STATUTORY INSTRUMENTS

S.I. No.???? of 2016

EUROPEAN UNION (LIFTS AND SAFETY COMPONENTS FOR LIFTS) REGULATIONS, 2016.

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Arrangement of Regulations

SCHEDULES

S.I. No. ???????????? of 2016

EUROPEAN UNION (LIFTS AND SAFETY COMPONENTS FOR LIFTS) REGULATIONS, 2016

I, Gerard Nash, Minister of State at the Department of Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014, hereby make the following regulations:

PART 1

CITATION, COMMENCEMENT AND INTERPRETATION

Citation and Commencement.

1. (1) These Regulations may be cited as the European Union (Lifts and Safety Components for Lifts) Regulations, 2015.

(2) These Regulations shall come into operation on the 20th April 2016.

Interpretation

2. (1) In these Regulations, except where the context otherwise requires—

"accreditation" means accreditation as defined in point 10 of Article 2 of Regulation (EC) No 765/2008;

"Act of 2005" means the Safety, Health and Welfare at Work Act 2005 (Number 10 of 2005);

"Annex" means an Annex to Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 unless it is indicated that reference to some other Annex otherwise specified is intended;

"Article" means an Article to Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 unless it is indicated that reference to some other Article otherwise specified is intended;

“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;

“the Authority” means the Health and Safety Authority;

“carrier” means a part of the lift by which persons and/or goods are supported in order to be lifted or lowered;

“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;

“conformity assessment” means the process demonstrating whether the essential health and safety requirements of these regulations relating to a lift or a safety component for lifts have been fulfilled;

“conformity assessment body” means a body that performs conformity assessment activities including calibration, testing, certification and inspection;

“the Directive” means Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014;

“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;

“economic operators” means the installer, the manufacturer, the authorised representative, the importer and the distributor;

“harmonised standard” means harmonised standard as defined in point (c) of point 1 of Article 2 of Regulation (EU) No 1025/2012;

“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;

“impossible” in the context of prior approval for reduced headroom lifts is taken to mean that it is not possible using the most up to date engineering practice to install the required refuge space without having to cut through the existing foundations of the building or breach requirements related to heritage preservation;

“inspector” means a person authorised in accordance with Regulation 19(3);

“installer” means the natural or legal person who takes responsibility for the design, manufacture, installation and placing on the market of the lift;

“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;

"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;

"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 trademark;

"the Minister" means the Minister for Jobs, Enterprise and Innovation;

"model lift" means a representative lift whose technical documentation shows the way in which the essential health and safety requirements set out in Schedule 1 will be met for lifts which conform to the model lift defined by objective parameters and which uses identical safety components for lifts;

"national accreditation body" means national accreditation body as defined in point 11 of Article 2 of Regulation (EC) No 765/2008, in this instance means the Irish National Accreditation Board(INAB);

"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;

"technical specification" means a document that prescribes technical requirements to be fulfilled by a lift or a safety component for lifts;

"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;

"Union harmonisation legislation" means any Union legislation harmonising the conditions for the marketing of products;

"withdrawal" means any measure aimed at preventing a safety component for lifts in the supply chain from being made available on the market;

(2) A word or expression that is used in these Regulations and is also used in the Directive has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Directive.

(3) In these Regulations—

(a) A reference to a Regulation or a Schedule is a reference to a Regulation of or a Schedule to these Regulations unless it is indicated that reference to some other Regulations is intended,

(b) A reference to a paragraph or a subparagraph is a reference to the paragraph or the subparagraph of the provision in which the reference occurs unless it is indicated that reference to some other provision is intended,

(c) A reference to an Annex is a reference to an Annex to the Directive unless it is indicated that reference to some other Annex is intended, and

(d) a reference to an Article is a reference to an Article to the Directive unless it is indicated that reference to some other Article is intended.

Application.

3. (1) These Regulations 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.

(2) These Regulations shall also apply to the safety components for lifts listed in Schedule 3 for use in the lifts referred to in the first subparagraph.

(3) These Regulations 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.

Exception for Trade Fairs, Exhibitions, Demonstrations

4. A person may not show a lift or lift safety component, that are not in conformity with the Directive at trade fairs, exhibitions and demonstrations, unless—

(a) a clearly visible sign is displayed indicating—

(i) that the products concerned do not comply withthe Directive, and

(ii) that the products concerned are not available for sale until they are brought into conformity withthe Directive,

and

(b) appropriate safety measures are observed at the trade fair, exhibition or demonstration concerned.

PART 2

OBLIGATIONS OF ECONOMIC OPERATORS

Essential Health and Safety Requirements

5. (1) Lifts covered by these Regulations shall satisfy the essential health and safety requirements set out in Schedule 1.

(2) Safety components for lifts covered by these Regulations shall satisfy the essential health and safety requirements set out in Schedule 1 and enable the lifts in which they are incorporated to satisfy those requirements.

Buildings or Constructions in which Lifts are Installed or Prior Approval for Existing Buildings

6. (1) A person shall not affix or cause to be affixed piping, wiring or fittings in a lift shaft other than piping, wiring or fittings required for the proper operation and safety of a lift operating in the lift shaft or the safety of persons using such lift.

(2) A person shall apply to the Minister for prior approval to install a lift in an existing building with reduced headroom where it is impossible to have a refuge space beyond the exteme positions

(Section 2.2 of Schedule 1). The person must have the approval of the Minister in writing before any work is undertaken with regard to the installation of a lift.

Obligation of Installers

7. (1) When placing a lift on the market , an installer shall ensure that it has been designed, manufactured, installed and tested in accordance with the essential health and safety requirements set out in Schedule 1

(2) (a) An installers shall draw up the technical documentation and carry out the relevant conformity assessment procedure referred to in Regulation 16 of these Regulations or have it carried out.

(b) Where compliance of the lift with the applicable essential health and safety requirements has been demonstrated by that procedure, the installer shall draw up an EU declaration of conformity, ensure that it accompanies the lift, and affix the CE marking.

(3) An installer shall keep the technical documentation, the EU declaration of conformity and, where applicable, the approval decision(s) for 30 years after the lift has been placed on the market.

(4) When deemed appropriate by the Authority or a market surveillance authority in another Member State with regard to the risks presented by a lift, an installer shall, to protect the health and safety of consumers, investigate, and, if necessary, keep a register of complaints**,** and of non-conforming lifts.

(5) An installer shall ensure that a lift bears a type, batch or serial number or other element allowing their identification.

(6) An installer shall indicate, on the lift, their name, registered trade name or registered trade mark and the postal address at which they can be contacted. The address shall indicate a single point at which the installer can be contacted. The contact details shall be in English.

(7) An installer shall ensure that the lift is accompanied by the instructions referred to in point 6.2 of Schedule 1 in English. Such instructions, as well as any labelling, shall be clear, understandable and intelligible.

(8) An installer who considers or has reason to believe that a lift which they have placed on the market is not in conformity with these Regulations shall immediately take the corrective measures necessary to bring that lift into conformity. Furthermore, where the lift presents a risk, installers shall immediately inform the Authority, giving details, in particular, of the non-conformity and of any corrective measures taken.

(9) An installer shall, further to a reasoned request from the Authority, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of the lift with these Regulations, in English. An installer shall cooperate with the Authority, at its request, on any action taken to eliminate the risks posed by lifts which they have placed on the market.

(10) An installer shall hand over a copy of the technical documentaion, the EU declaration of conformity and where applicable, the approval decisions to the lift owner on putting the lift into service.

Obligation of Manufacturers of Safety Components for Lifts

8. (1) When placing their safety components for lifts on the market, a manufacturer shall ensure that they have been designed and manufactured in accordance with the essentail health and safey requirements set out in Schedule 1 and enable lifts in which they are incorporated to satisfy those requirements.

