue to be used safely.

Who can carry out a Thorough Examination?

The examination must be undertaken by a **competent person**.

HSE guidance describes this as someone with sufficient practical and theoretical knowledge and experience of the lifting equipment to identify defects or weaknesses and assess their significance for continued safe use.

Competence is therefore about more than simply being familiar with servicing the truck.

The examiner must also be sufficiently **independent and impartial** to make an objective judgement.

The competent person can work for the same organisation, but HSE states that the person conducting the Thorough Examination should not normally be the same individual who performed the routine maintenance being assessed.

Does a forklift truck fall under LOLER?

Yes, when it is used to lift or lower loads.

HSE specifically identifies fork-lift trucks as lifting equipment covered by LOLER.

For a forklift truck used to lift or lower loads, HSE specifically identifies the following as subject to LOLER Thorough Examination:

- lifting chains;
- forks;
- hoist mechanism, including the mast and cylinders;
- fork attachments.

But that does **not** mean the rest of the truck can be ignored.

Other safety-critical systems, for example brakes and lights, remain subject to the requirements of PUWER, alongside maintenance and daily pre-use checks.

This is why effective forklift safety management must consider the **whole truck**, not simply whether it has a current LOLER certificate.

PUWER and LOLER side by side

Area	PUWER	LOLER
Main purpose	Safe provision and use of work equipment	Safe use of lifting equipment and lifting operations
Applies to forklift truck?	Yes	Yes, where used for lifting/lowering loads
Brakes	Yes	Normally PUWER rather than LOLER
Steering	Yes	Normally PUWER rather than LOLER
Tyres and wheels	Yes	Normally PUWER rather than LOLER
Lights/warning devices	Yes	PUWER, except safety devices forming part of the lifting function may also fall within examination scope
Forks	Yes as part of safe equipment	Yes — part of the lifting system
Mast	Yes	Yes
Lift chains	Yes	Yes
Lift cylinders	Yes	Yes
Fork attachments	Yes	Yes where part of lifting operation
Maintenance	Required	Does not replace Thorough Examination
Inspection	Risk based under PUWER	LOLER has specific Thorough Examination requirements
Operator training	PUWER responsibility	Safe lifting operations also require competent planning/use
Thorough Examination	Not the normal PUWER terminology	Statutory requirement under LOLER where applicable

Can PUWER and LOLER inspections be combined?

Yes.

PUWER inspection and LOLER Thorough Examination are different requirements, but they can be carried out together where the arrangements provide appropriate coverage.

UKMHA guidance explains that some examination schemes combine the LOLER Thorough Examination of the lifting equipment with the PUWER inspection of the non-lifting safety systems so that the **whole forklift truck is assessed**.

This can be a practical approach.

The important issue for the dutyholder is not simply the name on the certificate. It is ensuring that the required examination and inspection have actually covered the appropriate parts of the equipment.

Does the examiner have to be CFTS accredited?

No specific commercial accreditation scheme is mandated by LOLER.

The legal requirement is for the Thorough Examination to be carried out by a **competent person**.

Industry accreditation schemes can provide useful assurance regarding examiner competence, processes, documentation and examination standards, but organisations should avoid assuming that the presence or absence of one particular commercial marque determines legal compliance by itself.

The dutyholder remains responsible for ensuring that the examination arrangements are suitable.

How often does a forklift need a Thorough Examination?

Unless a written examination scheme prepared by a competent person specifies another interval, LOLER normally requires Thorough Examination:

Every 12 months - for most lifting equipment.

Every 6 months - for lifting equipment used to lift people.

Every 6 months - for lifting accessories.

The competent person may specify different intervals through a written examination scheme based on the equipment, its condition, use and operating environment.

For a conventional forklift used to lift goods, **12 months is therefore normally the default maximum interval**, unless an examination scheme specifies otherwise.

However, the existence of a 12-month interval should not be interpreted as meaning the equipment only needs attention once a year.

Daily checks, PUWER inspections, maintenance and defect management continue throughout that period.

What can cause a Thorough Examination to be needed sooner?

A Thorough Examination may also be necessary following exceptional circumstances that could affect the safety or integrity of the equipment.

HSE identifies examples including:

- damage or failure;
- long periods out of use;
- significant changes in use;
- major modifications;
- replacement or repair of critical parts.

The correct response should be determined by a competent person where there is uncertainty.

What about equipment used to lift people?

Equipment used to lift people carries additional risk.

Unless an appropriate examination scheme specifies otherwise, lifting equipment used to lift people must normally be Thoroughly Examined at **six-monthly intervals**.

Using a forklift truck to lift people also requires particular care.

HSE states that equipment not specifically designed for lifting people should only be used for this purpose in exceptional circumstances and with additional precautions.

A non-integrated work platform or man-basket should therefore not be treated as an ordinary substitute for equipment designed for lifting people.

What about pallet trucks?

Not every pallet truck is automatically treated in the same way.

