



Isle of Man

Ellan Vannin

AT 30 of 1981

**EMPLOYER'S LIABILITY (DEFECTIVE
EQUIPMENT) ACT 1981**

**Isle of Man***Ellan Vannin*

EMPLOYER'S LIABILITY (DEFECTIVE EQUIPMENT) ACT 1981

Index

Section	Page
1 Extension of employer's liability for defective equipment	5
2 Short title and commencement	6
ENDNOTES	7
TABLE OF ENDNOTE REFERENCES	7

**Isle of Man***Ellan Vannin*

EMPLOYER'S LIABILITY (DEFECTIVE EQUIPMENT) ACT 1981

Received Royal Assent: 24 November 1981
Passed: 15 December 1981
Commenced: 15 February 1982

AN ACT to make further provision with respect to the liability of an employer for injury to his employee which is attributable to any defect in equipment provided by the employer for the purposes of the employer's business; and for connected purposes.

1 Extension of employer's liability for defective equipment

[P1969/37/1]

- (1) Where after the commencement of this Act —
- (a) an employee suffers personal injury in the course of his employment in consequence of a defect in equipment provided by his employer for the purposes of the employer's business; and
 - (b) the defect is attributable wholly or partly to the fault of a third party (whether identified or not),

the injury shall be deemed to be also attributable to negligence on the part of the employer (whether or not he is liable in respect of the injury apart from this subsection), but without prejudice to the law relating to contributory negligence and to any remedy by way of contribution or in contract or otherwise which is available to the employer in respect of the injury.

- (2) In so far as any agreement purports to exclude or limit any liability of an employer arising under subsection (1), the agreement shall be void.
- (3) In this section —

“business” includes the activities carried on by any public body;

“employee” means a person who is employed by another person under a contract of service or apprenticeship and is so employed for the purposes of a business carried on by that other person, and **“employer”** shall be construed accordingly;

“**equipment**” includes any plant and machinery, vehicle, aircraft and clothing;

“**fault**” means negligence, breach of statutory duty or other act or omission which gives rise to liability in tort;

“**personal injury**” includes loss of life, any impairment of a person’s physical or mental condition and any disease.

2 Short title and commencement

- (1) This Act may be cited as the *Employer’s Liability (Defective Equipment) Act 1981*.
- (2) This Act shall come into operation at the end of the period of three months beginning with the date on which it is passed.

ENDNOTES

Table of Endnote References