(2) A manufacturer shall draw up the required technical documentation and carry out the relevant conformity assessment procedure referred to in Regulation 15 or have it carried out. Where compliance of a safety component for lifts with the applicable essential health and safety requirements has been demonstrated by that procedure, a manufacturer shall draw up an EU declaration of conformity, ensure that it accompanies the safety component for lifts and affix the CE marking.

(3) A manufacturer shall keep the technical documentation, the EU declaration of conformity and, where applicable, the approval decision(s) for 10 years after the safety component for lifts has been placed on the market.

(4) A manufacturer shall ensure that procedures are in place for series production to remain in conformity with these Regulations. Changes in product design or characteristics and changes in the harmonised standards or in other technical specifications by reference to which conformity of a safety component for lifts is declared shall be adequately taken into account.

(5) When deemed appropriate including when indicated by the Authority or a market surveillance authority in another Member State, with regard to the risks presented by a safety component for lifts, a manufacturer shall, to protect the health and safety of consumers, carry out sample testing of safety component for lifts made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming safety components for lifts and recalls of the safety components for lifts, and shall keep distributors and installers informed of any such monitoring.

(6) A manufacturer shall ensure that safety components for lifts which they have placed on the market bear a type, batch or serial number or other element allowing their identification, or, where the size or nature of the safety component for lifts does not allow it, that the required information is provided on the label referred to in Regulation 19 (1).

(8) A manufacturer shall indicate on the safety component for lifts, their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where that is not possible, on the label referred to in Regulation 19 (1). The address shall indicate a single point at which the manufacturer can be contacted. The contact details shall be in a language easily understood by end-users and the competent national authority where the product is to be put on the market.

(9) A manufacturer shall ensure that the safety component for lifts is accompanied by the instructions referred to in point 6.1 of Schedule 1 of these Regulations, in a language easily understood by end-users and the competent national authority where the product is to be put on the market. Such instructions, as well as any labelling, shall be clear, understandable and intelligible.

(10) A manufacturer who considers or has reason to believe that a safety component for lifts which they have placed on the market is not in conformity with these Regulations or the Directive shall immediately take the corrective measures necessary to bring that safety component for lifts into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the safety component for lifts presents a risk, a manufacturer shall immediately inform the Authority and the competent national authorities in other Member States in which it made the product available on the market, giving details, in particular, of the non-conformity and of any corrective measures taken.

(11) A manufacturer shall, further to a reasoned request from the Authority or a competent national authority in another Member State in which it has made the product available on the market, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of the safety components for lifts with these Regulations, in a language easily understood by that authority. They shall cooperate with that Authority, at its request, on any action taken to eliminate the risks posed by safety components for lifts which they have placed on the market.

Authorised Representatives

9. (1) A manufacturer or an installer may, by a written mandate, appoint an authorised representative. The obligations laid down in Regulations 7 (1) and 8(1) and the obligation to draw up technical documentation referred to in Regulation 7 (2) or 8 (2), shall not form part of the authorised representative's mandate.

(2) An authorised representative shall perform the tasks specified in the mandate received from the manufacturer or the installer. The mandate shall allow the authorised representative to do at least the following:

(a) keep the EU declaration of conformity and, where applicable, of the approval decision(s) relating to the manufacturer's or the installer's quality system, and the technical documentation at the disposal of the Authority for 10 years after the safety

component for lifts or the lift has been placed on the market or in the case of an installed lift 30 years after it has been put into service

(b) further to a reasoned request from the Authority or a competent national authority in another Member State, provide that Authority with all the information and documentation necessary to demonstrate the conformity of the safety components for lifts or the lift;

(c) cooperate with the Authority or a competent national authority in another Member State, at their request, on any action taken to eliminate the risks posed by the safety component for lifts or the lift covered by the authorised representative's mandate.

Obligations of Importers

10 (1) An importers shall place only compliant safety components for lifts on the market.

(2) Before placing a safety component for lifts on the market, an importer shall ensure that the appropriate conformity assessment procedure referred to in Regulation 15 has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation, that the safety component for lifts bears the CE marking and is accompanied by the EU declaration of conformity and the required documents**,** and that the manufacturer has complied with the requirements set out in Regulations 8(5) and (6). Where an importer considers or has reason to believe that a safety component for lifts is not in conformity with Regulation 5(2), he shall not place the safety component for lifts on the market until it has been brought into conformity. Furthermore, where the safety component for lifts presents a risk, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

(3) An importer shall indicate on the safety component for lifts their name, registered trade name or registered trade mark and the postal address at which they can be contacted or, where that is not possible, on its packaging or in a document accompanying the safety component for lifts. The contact details shall be in a language easily understood by end-users and market surveillance authorities.

(4) An importer shall ensure that the safety component for lifts is accompanied by the instructions referred to in point 6.1 of Schedule1 of these Regulations, in English.

(5) An importer shall ensure that, while a safety component for lifts is under their responsibility, its storage or transport conditions do not jeopardise its compliance with the essential health and safety requirements referred to in Regulation 5(2) of these Regulations.

(6) When deemed appropriate including by the Authority or a market surveillance authority in another Member State ,with regard to the risks presented by a safety component for lifts, an importer shall, to protect the health and safety of consumers, carry out sample testing of safety components for

lifts made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming safety components for lifts and recalls of safety components for lifts, and shall keep distributors and installers informed of any such monitoring.

(7) An importer who considers or has reason to believe that a safety component for lifts which they have placed on the market is not in conformity with these Regulations shall immediately take the corrective measures necessary to bring that safety component for lifts into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the safety component for lifts presents a risk, an importer shall immediately inform the Authority and any other competent national authority in another Member State in which it made the product available on the market, giving details, in particular, of the non-compliance and of any corrective measures taken.

(8) An importer shall, for 10 years after the safety component for lifts has been placed on the market, keep a copy of the EU declaration of conformity and, where applicable, of the approval decision(s) at the disposal of the Authority and ensure that the technical documentation can be made available to the Authority, upon request.

(9) An importer shall, further to a reasoned request from the Authority or a competent national authority in another Member State, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of a safety component for lifts in English or a language easily understood by the relevant competent national authority . They shall cooperate with the Authority or competent national authority in another Member State, at its request, on any action taken to eliminate the risks posed by safety components for lifts which they have placed on the market.

Obligations of Distributors

11. (1) When making a safety component for lifts available on the market a distributor shall act with due care in relation to the requirements of these Regulations.

(2) Before making a safety component for lifts available on the market, a distributor shall verify that the safety component for lifts bears the CE marking, that it is accompanied by the EU declaration of conformity, by the required documents and by the instructions referred to in point 6.1 of Schedule 1, in English and that the manufacturer and the importer have complied with the requirements set out in Regulation 8(5) and (6), and Regulation 10(3), respectively. Where a distributor considers or has reason to believe that a safety component for lifts is not in conformity with Regulation 5(2), he shall not make the safety component for lifts available on the market until it has been brought into conformity. Furthermore, where the safety component for lifts presents a risk, the distributor shall inform the manufacturer or the importer to that effect as well as the Authority.

(3) A distributor shall ensure that, while a safety component for lifts is under their responsibility, its storage or transport conditions do not jeopardise its compliance with Regulation 5(2).

(4) A distributor who considers or has reason to believe that a safety component for lifts which they have made available on the market is not in conformity with this Directive shall make sure that the corrective measures necessary to bring that safety component for lifts into conformity, to withdraw it or recall it, if appropriate, are taken. Furthermore, where the safety component for lifts presents a risk, the distributor shall immediately inform the Authority, giving details, in particular, of the non-compliance and of any corrective measures taken.

(5) A distributor shall, further to a reasoned request from the Authority or a competent national authority in another Member State, provide it with all the information and documentation in paper or electronic form necessary to demonstrate the conformity of a safety component for lifts. They shall cooperate with that Authority, at its request, on any action taken to eliminate the risks posed by safety components for lifts which they have made available on the market.

