

SCHEDULE 6

Regulation 25

AMENDMENTS TO THE LIFTS REGULATIONS 1997

1. In this Schedule, any reference to a regulation or Schedule is a reference to the relevant regulation of or Schedule to the Lifts Regulations 1997.

2. For regulation 2(1)(b) there shall be substituted the following—

“(b) except for the reference to the [^{F1}European Union] in the definition of “the Commission” and in relation to the Official Journal, a reference to the Community includes a reference to the European Economic Area, and a reference to a member State includes a reference to an EEA state which is not a member State; and”.

F1 Words in Regulations substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3-6

3. In regulation 2(1)(c)(ii), for “Directive [98/37/EC](#)” there shall be substituted “ Directive [2006/42/EC](#) ”.

4. Before the definition of “CE marking” in regulation 2(2), there shall be inserted—

““carrier” means a part of a lift by which persons or goods are transported in order to be lifted or lowered;”.

5. The following shall be substituted for the definition of “lift” in regulation 2(2)—

““lift” means a lifting appliance—

- (a) serving specific levels,
- (b) having a carrier moving along guides which are rigid and inclined at an angle of more than 15 degrees to the horizontal, and
- (c) intended for the transport of—
 - (i) persons,
 - (ii) persons and goods, or
 - (iii) goods alone, if the carrier is—
 - (aa) accessible, that is to say a person may enter it without difficulty, and
 - (bb) fitted with controls situated inside the carrier or within reach of a person inside the carrier,

but lifting appliances moving along a fixed course even where they do not move along guides which are rigid shall be considered as lifts falling within the scope of these Regulations..”.

6. In Schedule 1—

(a) for each of the references to “Directive [98/37/EC](#)” in the heading and text of section 1.1, and in the text of section 5, of Annex I to the Lifts Directive (Directive [95/16/EC](#)), there shall be substituted a reference to “ Directive [2006/42/EC](#) ”, and the references to other directives in the heading to section 1.1 of that Annex shall be deleted; and

(b) for section 1.2, the following shall be substituted—

“The carrier of each lift must be a car. This car must be designed and constructed to offer the space and strength corresponding to the maximum number of persons and the rated load of the lift set by the installer.

Where the lift is intended for the transport of persons, and where its dimensions permit, the car must be designed and constructed in such a way that its structural features do not

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obstruct or impede access and use by disabled persons and so as to allow any appropriate adjustments intended to facilitate its use by them.”.

7. For the lifts specified in Schedule 14 (Excluded lifts) there shall be substituted the following—
 1. Lifting appliances whose speed is not greater than 0.15m/s.
 2. Construction site hoists.
 3. Cableways, including funicular railways.
 4. Lifts specially designed and constructed for military or police purposes.
 5. Lifting appliances from which work can be carried out.
 6. Mine winding gear.
 7. Lifting appliances intended for lifting performers during artistic performances.
 8. Lifting appliances fitted in means of transport.
 9. Lifting appliances connected to machinery and intended exclusively for access to workstations including maintenance and inspection points on the machinery.
 10. Rack and pinion trains.
 11. Escalators and mechanical walkways.”.

Changes to legislation:

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