STATUTORY INSTRUMENTS

2016 No. 1093

The Lifts Regulations 2016

PART 2

Obligations of economic operators

Installers

Design, manufacture, installation and testing in accordance with essential health and safety requirements

6. Before placing a lift on the market, an installer must ensure that it has been designed, manufactured, installed and tested in accordance with the essential health and safety requirements.

Technical documentation and conformity assessment

7. Before placing a lift on the market, an installer must—

(a) have a relevant conformity assessment procedure carried out; and

(b) draw up the technical documentation referred to—

(i) for a lift in respect of which the conformity assessment procedure in regulation 47(1)(a) is being carried out, in point 3 of Part B of Module B in Annex IV to the Directive (as amended from time to time);

(ii) for a lift in respect of which the conformity assessment procedure in regulation 47(1)(b) or 47(1)(d) is being carried out, in point 3.1(d) of Module H1 in Annex XI to the Directive (as amended from time to time);

(iii) for a lift in respect of which the conformity assessment procedure in regulation 47(1)(c) is being carried out, in point 3 of Module G in Annex VIII to the Directive (as amended from time to time).

EU declaration of conformity and CE marking

8.—(1) Where the conformity of a lift with the essential health and safety requirements has been demonstrated by a relevant conformity assessment procedure, before placing the lift on the market, the installer must—

(a) draw up a declaration of conformity in accordance with regulation 49 (EU declaration of conformity);

(b) ensure that the declaration of conformity accompanies the lift; and

(c) affix the CE marking in accordance with regulation 50 (CE marking).

(2) The installer must keep the EU declaration of conformity up-to-date.

(3) Where a lift is subject to more than one EU instrument requiring a declaration of conformity to be drawn up, the installer must draw up a single declaration of conformity, which—

(a) identifies the EU instruments; and

(b) includes references to the publication of those EU instruments in the Official Journal.

Retention of technical documentation and EU declaration of conformity

9. An installer must keep the technical documentation, the EU declaration of conformity and, where applicable, any approval decision, drawn up in respect of a lift for a period of 10 years beginning on the day on which the lift is placed on the market.

Labelling and instructions

10.—(1) Before placing a lift on the market, an installer must—

(a) ensure that it is labelled with—

(i) the name, registered trade name or registered trade mark of the installer;

(ii) a single postal address at which the installer can be contacted; and

(iii) the type, batch or serial number of the lift or other element allowing the lift to be identified; and

(b) ensure that it is accompanied by the instructions referred to in point 6.2 of Annex I to the Directive (as amended from time to time).

(2) The information referred to in paragraph (1) above must be—

(a) in the case of the information referred to in paragraph (1)(a), in a language that can be easily understood by the end-users and the competent national authority in the member State in which the lift is to be placed on the market;

(b) in the case of the information referred to in paragraph 1(b), in a language which can be easily understood by the end-users in the member State in which the lift is to be placed on the market; and

(c) clear and understandable.

(3) Where the lift is to be placed on the market in the United Kingdom the language which can be easily understood by end-users is English.

Monitoring of lifts placed on the market

11.—(1) When appropriate, having regard to the risks to the health and safety of end-users presented by a lift, the installer must investigate complaints that lifts installed by it are not in conformity with Part 2.

(2) An installer must keep a register and promptly make entries in that register of any—

(i) complaints; and

(ii) lifts that are not in conformity with Part 2.

(3) An installer must keep an entry made in the register for a period of at least 10 years beginning on the day on which the obligation to make the entry arose.

Duty to take action in respect of lifts placed on the market which are considered not to be in conformity

12.—(1) An installer who considers, or has reason to believe, that a lift which that installer has placed on the market is not in conformity with Part 2, must immediately take the corrective measures necessary to bring that lift into conformity.

(2) Where the lift presents a risk, the installer must immediately inform the market surveillance authority, and the competent national authorities of any other member State in which the installer placed the lift on the market, of the risk, giving details of—

(a) the respect in which the lift is considered not to be in conformity with Part 2; and

(b) any corrective measures taken.

Provision of information and cooperation

13.—(1) Following a reasoned request from the enforcing authority, and within such period as the enforcing authority may specify, an installer must provide the authority with all the information and documentation necessary to demonstrate that a lift is in conformity with Part 2—

(a) in paper or electronic form; and

(b) in a language that can be easily understood by the enforcing authority.

(2) An installer must, at the request of the enforcing authority, cooperate with the authority on any action taken to—

(a) evaluate a lift in accordance with regulation 64 (evaluation of lifts or safety components for lifts presenting a risk); or

(b) eliminate the risks posed by a lift which the installer has placed on the market.

Specific duties relating to buildings or constructions in which lifts are installed

14. The person responsible for work on a building or construction where a lift is to be installed and the installer must—

(a) provide each other with the necessary information, and

(b) take the appropriate steps,

in order to ensure the proper operation and safe use of the lift, in particular they must 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.