Cases in Which Obligations of Manufacturers Apply to Importers and Distributors

12. An importer or distributor shall be considered a manufacturer for the purposes of these Regulations and shall be subject to the obligations of the manufacturer under Regulation 8, where he places a product on the market under his name or trade mark or modifies a product already placed on the market in such a way that compliance with these Regulations may be affected.

Identification of Economic Operators

13. (1) Economic operators shall, on request, identify the following to the Authority:

(a) any economic operator who has supplied them with a lift or safety component for a lift

(b) any economic operator to whom they have supplied a lift or safety component for a lift.

(2) Economic operators shall be able to present the information referred to in the first paragraph for 10 years after they have been supplied with the product

PART 3

CONFORMITY OF PRODUCTS.

Lifts or safety components for lifts in conformity with a harmonised standard

14. A lift or safety component for a lift that are in conformity with a harmonised standard, the references to which have been published in the Official Journal of the European Union, shall be presumed to comply with the essential health and safety requirements covered by such a harmonised standard unless there are reasonable indications that the said product does not comply.

Conformity Assessment Procedures for Safety Components for Lifts

15. (1) Safety components for lifts shall be subject to one of the following conformity assessment procedures:

(a) the model of the safety component for lifts shall be submitted for EU type examination set out in Schedule 4 Part A and the conformity to type shall be ensured with random checking of the safety component for lifts set out in Schedule 9;

(b) the model of the safety component for lifts shall be submitted for EU type examination set out in Schedule 4 Part A and be subject to conformity to type based on product quality assurance in accordance with Schedule 6;

(c) conformity based on full quality assurance set out in Schedule 7.

Conformity Assessment Procedures for Lifts

16. (1) Lifts shall be subject to one of the following conformity assessment procedures:

(a) if they are designed and manufactured in accordance with a model lift that has undergone an EU-type examination set out in in Schedule 4 Part B of these Regulations:

(i) final inspection for lifts set out in Schedule 5;

(ii) conformity to type based on product quality assurance for lifts set out in Schedule 10;

(iii) conformity to type based on production quality assurance for lifts set out in Schedule 12;

(b) if they are designed and manufactured under a quality system approved in accordance with Schedule 11:

(i) final inspection for lifts set out in Schedule 5;

(ii) conformity to type based on product quality assurance for lifts set out in Schedule 10;

(iii) conformity to type based on production quality assurance for lifts set out in Schedule 12;

(c) conformity based on unit verification for lifts set out in Schedule 13;

(d) conformity based on full quality assurance for lifts set out in Schedule 11.

(2) In the cases referred to in points (a) and (b) of paragraph (1), where the person responsible for the design and manufacture of the lift and the person responsible for the installation and testing of the lift are not the same, the former shall supply to the latter all the necessary documents and information to enable the latter to ensure correct and safe installation and testing of the lift.

(3) All permitted variations between the model lift and the lifts forming part of the lifts derived from the model lift shall be clearly specified (with maximum and minimum values) in the technical documentation.

(4) By calculation and/or on the basis of design plans it is permitted to demonstrate the similarity of a range of equipment to satisfy the essential health and safety requirements set out in Schedule 1 of these Regulations.

EU Declaration of Conformity

17. (1) The EU declaration of conformity shall state that the fulfilment of the essential health and safety requirements set out in Schedule 1 has been demonstrated.

(2) The EU declaration of conformity shall have the model structure set out in Schedule 2 shall contain the elements specified in the relevant Schedules 5 to 12, and shall be continuously updated. It shall be translated into English.

(3) Where a lift or a safety component for lifts is subject to more than one Union act requiring an EU declaration of conformity, a single EU declaration of conformity shall be drawn up in respect of all such Union acts. That declaration shall contain the identification of the Union acts concerned including their publication references.

(4) By drawing up the EU declaration of conformity, the manufacturer shall assume responsibility for the compliance of the safety component for lifts and the installer shall assume responsibility for the compliance of the lift with the requirements laid down in these Regulations.

General Principles of the CE Marking

18. The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

Rules and Conditions for Affixing CE Marking and other Markings

19. (1) The CE marking shall be affixed visibly, legibly and indelibly to each lift car and to each safety component for lifts or, where that is not possible, on a label inseparably attached to the safety component for lifts.

(2) The CE marking shall be affixed before the lift or the safety component for lifts is placed on the market.

(3) The CE marking on lifts shall be followed by the identification number of the notified body involved in any of the following conformity assessment procedures:

(a) the final inspection referred to in Schedule 5;

(b) unit verification, referred to in Schedule 8

(c) quality assurance referred to in Schedules 10, 11 or 12.

(4) The CE marking on safety components for lifts shall be followed by the identification number of the notified body involved in any of the following conformity assessment procedures:

(a) product quality assurance referred to in Schedule 6;

(b) full quality assurance referred to in Schedule 7;

(c) conformity to type with random checking for safety components for lifts referred to in Schedule 9.

(5) The identification number of the notified body shall be affixed by the body itself or, under its instructions, by the manufacturer or his authorised representative or by the installer or his authorised representative. The CE marking and the identification number of the notified body may be followed by any other mark indicating a special risk or use.

PART 4

NOTIFICATION OF CONFORMITY ASSESSMENT BODIES

Notification of Conformity Assessment Bodies

20. The Minister shall notify the Commission and the other Member States of bodies authorised to carry out third party conformity assessment tasks under these Regulations.

Designation of Minister as the Notifying Authority

21. (1) The Minister is designated as the notifying authority that shall be responsible for setting up and carrying out the necessary procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, including compliance with Regulation 27.

(2) The Minister may decide that the assessment and monitoring referred to in paragraph (1) shall be carried out by the national accreditation body within the meaning of and in accordance with Regulation (EC) No 765/2008.

Requirements relating to Notifying Authorities

22. Where the Minister delegates or otherwise enthrusts the assessment, notification or monitoring to a body referred to in Regulation 24(3), that body shall -

(a) be established in such a way that no conflict of interest with conformity assessment bodies occurs;

(b) be organised and operated so as to safeguard the objectivity and impartiality of its activities;

(c) be organised in such a way that each decision relating to notification of a conformity assessment body is taken by competent persons different from those who carried out the assessment;

(d) not offer or provide any activities that conformity assessment bodies perform or consultancy services on a commercial or competitive basis;

(e) safeguard the confidentiality of the information it obtains;

(f) have a sufficient number of competent personnel at its disposal for the proper performance of its tasks.

Informational Obligations on Notifying Authorities

23. The Minister shall inform the Commission of their procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, and of any changes thereto.

Requirements relating to Notified Bodies

24. (1) For the purposes of notification, a conformity assessment body shall meet the requirements laid down in paragraphs (2) to (11).

(2) A conformity assessment body shall be established under national law of a Ireland and have legal personality.

(3) A conformity assessment body shall be a third-party body independent of the organisation or the lifts or safety components for lifts it assesses. A body belonging to a business association or professional federation representing undertakings involved in the design, manufacturing, provision, assembly, use or maintenance of lifts or safety components for lifts which it assesses, may, on condition that its independence and the absence of any conflict of interest are demonstrated, be considered such a body.

(4) A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer**,** purchaser, owner, user or maintainer of lifts or safety components for lifts which they assess, nor the representative of any of those parties, subject to the following criteria -

(a) this shall not preclude the use of assessed lifts or safety components for lifts that are necessary for the operations of the conformity assessment body or the use of such lifts or safety components for lifts for personal purposes;

(b) this does not preclude the possibility of exchange of technical information between the manufacturer or the installer and the body;

(c) a conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be directly involved in the design, manufacture or construction, the marketing, installation, use or maintenance of those lifts or safety components for lifts, or represent the parties engaged in those activities;

(d) they shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities for which they are notified. This shall in particular apply to consultancy services;

(e) a conformity assessment body shall ensure that the activities of its subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of its conformity assessment activities.

