

Lifts: approximation of minimum requirements of security (repeal. Directives 84/528/EEC and 84/529/EEC)

1992/0394(COD) - 29/06/1995 - Final act

OBJECTIVE: to ensure the free movement of lifts in the Community market by totally harmonising the essential health and safety requirements to be met by lifts and their safety components. **COMMUNITY MEASURE:** European Parliament and Council Directive 95/16/EC on the approximation of the laws of the Member States relating to lifts. **SUBSTANCE:** The Directive provides for the following elements: . **scope:** the Directive applies to lifts (together with their safety components) serving buildings and constructions and intended for the transport of persons and goods. It does not apply to funicular railways, lifts specially designed for military purposes, mine winding gear, theatre elevators, lifts connected to machinery or intended exclusively for access to the workplace; . **definition of the essential requirements** that must be met by lifts and their safety components during construction and before being placed on the market; . **definition of harmonised European standards** drawn up on the basis of the essential requirements laid down by the European standardisation bodies (CEN, Cenelec). References to these standards, which are not compulsory, are published in the OJ and transposed in the form of national standards with identical content. Any lift constructed in accordance with these harmonised essential requirements is deemed to conform, as is any safety component that is constructed in accordance with the harmonised standards and suitable to enable a lift on which it is installed to comply with the relevant essential requirements; . **definition of the conformity assessment procedures by:** - notified bodies appointed by the Member States in accordance with minimum assessment criteria and notified to the Commission and the Member States, - manufacturers themselves. The CE conformity marking must be visibly affixed to lifts and their safety components before they are placed on the market and it must be affixed by the manufacturer or his authorised representative established in the Community. Where a notified body is involved in production surveillance, the CE marking must be accompanied by its identification symbol. Any other markings may be affixed to lifts or their safety components unless they risk being confused with the conformity markings. . **establishment of penalties** approved by the Member States in cases where it has been deemed that the EC marking has been affixed irregularly; . **Directives 84/528/EEC and 84/529/EEC are repealed** with effect from 1 July 1999; . **re-examination** by the Commission, no later than 30 June 2002, of the functioning of the procedures laid down in this Directive and, if necessary, submission of any proposals for appropriate amendments. - **Date of transposition of the Directive in the Member States:** 1 January 1997; - **Date of application:** 1 July 1997; - **Transitional period:** 30 June 1999 for the placing on the market of lifts and their safety components that comply with national regulations until the date of adoption of the Directive; - **Joint declaration** by the European Parliament, the Council and the Commission annexed to the Directive concerning access to lifts for disabled persons: the three institutions encourage the Member States to take the necessary measures at national level to ensure that all lifts are accessible to disabled persons, particularly those confined to wheelchairs. They recommend providing, at least in all new buildings, a lift that is accessible to disabled persons and meets their needs (dimension, position of controls, etc.).