HSE's LOLER Approved Code of Practice specifically identifies:

high-lift pallet trucks, manual or powered, capable of raising the forks above 300 mm

as examples of equipment covered by LOLER.

Low-lift pallet trucks whose principal purpose is horizontal transport may fall outside LOLER, although they remain work equipment and PUWER still applies.

The actual design and use of the equipment should therefore be considered rather than relying only on its name.

What about lifting accessories?

Lifting accessories can include equipment used to attach a load to lifting equipment, such as:

- chains;
- slings;
- shackles;
- eyebolts;
- lifting beams;
- other lifting attachments.

LOLER applies separately to lifting accessories, and the normal Thorough Examination interval is **six months**, unless an examination scheme specifies otherwise.

Accessories should therefore be individually identifiable and controlled where appropriate.

Does servicing a forklift satisfy LOLER?

No.

This is one of the most important distinctions for fleet managers.

A forklift can be regularly serviced and **still require a Thorough Examination**.

HSE explicitly states that Thorough Examination remains necessary even where lifting equipment is serviced regularly.

Servicing is maintenance.

Thorough Examination is a statutory examination of the lifting equipment and safety-critical components.

Both are necessary controls.

Do daily checks replace a Thorough Examination?

No.

Daily or pre-shift checks are intended to identify obvious defects before the truck is used.

They are an important part of the ongoing safe-use regime, but they do not replace:

- planned maintenance;
- PUWER inspection;
- servicing;
- LOLER Thorough Examination.

HSE specifically states that forklift trucks require essential daily pre-use checks while their lifting components are also subject to Thorough Examination under LOLER.

The controls therefore work together.

What happens if a defect is found during a Thorough Examination?

The competent person must record relevant defects in the examination report.

Where a defect represents, or could become, a danger to people, the person responsible for the equipment must be informed and action taken.

HSE states that where a dangerous defect means the equipment cannot continue to be used safely, the lifting equipment must not be used until the defect has been remedied.

Where serious defects are identified, the competent person also has statutory reporting responsibilities to the relevant enforcing authority.

Some defects may not require immediate withdrawal from use but may have a defined period within which they must be corrected.

In those circumstances, the defect must be remedied within the stated period or the equipment should not continue to be used beyond it.

What should be on the Thorough Examination report?

There is no requirement to use one particular certificate layout.

LOLER specifies the information that the report must contain.

The report should provide enough information to identify:

- the equipment examined;
- the person or organisation for whom it was examined;
- where the examination took place;
- the date of the examination;
- the competent person;
- the examination performed;
- defects identified;
- action required;
- when the next examination is due, where appropriate.

HSE confirms that Schedule 1 of LOLER specifies the required contents, rather than prescribing a particular form.

Can LOLER and PUWER records be digital?

Yes.

HSE confirms that Thorough Examination and inspection records do not have to be held in paper form.

Electronic records are acceptable provided they:

- are protected against unauthorised alteration;
- remain accessible;
- can be reproduced in written form when required.

The important requirement is therefore the integrity and availability of the evidence, not whether it is kept in a paper folder.

How long should LOLER records be retained?

The required retention period depends on the type of examination or inspection.

Record	Minimum retention
Thorough Examination before first use - lifting equipment	Until the employer ceases to use the equipment
Thorough Examination before first use - lifting accessories	Two years
Examination following installation/assembly	Until the equipment is no longer used at that location
In-service Thorough Examination	Until the next report is made or two years, whichever is later
In-service inspection/test records	Until the next such record is made

These retention requirements are set out in LOLER and HSE guidance.

What about hired forklift trucks?

Hiring the equipment does not remove the user's responsibility to ensure that appropriate examination arrangements are in place.

In practice, the hire company will often arrange the Thorough Examination.

However, HSE states that the **user still has a legal duty** and should satisfy themselves that a current Thorough Examination report exists.

For longer-term hire, responsibility for organising subsequent examinations may be allocated by agreement.

Daily and pre-use safety checks normally remain the responsibility of the user unless specific arrangements state otherwise.

A practical MHE compliance approach

Effective MHE compliance is easier when POWER and LOLER are managed as connected controls rather than as isolated certificates.

A practical approach is:

1. Identify the equipment

Know:

- what the asset is;
- its rated capacity;
- its attachments;
- how it is used;
- whether it performs lifting operations.

2. Determine what regulations apply

Establish whether:

- PUWER inspection is required;
- LOLER applies;
- lifting accessories are involved;
- people are ever lifted;
- other regulatory requirements apply.

3. Establish the examination schedule

Record:

- last examination date;
- next examination date;
- examination scheme where applicable;
- competent person/provider;
- certificate or report.

4. Carry out pre-use checks

Operators should check the truck before use in accordance with the required procedure and manufacturer guidance.

5. Maintain the equipment

Use a planned maintenance regime appropriate to:

- manufacturer guidance;
- operating hours;
- intensity of use;
- operating environment;
- defect history.

6. Record and control defects

A defect should result in a clear status and action.

If an asset is unsafe, it should not remain available simply because its statutory examination certificate is still in date.