(5) A conformity assessment body and its personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and the requisite technical competence in the specific field and shall be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of their conformity assessment activities, especially as regards persons or groups of persons with an interest in the results of those activities.

(6) A conformity assessment body shall –

(a) be capable of carrying out all the conformity assessment tasks assigned to it by Schedule 4 to 12 and in relation to which it has been notified, whether those tasks are carried out by the conformity assessment body itself or on its behalf and under its responsibility. At all times and for each conformity assessment procedure and each kind or category of lifts or safety components for lifts in relation to which it has been notified, a conformity assessment body shall have at its disposal the necessary:

(i) personnel with technical knowledge and sufficient and appropriate experience to perform the conformity assessment tasks;

(ii) descriptions of procedures in accordance with which conformity assessment is carried out, ensuring the transparency and the ability of reproduction of those procedures. It shall have appropriate policies and procedures in place that distinguish between tasks it carries out as a notified body and other activities;

(iii) procedures for the performance of activities which take due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of product technology in question and the mass or serial nature of the production process.

(b) have the means necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner and shall have access to all necessary equipment or facilities.

(7) The personnel responsible for carrying out conformity assessment tasks shall have the following:

(a) sound technical and vocational training covering all the conformity assessment activities for which the conformity assessment body has been notified;

(b) satisfactory knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;

(c) appropriate knowledge and understanding of the essential health and safety requirements set out in Schedule 1, of the applicable harmonised standards and of the relevant provisions of Union harmonisation legislation and of its relevant national legislation;

(d) the ability to draw up certificates, records and reports demonstrating that assessments have been carried out.

(8) The impartiality of the conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall be guaranteed. The

remuneration of the top level management and personnel responsible for carrying out the conformity assessment tasks of the conformity assessment body shall not depend on the number of assessments carried out or on the results of those assessments.

(9) Conformity assessment bodies shall take out liability insurance unless liability is assumed by the Minister in accordance with national law or the the Minister himself or herself is directly responsible for the conformity assessment.

(10) The personnel of a conformity assessment body shall observe professional secrecy with regard to all information obtained in carrying out their tasks under Schedule 4 to 12, except in relation to the Authority. Proprietary rights shall be protected.

(11) Conformity assessment bodies shall participate in, or ensure that their personnel responsible for carrying out the conformity assessment tasks are informed of, the relevant standardisation activities, as well as the activities of the Coordination Group of Notified Bodies for Lifts. Conformity assessment bodies shall apply as general guidance the administrative decisions and documents produced as a result of the work of that group.

Presumption of conformity of notified bodies

25. Where a conformity assessment body demonstrates its conformity with the criteria laid down in the relevant harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union it shall be presumed to comply with the requirements set out in Regulation 24, in so far as the applicable harmonised standards cover those requirements.

Subsidiaries of and subcontracting by Notified Bodies

26. (1) Where a notified body subcontracts specific tasks connected with conformity assessment or has recourse to a subsidiary, it shall ensure that the subcontractor or the subsidiary meets the requirements set out in Regulation 24 and shall inform the notifying authority accordingly.

(2) Notified bodies shall take full responsibility for the tasks performed by subcontractors or subsidiaries wherever these are established.

(3) Activities may be subcontracted or carried out by a subsidiary only with the agreement of the client.

(4) Notified bodies shall keep at the disposal of the notifying authority the relevant documents concerning the assessment of the qualifications of the subcontractor or the subsidiary and the work carried out by them under Schedule 4 to 12.

Application for Notification

27. (1) A conformity assessment body shall submit an application for notification to the Minister.

(2) The application for notification shall be accompanied by a description of the conformity assessment activities, the conformity assessment procedure or procedures and the lifts or safety components for lifts for which the body claims to be competent, as well as by an accreditation certificate, where one exists, issued by a national accreditation body attesting that the conformity assessment body fulfils the requirements laid down in Regulation 24

Notification Procedure

28. (1) The Minister may notify only conformity assessment bodies which have satisfied the requirements laid down in Regulation 24.

(2) The Minister shall notify the Commission and the other Member States using the electronic notification tool developed and managed by the Commission.

(3) The notification shall include full details of the conformity assessment activities, the conformity assessment procedure or procedures and the lifts or the safety components for lifts concerned, and the relevant attestation of competence.

(4) The body concerned may perform the activities of a notified body only where no objections are raised by the Commission or the other Member States within two weeks of a notification where an accreditation certificate is used or within two months of a notification where accreditation is not used. Only such a body shall be considered a notified body for the purposes of these Regulations.

(5) The Minister shall notify the Commission and the other Member States of any subsequent relevant changes to the notification.

Changes to Notification

29. (1) Where the Minister has ascertained or has been informed that a notified body no longer meets the requirements laid down in Regulation 24, or that it is failing to fulfil its obligations, the Minister shall restrict, suspend or withdraw notification as appropriate, depending on the seriousness of the failure to meet those requirements or fulfil those obligations, and shall immediately inform the Commission and the other Member States accordingly.

(2) In the event of restriction, suspension or withdrawal of notification, or where the notified body has ceased its activity, the Minister shall take appropriate steps to ensure that the files of that body are either processed by another notified body or kept available for the responsible notifying and market surveillance authorities at their request.

Operational Obligations of notified bodies

30. (1) Notified bodies shall carry out conformity assessments in accordance with the conformity assessment procedures provided for in Regulations 15 and 16.

(2) Conformity assessments shall be carried out in a proportionate manner, avoiding unnecessary burdens for economic operators. Notified bodies shall perform their activities taking due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of lift or safety component for lifts technology in question and the mass or serial nature of the production process. In so doing they shall nevertheless respect the degree of rigour and the level of protection required for the compliance of the lifts or the safety components for lifts with these Regulations.

(3) Where a notified body finds that the essential health and safety requirements of these Regulations or corresponding harmonised standards or other technical specifications have not been met by an installer or a manufacturer, it shall require the installer or the manufacturer to take appropriate corrective measures and shall not issue a certificate.

(4) Where, in the course of the monitoring of conformity following the issue of a certificate or an approval decision, as appropriate, a notified body finds that a lift or a safety component for lifts no longer complies, it shall require the installer or the manufacturer to take appropriate corrective measures and shall suspend or withdraw the certificate or the approval decision if necessary.

(5) Where corrective measures are not taken or do not have the required effect, the notified body shall restrict, suspend or withdraw any certificates or approval decision(s), as appropriate.

Appeals against decisions of notified bodies

31. (1) If an economic operator feels aggrieved by a decision of a notified body, the that operator can appeal that decision to the Minister.

(2) The economic operator must apply in writing to the Minister within 4 weeks of the decision of the notified body.

(3) The Minister can uphold or overturn the decision of the notified body as he/she see fit.

Information Obligation on Notified Bodies

32. (1) Notified bodies shall inform the Minister of the following:

(a) any refusal, restriction, suspension or withdrawal of a certificate or approval decision;

(b) any circumstances affecting the scope of or conditions for notification;

(c) any request for information which they have received from the Authority regarding conformity assessment activities;

(d) on request, conformity assessment activities performed within the scope of their notification and any other activity performed, including cross-border activities and subcontracting.

(2) Notified bodies shall provide the other bodies notified under these Regulations or the Directive carrying out similar conformity assessment activities covering similar lifts or safety components for lifts with relevant information on issues relating to negative and, on request, positive conformity assessment results.

PART 5

MARKET SURVEILLANCE AND INSPECTIONS

Market Surveillance Authority

33. (1) The Health and Safety Authority shall be the market surveillance authority for products within the scope of these Regulations.

