

The Health and Safety in Employment Regulations 1995

Regulation 24. Excavations with face more than 1.5 metres high

- 1) Subject to subclause (2) of this regulation, every employer shall take all practicable steps to ensure that, where any face of any excavation is more than 1.5 metres high, that face is shored.
- 2) Subclause (1) of this regulation does not apply where:
 - a) The face is cut back to a safe slope; or
 - b) The material in the face is of proven good standing quality under all reasonably foreseeable conditions of work and weather; **or**
 - c) By reason of the nature of the work and the position of any employee in the vicinity, there is no danger to any employee; **or**
 - d) The provision of shoring is impracticable or unreasonable by reason of the nature of the work and the employer takes all practicable steps to ensure that other precautions are taken to make the face as safe as possible in the circumstances.
- 3) Every employer shall take all practicable steps to ensure that any shoring used in any excavation at the place of work:
 - a) Consists of materials that are suitable for the purpose for which they are to be used, of sound quality, and adequate in strength for the particular use; and
 - b) Has bracings, jacks, and struts that are securely held to prevent accidental displacement, and packings and wedges that are held by nails or spikes; and
 - c) Is placed in a proper manner by an experienced person under competent supervision; and
 - d) Is not altered, dismantled, or interfered with except on the instructions of the employer or a representative of the employer.

Regulation 25. Excavations of hazardous depth

Every employer shall take all practicable steps to ensure, where any excavation is-

- a) Readily accessible to any person; and
- b) Likely to collect or retain water of such a depth as to constitute a danger to any person; that
- c) Any such excavation is covered or fenced, when no employee is in the immediate vicinity to prevent access to it by any person; and
- d) Any such excavation created in the course of the work is covered, fenced, or filled at the completion of the work.