



CMEIG Media Release

Beware of traps with second hand mobile plant!

There is growing concern over the flood of second hand construction equipment from overseas countries causing operator safety problems or no spare parts. “Complaining to the local manufacturer distributor will not help”, explains George Vorobieff, Executive Officer of CMEIG.

OHS regulations in NSW note that for plant:

A person who:

(a) manufactures in New South Wales plant designed outside the State, or

(b) imports plant designed outside the State for supply to others or for the person’s own use,

must ensure that the responsibilities of a designer under this Division are met in relation to the plant.

So if you import the plant you ‘import’ the responsibilities of the designer. That means if you import the plant you must ensure that it complies with the regulations. If you alter the equipment then you continue to take on the responsibility of the designer.

In NSW the supplier is obliged to inform you whether the machine has any known faults and if it has, the supplier is obliged to have the faults rectified.

Manufacturers often have different models for different markets. Machines sold into the domestic Japanese market may have parts that are different to the units sold into export markets. This is often done due to different customer requirements in each of the markets and to reduce production costs. Vorobieff notes for example, “Should one of the Japanese domestic market machines be imported into Australia the local representative may not have the parts to adequately support the purchase”.

Also, manufacturers often produce several similar prototypes of a new model to trial various parts and modifications to systems. This equipment is sometimes made with special one-off parts which are not incorporated in the final production model. When things go wrong with these parts they cannot be replaced by the manufacturer.

As these prototypes are used in trials for less than 12 months and sold at low prices by a manufacturer or dealer, the machine does not carry any warranties.

If you buy an overseas domestic market machine or a prototype, and import it into Australia, equipment suppliers and dealers in Australia may not be able to assist with spare parts. “A small problem with one part may result in the machine being useless to the operator”, claims Vorobieff.

Australian safety regulators, like WorkCover NSW, require all mobile plant to have safety decals written in English. The operator’s manual must also be written in English and stored in a secure place on the machine. A WorkCover inspector may issue an on the spot fine if the machine does not comply with the regulations

and will take out the ‘magnifying glass’ if the machine is involved in an accident or death. Ignoring regulations is not taken lightly by judges.

As some models are purpose built for a country, no English manual is provided and the owner will need to get a translator to convert the manual to English. “Translators to convert a foreign language can be very expensive”, claims Vorobieff. So get a quote and add this cost to the sale price.

“I have heard of equipment owners traveling to Japan and getting great deals at auctions”, notes Vorobieff. But when they come back to Australia, pay the freight costs and find the equipment stuck on the wharf because an AQIS officer decides the dirt on the machine is excessive, their ‘great deal’ begins to sour.

The Internet is also a difficult place to purchase a machine as there is limited opportunity to request for specific information and if you can get a reply, you place a sufficient trust with the foreign seller or agent.

Some tips for second hand equipment buyers:

- Ask where the machine has been manufactured.
- Ask if a risk assessment and hazard analysis is available for the machine.
- Ask if there are any faults with the machine.
- Ask if the machine is a prototype model and whether all spare parts are available.
- Don’t buy equipment on the Internet.
- Check that the machine has an operator’s manual in English and that all decals meet Australian Standards.
- If you import plant from another country have it checked by an engineer to ensure it meets current safety requirements in the State in which you intend to operate the equipment.

Although some buyers may get a great deal at the time of purchase, when things go wrong or if you have an accident, the cost of repairs or fines are likely to exceed the initial savings made on the sale.

The old adage that “...you get what you pay for” also applies for used construction equipment!

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