(2) The Authority shall perform its market surveillance duties in accordance with Article 37 of the Directive.

(3) A person who for the time being stands appointed as an inspector under section 62 of the Act of 2005 shall be an inspector for the purpose of these Regulations and the Directive.

(4) An inspector shall, when exercising any power conferred on him or her by these Regulations, if requested to do so by any person affected, produce the certificate of authorisation or a copy of it furnished to him or her under section 62(2) of the Act of 2005 together with a form of personal identification.

Inspections and Surveillance

34. While carrying out surveillance of lifts and safety componebts for lifts made available on the market the Authority shall take due account of the presumption of the conformity of products bearing a CE marking unless there are reasonable indications that the said product does not comply.

Powers of Inspectors

35. (1) An inspector shall, for the purposes of these Regulations, have power to do any one or more of the following:

(a) subject to paragraph (4), at any time enter, inspect, examine and search any place;

(b) inquire into, search, examine and inspect—

(i) any place referred to in subparagraph (a),

(ii) any activity, installation, process, procedure, matter or thing at or

in that place, and

(iii) any product or any record relating to such product, to ascertain whether these Regulations have been or are being complied with and, for that purpose, take with him or her and use any equipment or materials he or she consider necessary;

(c) require that that place and anything at or in it be left undisturbed for so long as is reasonably necessary for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;

(d) require the person in charge to produce to the inspector—

(i) any product or partly completed product which is in the possession or under the control of such person, and

(ii) any records, and in the case of such information in a non-legible form, to reproduce it in a legible form, and to give to the inspector such information as the inspector may reasonably require in relation to any entries in those records;

(e) inspect and take copies of or extracts from any such records or any electronic information system at that place, including in the case of information in a non-legible form, copies of or extracts from such information in a permanent legible form or require that such copies be provided;

(f) require a person at or in that place by whom or on whose behalf a computer is or has been used to produce or store records or any person having control of, or otherwise

concerned with the operation of the computer, to afford the inspector access thereto and all reasonable assistance as the inspector may require;

(g) remove from that place and retain the records (including documents stored in a non-legible form) and copies taken and detain the records for such period as the inspector reasonably considers to be necessary for further examination or until the conclusion of any legal proceedings;

(h) require that records at or in that place be maintained for such period as may be reasonable;

(i) require the person in charge to give the inspector such information as the inspector may reasonably require for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;

(j) require the person in charge to give the inspector such assistance and facilities within the person's power or control as are reasonably necessary to enable the inspector to exercise any of his or her powers under these Regulations;

(k) require by notice, at a time and place specified in the notice, any person (including the person in charge) to give the inspector any information that the inspector may reasonably require in relation to the place, any product, equipment, item, activity, installation or procedure at or in the place, and to produce to the inspector any records that are under that person's power or control;

(l) examine any person whom the inspector reasonably believes to be able to give to the inspector information relevant to any search, examination, investigation, inspection or inquiry under these Regulations and require the person to answer such questions as the inspector may ask relative to the search, examination, investigation, inspection or inquiry and to sign a declaration of the truth of the answers;

(m) require that any procedure be followed for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;

(n) take any measurements or photographs or make any tape, electrical or other recordings that the inspector considers necessary for the purposes of any search, examination, investigation, inspection or inquiry under these Regulations;

(o) take samples of air, soil, water or waste at or near that place;

(p) where appropriate, install, use and maintain at that place monitoring instruments, systems and seals for the purposes of these Regulations;

(q) at that place, or at any other location, carry out, or have carried out, such testing, examination or analysis of any item or product found at that place, as he or she reasonably considers to be necessary, and for that purpose—

(i) require the person in charge to supply to the inspector without charge any product, equipment or item, or samples thereof, or

(ii) remove, or have removed, to another location, any product, equipment or item, or samples thereof;

(r) cause any product found at that place in respect of which there has been or there appears to the inspector to have been a contravention of these Regulations, to be subjected to any testing, examination or analysis in accordance with subparagraph (q) (but not so as to damage or destroy it unless necessary for the purposes of these Regulations) and where an inspector proposes to exercise the power conferred by this subparagraph in the case of any such li found at any place, he or she shall, if so requested by the person in charge, cause anything that is to be done by virtue of that power to be done in the presence of that person;

(s) remove and retain for such period as is necessary any product, equipment or item found at that place for all or any of the following purposes:

(i) to examine or arrange for the examination, testing or analysis of the product, equipment or item;

(ii) to ensure that it is not tampered with before the examination of it under subparagraph (i) is completed;

(iii) to ensure that it is available for use as evidence in any proceedings;

(t) where necessary—

(i) require the disposal or destruction of any product in respect of which there has been or there appears to the inspector to have been a contravention of these Regulations at the expense of the person in charge, or remove that product and arrange for it to be disposed or destroyed of at the expense of the person in charge, and

(ii) require that such disposal or destruction shall be—

(I) such as will prevent the product from being used or placed on the market, and

(II) in compliance with requirements under the Waste Management Acts 1996 to 2003;

(u) require the removal from the market of a product by the person who has placed that product on the market, where it appears to the inspector that, in relation to that, these Regulations have been contravened.

(2) Where a product is found at a place, and an inquiry is made by an inspector in the course of a search, examination, investigation or inspection as to the identity of the person who supplied that product, the person in charge shall give the inspector the name and address of the supplier from whom the product was purchased or otherwise obtained.

(3) Before exercising any of the powers conferred by subparagraphs (q) to (t) of paragraph (1), an inspector shall, in so far as it is practicable, consult such persons as appear to him or her to be appropriate for the purpose of ascertaining what dangers, if any, there may be in doing what he or she proposes to do under those subparagraphs.

(4) An inspector shall not enter a dwelling other than—

(a) with the consent of the occupier, or

(b) in accordance with a warrant of the District Court issued under paragraph (7) authorising such entry.

(5) The Authority may authorise such and so many other persons as it considers appropriate to accompany an inspector in the performance of his or her functions.

(6) Where an inspector in the exercise of his or her powers under this Regulation is prevented from entering any place, an application may be made to the District Court for a warrant under paragraph (7) authorising such entry.

(7) Without prejudice to the powers conferred on an inspector by or under any other provision of this Regulation, if a judge of the District Court is satisfied by information on oath of an inspector that there are reasonable grounds for believing that—

(a) there is any product, equipment or item at any place or any records (including documents stored in a non-legible form) or information, relating to a place or to a product, that the inspector requires to inspect for the purposes of these Regulations, held at any place, or

(b) there is, or such an inspection is likely to disclose, evidence of a contravention of these Regulations,

the judge may issue a warrant authorising an inspector, accompanied by such other inspectors or such other competent persons as may be appropriate or members of the Garda Síochána as may be necessary, at any time or times, within one month from the date of issue of the warrant, on production

of the warrant if requested, to enter the place, if necessary by the use of reasonable force, and perform the functions conferred on an inspector by or under these Regulations.

(8) Where an inspector has reasonable grounds for apprehending any serious obstruction in the performance of his or her functions or otherwise considers it necessary, he or she may be accompanied by a member or members of the Garda Síochána and by any other person or persons authorised by the Authority, when performing any functions conferred on him or her by or under these Regulations.

(9) Where an inspector, upon reasonable grounds, believes that a person has committed an offence under these Regulations he or she may require that person to provide him or her with the person's name and the address at which the person ordinarily resides.

