

Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (recast) (Text with EEA relevance)

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1 This Directive shall apply to lifts permanently serving buildings and constructions and intended for the transport of:

- a persons;
- b persons and goods;
- c goods alone if the carrier is accessible, that is to say a person may enter it without difficulty, and fitted with controls situated inside the carrier or within reach of a person inside the carrier.

This Directive shall also apply to the safety components for lifts listed in Annex III for use in the lifts referred to in the first subparagraph.

2 This Directive shall not apply to:

- a lifting appliances whose speed is not greater than 0,15 m/s;
- b construction site hoists;
- c cableways, including funicular railways;
- d lifts specially designed and constructed for military or police purposes;
- e lifting appliances from which work can be carried out;
- f mine winding gear;
- g lifting appliances intended for lifting performers during artistic performances;
- h lifting appliances fitted in means of transport;
- i lifting appliances connected to machinery and intended exclusively for access to workstations including maintenance and inspection points on the machinery;
- j rack and pinion trains;
- k escalators and mechanical walkways.

3 Where, for lifts or safety components for lifts, the risks referred to in this Directive are wholly or partly covered by specific Union law, this Directive shall not apply or shall cease to apply in the case of such lifts or safety components for lifts and such risks as from the application of that specific Union law.

Article 2

Definitions

For the purposes of this Directive, the following definitions shall apply:

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- (1) ‘lift’ means a lifting appliance serving specific levels, having a carrier moving along guides which are rigid and inclined at an angle of more than 15 degrees to the horizontal, or a lifting appliance moving along a fixed course even where it does not move along rigid guides;
- (2) ‘carrier’ means a part of the lift by which persons and/or goods are supported in order to be lifted or lowered;
- (3) ‘model lift’ means a representative lift whose technical documentation shows the way in which the essential health and safety requirements set out in Annex I will be met for lifts which conform to the model lift defined by objective parameters and which uses identical safety components for lifts;
- (4) ‘making available on the market’ means any supply of a safety component for lifts for distribution or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;
- (5) ‘placing on the market’ means:
 - the first making available on the market of a safety component for lifts, or
 - the supply of a lift for use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;
- (6) ‘installer’ means the natural or legal person who takes responsibility for the design, manufacture, installation and placing on the market of the lift;
- (7) ‘manufacturer’ means any natural or legal person who manufactures a safety component for lifts or has a safety component for lifts designed or manufactured, and markets it under his name or trade mark;
- (8) ‘authorised representative’ means any natural or legal person established within the Union who has received a written mandate from an installer or a manufacturer to act on his behalf in relation to specified tasks;
- (9) ‘importer’ means any natural or legal person established within the Union who places a safety component for lifts from a third country on the Union market;
- (10) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a safety component for lifts available on the market;
- (11) ‘economic operators’ means the installer, the manufacturer, the authorised representative, the importer and the distributor;
- (12) ‘technical specification’ means a document that prescribes technical requirements to be fulfilled by a lift or a safety component for lifts;
- (13) ‘harmonised standard’ means harmonised standard as defined in point (c) of point 1 of Article 2 of Regulation (EU) No 1025/2012;
- (14) ‘accreditation’ means accreditation as defined in point 10 of Article 2 of Regulation (EC) No 765/2008;
- (15) ‘national accreditation body’ means national accreditation body as defined in point 11 of Article 2 of Regulation (EC) No 765/2008;

- (16) ‘conformity assessment’ means the process demonstrating whether the essential health and safety requirements of this Directive relating to a lift or a safety component for lifts have been fulfilled;
- (17) ‘conformity assessment body’ means a body that performs conformity assessment activities including calibration, testing, certification and inspection;
- (18) ‘recall’ in relation to a lift means any measure aimed at achieving the dismantling and safe disposal of a lift, and in relation to a safety component for lifts means any measure aimed at achieving the return of a safety component for lifts that has already been made available to the installer or to the end-user;
- (19) ‘withdrawal’ means any measure aimed at preventing a safety component for lifts in the supply chain from being made available on the market;
- (20) ‘Union harmonisation legislation’ means any Union legislation harmonising the conditions for the marketing of products;
- (21) ‘CE marking’ means a marking by which the installer or the manufacturer indicates that the lift or safety component for lifts are in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing.

Article 3

Free movement

1 Member States shall not prohibit, restrict or impede the placing on the market or putting into service of lifts or the making available on the market of safety components for lifts on their territory which comply with this Directive.

2 At trade fairs, exhibitions or demonstrations Member States shall not prevent the showing of lifts or safety components for lifts which are not in conformity with this Directive, provided that a visible sign clearly indicates that they are not in conformity and will not be placed or made available on the market until they have been brought into conformity. During demonstrations, adequate safety measures shall be taken to ensure the protection of persons.

3 This Directive shall not affect Member States’ entitlement to lay down in conformity with the Union law such requirements as they may deem necessary to ensure that persons are protected when the lifts in question are put into service or used, provided that this does not mean that the lifts are modified in a way not specified in this Directive.

Article 4

Placing on the market, making available on the market and putting into service

1 Member States shall take all appropriate measures to ensure that the lifts covered by this Directive may be placed on the market and put into service only if they comply with this Directive, when properly installed and maintained and used for their intended purpose.

2 Member States shall take all appropriate measures to ensure that safety components for lifts covered by this Directive may be made available on the market and put into service only if they comply with this Directive when properly incorporated and maintained and used for their intended purpose.

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Article 5

Essential health and safety requirements

1 Lifts covered by this Directive shall satisfy the essential health and safety requirements set out in Annex I.

2 Safety components for lifts covered by this Directive shall satisfy the essential health and safety requirements set out in Annex I and enable the lifts in which they are incorporated to satisfy those requirements.

Article 6

Buildings or constructions in which lifts are installed

1 Member States shall take all appropriate measures to ensure that the person responsible for work on the building or construction and the installer both provide each other with the necessary information and take the appropriate steps in order to ensure the proper operation and safe use of the lift.

2 Member States shall take all necessary measures to ensure that shafts intended for lifts do not contain any piping or wiring or fittings other than that necessary for the operation and safety of the lift.