7. Retain evidence

Inspection and examination records should be readily retrievable against the correct asset.

8. Monitor upcoming expiry dates

Do not rely on someone remembering when a certificate expires.

Compliance dates should be actively monitored and responsibility for action clearly assigned.

Questions an MHE manager should be able to answer

A well-controlled system should make it possible to answer:

Which trucks currently require a LOLER Thorough Examination?

When is each examination due?

Are any PUWER inspections overdue?

Can I produce the current report immediately?

What defects were identified during the last examination?

Have those defects been rectified?

Has today's pre-use inspection been completed?

Is this truck currently safe and available for use?

Who is responsible for the next action?

If those questions require searching through certificate folders, spreadsheets, emails and maintenance records, the compliance process may technically exist while management visibility remains weak.

Managing PUWER and LOLER evidence with MHE Checker

MHE Checker does **not** carry out PUWER inspections or LOLER Thorough Examinations.

It does not replace:

- the competent person;
- the MHE service provider;
- the equipment manufacturer;
- maintenance requirements;
- the operator's responsibilities;
- the employer's legal duties.

Its role is to make the information and evidence around those controls easier to manage.

MHE Checker can maintain compliance information against the individual asset, including:

- LOLER records;
- PUWER records;
- examination and inspection dates;
- certificate/report records;
- expiry dates;
- days remaining until expiry;
- automated reminders;
- daily/pre-shift inspection history;
- defects;
- photographs and supporting evidence where used;
- asset status;
- repair and service activity.

This means compliance information remains connected to the equipment rather than being distributed across separate folders, spreadsheets, emails and paper records.

Manual control vs MHE Checker

Manual approach	MHE Checker
Certificate stored in folder/email	Compliance record linked to the asset
Expiry date maintained in spreadsheet/calendar	Expiry monitored centrally
Someone must remember upcoming dates	Automated reminders
Daily inspection stored separately	Inspection history connected to the asset
Defect reported by paper/email/phone	Defect recorded directly against the asset
Repair updates held separately	Repair/service status can remain connected to the asset
Multiple sources needed to establish status	Fleet and compliance status visible centrally
Audit evidence assembled manually	Historic records retained against the asset

The objective is not simply to digitise certificates.

The objective is to make it easier to establish:

what is due, what has been completed, what has failed and what action is required.

The key principle

PUWER and LOLER solve different parts of the same safety-control problem.

PUWER asks whether the **work equipment is suitable, maintained and safe to use.**

LOLER adds specific requirements where that equipment is being used to **lift or lower loads.**

For a forklift fleet, effective control therefore means managing:

the truck as work equipment + the lifting system as lifting equipment.

A current LOLER certificate should never become a substitute for effective maintenance, daily checks, defect management and PUWER inspection.

Likewise, good maintenance does not remove the requirement for a statutory Thorough Examination.

The strongest system brings all of those controls together.

Sources and further guidance

This guide has been prepared with reference to the following sources.

Health and Safety Executive - PUWER overview

Overview of the Provision and Use of Work Equipment Regulations 1998.

[HSE - PUWER overview](#)

Health and Safety Executive - Inspection of work equipment

Guidance covering the need for PUWER inspection, inspection frequency and record keeping.

[HSE - Inspection of work equipment](#)

Health and Safety Executive - LOLER overview

Overview of duties relating to lifting equipment and lifting operations.

[HSE - LOLER overview](#)

Health and Safety Executive - Thorough examinations and inspections of lifting equipment

Detailed guidance on Thorough Examination, competent persons, intervals, examination schemes, records and defects.

[HSE - Thorough Examination guidance](#)

Health and Safety Executive - Equipment and machinery FAQs

Includes specific HSE guidance concerning fork-lift trucks, servicing, hired equipment and Thorough Examination.

[HSE - Equipment and machinery FAQs](#)

Health and Safety Executive - L22: Safe use of work equipment

Approved Code of Practice and guidance supporting PUWER.

[HSE - L22 PUWER ACOP](#)

Health and Safety Executive - L113: Safe use of lifting equipment

Approved Code of Practice and guidance supporting LOLER.

[HSE - L113 LOLER ACOP](#)

UK Material Handling Association - Thorough Examination

Industry information on Thorough Examination for lift trucks.

[UKMHA - Thorough Examination](#)

UK Material Handling Association - FS04: Does a Thorough Examination cover LOLER and PUWER?

Industry guidance discussing combined LOLER Thorough Examination and PUWER inspection.

[UKMHA - FS04](#)

External links and endorsement

External links are provided for information and further reading only. Their inclusion does not imply endorsement, approval or affiliation with MHE Checker by HSE, UKMHA or any other organisation referenced in this guide.

Important information

This guide provides general practical guidance for workplaces in Great Britain. It is not legal advice and is not a substitute for the Regulations, Approved Codes of Practice, manufacturer instructions, a site-specific risk assessment, an examination scheme prepared by a competent person, or competent health and safety advice.

For Northern Ireland, corresponding legislation and HSENI guidance should be consulted.