(10) A statement or admission made by a person pursuant to a requirement under subparagraph (i), (k) or (l) of paragraph (1) shall not be admissible in proceedings brought against that person for an offence (other than an offence under Regulation 29 (4) relating to a breach of, or failure to comply with, an obligation in the said subparagraph (i), (k) or (l))

Measures Entailing Refusal or Restriction

36. An Inspector who is of the opinion that a person has not complied with the adminstrative requirements -

(a) the CE marking has been affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of Regulation 19 of these Regulations;

(b) the CE marking has not been affixed;

(c) the identification number of the notified body has been affixed in violation of Regulation 19, or has not been affixed, where required by Regulation 19;

(d) the EU declaration of conformity has not been drawn up;

(e) the EU declaration of conformity has not been drawn up correctly;

(f) the technical documentation referred to in Schedule 4 Parts A and B, and Schedules 7, 8 and 11 is either not available or not complete;

(g) the name, registered trade name or registered trade mark or the address of the installer, manufacturer or importer has not been indicated in compliance with Regulation7(6), Regulation 8(6) or Regulation 10(3;

(h) the information allowing identification of the lift or the safety component for lifts has not been indicated in compliance with Regulation 7(5) and 8(5); or

(i) the lift or the safety component for lifts is not accompanied by the documents referred to in Regulation 7(7) or Regulation 8(7), or those documents are not in compliance with the applicable requirements,

may issue a direction in writing to put an end to the non-compliance observed within a specified timeframe.

Contravention Notice

37. (1) An inspector who is of the opinion that a person—

(a) is contravening or has contravened any of the provisions of these Regulations, or

(b) has failed to comply with a direction under Regulation 36**,**

may serve a notice (in these Regulations referred to as a "contravention notice") on the person who has or may reasonably be presumed to have control of the activity concerned.

(2) A contravention notice shall—

(a) state that the inspector is of the opinion referred to in paragraph (1),

(b) specify the grounds for the inspector being of the opinion referred to in paragraph (1) and specify the Regulation or Regulations concerned,

(c) identify the relevant provision in respect of which that opinion is held,

(d) direct the person, where required, to—

(i) remedy the contravention or the matters occasioning that notice,

(ii) remove a product from the market,

(iii) recall the product,

(iv) dispose the product,

(v) destroy the product,

by a date specified in the notice that shall not be earlier than the end of the period within which an appeal may be made under paragraph (6),

(e) include information regarding the making of an appeal under Regulations 38(1) and 38(2),

(f) include any other requirement that the inspector considers appropriate,

(g) state that if the person to whom the notice is addressed fails to take such measures as are specified in the notice within the time period specified in that notice, that person commits an offence, and

(h) be signed and dated by the inspector.

(3) A contravention notice may include directions—

(a) as to the measures to be taken to remedy any contravention or matter to which the notice relates, or to otherwise comply with the notice, and

(b) to bring the notice to the attention of any person who may be affected by it, or to the public generally.

(4) A person on whom a contravention notice has been served who is of the opinion that the contravention notice has been complied with shall confirm in writing to the inspector that the matters referred to in the notice have been so remedied.

(5) Where a person on whom a contravention notice has been served confirms in writing to the inspector in accordance with paragraph (4) that the matters referred to in the contravention notice have been remedied, the inspector shall, on being satisfied that the matters have been so remedied, within one month of receipt of such confirmation, give notice to the person concerned of compliance with the contravention notice.

(6) An inspector may—

(a) withdraw or amend a contravention notice at any time, or

(b) where no appeal is made or pending under Regulation 38(1), extend the period specified under paragraph (2) (d).

(7) Where there is no appeal under Regulation 38(1), the contravention notice shall take effect on the later of—

(a) the end of the period for making an appeal, or

(b) the day specified in the notice.

(8) A person shall comply with a contravention notice under this Regulation,

Appeal against Contravention Notice

38. (1) A person aggrieved by a contravention notice may, within 14 days beginning on the day on which the notice is served on him or her, appeal against the notice to a judge of the District Court in the

district court district in which the notice was served in and, in determining the appeal the judge may, if he or she is satisfied that it is reasonable to do so, confirm, vary or cancel the notice.

(2) A person who appeals under paragraph (1) shall at the same time notify the Authority of the appeal and the grounds for the appeal and the Authority shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(3) Where an appeal under paragraph (1) is taken, and the contravention notice is not cancelled, the notice shall take effect on the later of—

(a) the day next following the day on which the notice is confirmed on appeal or the appeal is withdrawn, or

(b) the day specified in the notice.

(4) Subject to paragraph (5), in the case of a product which the inspector does not consider to present a serious risk requiring rapid intervention as per Article 20 of EU Regulation 765/2008, the intended recipient of a measure referred to in Regulation 37(1) shall have the opportunity to make representations within 10 working days of first been advised of the inspectors intention, to the Authority in advance of the measure being taken.

(5) Where, due to the urgency of the measure referred to in Regulation 37(1), as justified in particular by public health, security or safety requirements, it is not possible to give the person concerned the opportunity to make representations in advance of the measure being taken, the Authority shall give such opportunity, as soon as may be, thereafter.

Prohibition Notice

39. (1) Where an inspector is of the opinion that at any place there is occurring or is likely to occur any activity relating to a product that involves or is likely to involve a serious risk requiring rapid intervention, including a serious risk the effects of which are not immediate, the inspector may serve a notice (in these Regulations referred to as a "prohibition notice") on the person who is or who may reasonably be presumed to be in control of the activity concerned.

(2) A prohibition notice shall—

(a) state that the inspector is of the opinion referred to in paragraph (1),

(b) state the reason for that opinion,

(c) specify the activity in respect of which that opinion is held,

(d) where in the opinion of the inspector the activity involves a contravention, or likely contravention of any provision of the these Regulations, specify the provision,

(e) prohibit the carrying on of the activity concerned until the matters that give rise or are likely to give rise to the risk are remedied,

(f) inform the person concerned that he or she may appeal the prohibition notice to the District Court in accordance with Regulation 40(1),

(g) state that if the person to whom the prohibition notice is addressed fails to comply with the notice within the time period specified in the notice, that person commits an offence.and

(h) be signed and dated by the inspector.

(3) A prohibition notice may include directions—

(a) as to the measures to be taken to remedy any contravention or matter to which the notice relates, or to otherwise comply with the notice, and

(b) to bring the notice to the attention of any person who may be affected by it, or to the public generally.

(4) A prohibition notice shall take effect—

(a) when the notice is received by the person on whom it is served, or

(b) where an appeal is brought against the prohibition notice, on the day immediately following—

(i) the day on which the notice is confirmed on appeal or the appeal is withdrawn, or

(ii) the day specified in the notice,

whichever occurs later.

(5) A person on whom a prohibition notice has been served who is of the opinion that the matters referred to in the prohibition notice have been remedied by the date specified in the notice shall confirm in writing to the inspector that those matters have been so remedied.

(6) Where a person on whom a prohibition notice has been served confirms in writing to the inspector in accordance with paragraph (5) that the matters referred to in the prohibition notice have been remedied, the inspector shall, on being satisfied that the matters have been so remedied, within one month of receipt of such confirmation, give notice to the person concerned of such compliance with the prohibition notice.

(7) An inspector may at any time withdraw a prohibition notice if—

(a) the inspector is satisfied that the activity to which the notice relates no longer involves a serious risk to safety or health, or

(b) the inspector is satisfied that the notice was issued in error or is incorrect in some material respect.

(8) A person shall comply with a prohibition notice under this Regulation

Appeal against Prohibition Notice

40. (1) A person on whom a prohibition notice is served may, within 7 days beginning on the day on which the notice is served on him or her, appeal against the notice to a judge of the District Court in the district court district in which the notice was served and in determining the appeal the judge may, if he or she is satisfied that it is reasonable to do so, confirm, vary or cancel the notice.

(2) Where, on the hearing of an appeal under this Regulation, a prohibition notice is confirmed, notwithstanding Regulation 40(4), the judge by whom the appeal is heard may, on the application of the appellant, suspend the operation of the prohibition notice for such period as in the circumstances of the case the judge considers appropriate.

(3) A person who—

(a) brings an appeal under paragraph (1), or

(b) applies for the suspension of the operation of a prohibition notice under paragraph (2), shall at the same time notify the Authority of the appeal or the application, and the grounds for the appeal or application.

(4) The bringing of an appeal against a prohibition notice shall not have the effect of suspending the operation of the notice but the appellant may apply to the court to have the operation of the notice suspended until the appeal is disposed of and, on such application, the court may, if it thinks proper to do so, direct that the operation of the notice be suspended until the appeal is disposed of.

Order of the High Court

41. (1) Where a person contravenes a prohibition notice an inspector may apply ex parte to the High Court for an order prohibiting the continued contravention of the notice.

(2) The High Court may, upon an application under this Regulation, order the person on whom the prohibition notice concerned was served to cease doing such acts as the High Court directs.

Notice for information

42. (1) The Authority or a person prescribed under section 33 of the Act of 2005 or an inspector may, by notice (in these Regulations referred to as an "information notice") served on a person, require the person to give to the Authority, within such period and in such form as may be specified in the notice, any information specified in the notice that the Authority or the person prescribed under section 33 of the Act of 2005 or the inspector may reasonably require for the proper performance by it of its functions under these Regulations.

(2) The period specified in the information notice may be extended at the discretion of the Authority on the written application of the person on whom the notice is served.

(3) A person on whom an information notice is served may, within 7 days beginning on the day on which the notice is served on him or her, appeal against the notice to a judge of the District Court in the district court district in which the notice was served and in determining the appeal the judge may, if he or she is satisfied that it is reasonable to do so, confirm, vary or cancel the notice.

(4) Where, on the hearing of an appeal under paragraph (3), an information notice is confirmed or varied, the judge of the District Court by whom the appeal is heard may, on the application of the appellant, suspend the operation of the notice for such period as in the circumstances of the case the judge considers appropriate.

(5) Subject to paragraph (6), a person on whom an information notice is served shall comply with the notice before the later of—

(a) the end of the period specified in the notice, or

(b) where the period referred to in subparagraph (a) is extended under paragraph (2), the end of that extended period.

(6) Where an appeal is brought under this Regulation, and the information notice to which the appeal relates is confirmed or varied or the appeal is withdrawn, the person on whom the notice is served shall comply with the notice before—

(a) the day immediately following the day on which the notice is confirmed or varied or the appeal is withdrawn,

(b) the end of the period specified in the notice, or

(c) where the operation of the notice has been suspended under paragraph (4), the end of the period of suspension,

whichever occurs latest.

Service of Notifications

43. (1) Subject to paragraphs (2) and (3), a notice or other document required or authorised to be served on, sent or given to a person shall be addressed to the person concerned by name and may be given to the person in one of the following ways—

(a) by delivering it to the person,

(b) by leaving it at the address at which the person carries on business or ordinarily resides or, in the case in which an address for service has been furnished, at that address,

(c) by sending it by post in a prepaid registered letter to the address at which the person carries on business or ordinarily resides or, in a case in which an address for service has been furnished, to that address,

(d) if the person concerned has agreed to service of notices by means of an electronic communication (within the meaning assigned by section 2 of the Electronic Commerce Act 2000), service by such means, provided that there is a facility for confirming receipt of electronic communication and that such receipt has been confirmed; or

(e) if the address at which the person ordinarily resides cannot be ascertained by reasonable enquiry and the compliance notice relates to a premises, by delivering it to the premises or by affixing it in a conspicuous position on or near the premises.

(f) by any other means that may be prescribed.

(2) Where a notice or other document required or authorised to be served on, sent or given to a person is to be given to a person who is the owner or occupier of land or property and the name of the person cannot be ascertained by reasonable inquiry, it may be addressed to the person by using the words “the owner” or, as the case may require, “the occupier”

(3) For the purposes of this Regulation, a company within the meaning of the Companies Acts shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body shall be deemed to be ordinarily resident at its principal office or place of business.

Sharing information on the application of the Directive

44. (1) The Authority may provide information to any EU information network, the Commission or a competent authority of another Member State for the purpose of sharing information related to the application of the Directive.

(2) The Authority may, in the interest of the protection of safety, take such measures as it considers appropriate to bring to the attention of the public, any matter of concern arising from the requirements of these Regulations.

PART 6

OFFENCES AND PENALTIES

Offences

45. (1) A person who contravenes a provision or requirement of Regulations 6, 7, 8, 9, 10, 11, 19, 30(1) or 32(1) commits an offence.

(2) A person who contravenes a requirement of a notice or other measure made under Regulations 36, 37, 39 or 42 commits an offence.

(3) A person who, in relation to the CE marking or any document required for the purposes of these Regulations—

(a) forges or counterfeits any such document,

(b) gives or signs a document or makes a marking knowing it to be false in any material particular,

(c) knowingly utters or uses a marking or document so forged or counterfeited, or which is false as aforesaid,

(d) knowingly utters or uses as applying to any person or product a marking or document which does not so apply,

(e) knowingly connives at any such forging, counterfeiting, giving, signing, uttering or using,

(f) knowingly makes a false entry in any such document which is so required to be kept, served or sent,

(g) knowingly uses any such false entry, or

(h) knowingly has, without lawful authority, a forged marking or document or an altered marking or document in his or her possession, commits an offence.

(4) Any person who obstructs or interferes with an inspector or a member of the Garda Síochána in the course of exercising a power conferred on him or her by these Regulations or a warrant under Regulation 35(7) or impedes the exercise by the inspector or member, as the case may be, of such power, or fails or refuses to comply with a request or requirement of, or to answer a question asked by, an inspector or such a member pursuant to a power conferred by these Regulations, or in purported compliance with such request or requirement, or who in answer to such question gives information to

the inspector or member that he or she knows to be false or misleading in any material respect, commits an offence.

(5) A person who falsely represents himself or herself to be an inspector commits an offence.

(6) A person who, at any time during the period of 3 months immediately following the affixing of a notice in accordance with Regulation 43(1)(e), removes, alters, damages or defaces the notice without lawful authority commits an offence.

(7) A person who states to the Authority that another person has committed an offence under this Regulation or has failed to comply with a provision of these Regulations, knowing the statement to be false, commits an offence.

(8) A person who, in purported compliance with a requirement in an information notice, furnishes information to the Authority that he or she knows to be false or misleading in a material respect commits an offence.

Penalties

46. (1) A person guilty of an offence under Regulation 45 shall be liable—

(a) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 6 months or both, or

(b) on conviction on indictment, to a fine not exceeding €500,000 or imprisonment for a term not exceeding 2 years or both.

(2) Where a person is convicted of an offence under these Regulations in proceedings brought by the Authority, or instituted following an investigation by the Authority, the court shall, unless it is satisfied that there are special and substantial reasons for not so doing, order the person to pay to the Authority the costs and expenses, measured by the court, incurred by the Authority in relation to the investigation, detection and prosecution of the offence, including the costs and expenses incurred in the taking of samples, the carrying out of tests, examinations and analyses and in respect of the remuneration and other expenses of employees, consultants and advisers engaged by the Authority.

Offences by Bodies Corporate

47. Where an offence under these Regulations has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a person being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person as well as the body corporate

commits an offence and shall be liable to be proceeded against and punished as if he or she had committed the first-mentioned offence.

Prosecution of Offences

48. (1) Subject to paragraph (2), summary proceedings in relation to an offence under these Regulations may be brought and prosecuted by the Authority.

(2) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851, summary proceedings for an offence under Regulation 45 may be instituted at any time within 12 months from the date on which the offence was committed or alleged to have been committed.

PART 7

MISCELLANEOUS

Appeal to Circuit Court from certain orders of District Court

49. For the avoidance of doubt, an order of the District Court confirming, varying or cancelling a notice under Regulation 37, 39 or 42 is a decision of a judge of the District Court for the purposes of section 84 of the Courts of Justice Acts 1924.

Notice or Direction to be in Writing

50. Any notice or direction under these Regulations shall be in writing.

Transitional provisions

51. (1) The making available on the market of products which are in conformity with the Regulations of 1998 and which were placed on the market before 20 April 2016 continues to be lawful.

(2) Certificates issued under the Regulations of 1998 shall be valid under these Regulations for products as described in paragraph (1).

Revocation

52. The European Communities (Lifts) Regulations, (S.I. No. 246 of 1998) are revoked with effect from the 19th April 2016.

SCHEDULE 1

ANNEX I TO DIRECTIVE 2014/33/EU

ESSENTIAL HEALTH AND SAFETY REQUIREMENTS

PRELIMINARY REMARKS

1. Obligations under essential health and safety requirements apply only where the corresponding risk exists for the lift or safety component for lifts in question when used as intended by the installer or the manufacturer.

2. The essential health and safety requirements contained in the Directive are imperatives. However, given the present state of the art, the objectives which they lay down may not be attainable. In such cases, and to the greatest extent possible, the lift or safety components for lifts must be designed and constructed in such a way as to approximate to those objectives.

3. The manufacturer and the installer are under an obligation to carry out a risk assessment in order to identify all the risks which apply to their products; they must then design and construct them taking account of the assessment.

1. GENERAL

1.1. Application of Directive 2006/42/EC

Where the relevant risk exists and is not dealt with in this Annex, the essential health and safety requirements of Annex I to Directive 2006/42/EC of the European Parliament and of the Council[1] apply. The essential health and safety requirements of point 1.1.2 of Annex I to Directive 2006/42/EC apply in any event.

1.2. Carrier

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

1.3. Means of suspension and means of support

The means of suspension and/or support of the car, its attachments and any terminal parts thereof must be selected and designed so as to ensure an adequate level of overall safety and to minimize the risk of the car falling, taking into account the conditions of use, the materials used and the conditions of manufacture.

Where ropes or chains are used to suspend the car, there must be at least two independent cables or chains, each with its own anchorage system. Such ropes and chains must have no joins or splices except where necessary for fixing or forming a loop.

1.4. Control of loading (including overspeed)

1.4.1. Lifts must be so designed, constructed and installed as to prevent normal starting if the rated load is exceeded.

1.4.2. Lifts must be equipped with an overspeed governor.

These requirements do not apply to lifts in which the design of the drive system prevents overspeed.

1.4.3. Fast lifts must be equipped with a speed-monitoring and speed-limiting device.

1.4.4. Lifts driven by friction pulleys must be designed so as to ensure stability of the traction cables on the pulley.

[1]OJ L 157, 9.6.2006, p. 24.

1.5. Machinery

1.5.1. All passenger lifts must have their own individual lift machinery. This requirement does not apply to lifts in which the counterweights are replaced by a second car.

1.5.2. The installer must ensure that the lift machinery and the associated devices of a lift are not accessible except for maintenance and in emergencies.

1.6. Controls

1.6.1. The controls of lifts intended for use by unaccompanied disabled persons must be designed and located accordingly.

1.6.2. The function of the controls must be clearly indicated.

1.6.3. The call circuits of a group of lifts may be shared or interconnected.

1.6.4. Electrical equipment must be so installed and connected that:

(a) there can be no possible confusion with circuits which do not have any direct connection with the lift;

(b) the power supply can be switched while on load;

(c) movements of the lift are dependent on electrical safety devices in a separate electrical safety circuit;

(d) a fault in the electrical installation does not give rise to a dangerous situation.

2. RISKS FOR PERSONS OUTSIDE THE CAR

2.1. The lift must be designed and constructed to ensure that the space in which the car travels is inaccessible except for maintenance or in emergencies. Before a person enters that space, normal use of the lift must be made impossible.

2.2. The lift must be designed and constructed to prevent the risk of crushing when the car is in one of its extreme positions.

The objective will be achieved by means of free space or refuge beyond the extreme positions.

However, in specific cases, in affording Member States the possibility of giving prior approval, particularly in existing buildings, where this solution is impossible to fulfil, other appropriate means may be provided to avoid this risk.

2.3. The landings at the entrance and exit of the car must be equipped with landing doors of adequate mechanical resistance for the conditions of use envisaged.

An interlocking device must prevent during normal operation:

(a) starting movement of the car, whether or not deliberately activated, unless all landing doors are shut and locked;

(b) the opening of a landing door when the car is still moving and outside a prescribed landing zone.

However, all landing movements with the doors open shall be allowed in specified zones on condition that the levelling speed is controlled.

3. RISKS FOR PERSONS IN THE CAR

3.1. Lift cars must be completely enclosed by full-length walls, fitted floors and ceilings included, with the exception of ventilation apertures, and with full-length doors. These doors must be so designed and installed that the car cannot move, except for the landing movements referred to in the third subparagraph of point 2.3, unless the doors are closed, and comes to a halt if the doors are opened.

The doors of the car must remain closed and interlocked if the lift stops between two levels where there is a risk of a fall between the car and the shaft or if there is no shaft.

3.2. In the event of a power cut or failure of components the lift must have devices to prevent free fall or uncontrolled movements of the car.

The device preventing the free fall of the car must be independent of the means of suspension of the car.

This device must be able to stop the car at its rated load and at the maximum speed anticipated by the installer. Any stop occasioned by this device must not cause deceleration harmful to the occupants whatever the load conditions.

3.3. Buffers must be installed between the bottom of the shaft and the floor of the car.

In this case, the free space referred to in point 2.2 must be measured with the buffers totally compressed.

This requirement does not apply to lifts in which the car cannot enter the free space referred to in point 2.2 by reason of the design of the drive system.

3.4. Lifts must be so designed and constructed as to make it impossible for them to be set in motion if the device provided for in point 3.2 is not in an operational position.

4. OTHER RISKS

4.1. The landing doors and car doors or the two doors together, where motorized, must be fitted with a device to prevent the risk of crushing when they are moving.

4.2. Landing doors, where they have to contribute to the protection of the building against fire, including those with glass parts, must be suitably resistant to fire in terms of their integrity and their properties with regard to insulation (containment of flames) and the transmission of heat (thermal radiation).

4.3. Counterweights must be so installed as to avoid any risk of colliding with or falling on to the car.

4.4. Lifts must be equipped with means enabling people trapped in the car to be released and evacuated.

4.5. Cars must be fitted with two-way means of communication allowing permanent contact with a rescue service.

4.6. Lifts must be so designed and constructed that, in the event of the temperature in the lift machine exceeding the maximum set by the installer, they can complete movements in progress but refuse new commands.

4.7. Cars must be designed and constructed to ensure sufficient ventilation for passengers, even in the event of a prolonged stoppage.

4.8. The car should be adequately lit whenever in use or whenever a door is opened; there must also be emergency lighting.

4.9. The means of communication referred to in point 4.5 and the emergency lighting referred to in point 4.8 must be designed and constructed so as to function even without the normal power supply. Their period of operation should be long enough to allow normal operation of the rescue procedure.

4.10. The control circuits of lifts which may be used in the event of fire must be designed and manufactured so that lifts may be prevented from stopping at certain levels and allow for priority control of the lift by rescue teams.

5. MARKING

5.1. In addition to the minimum particulars required for any machine pursuant to point 1.7.3 of Annex I to Directive 2006/42/EC, each car must bear an easily visible plate clearly showing the rated load in kilograms and the maximum number of passengers which may be carried.

5.2. If the lift is designed to allow people trapped in the car to escape without outside help, the relevant instructions must be clear and visible in the car.

6. INSTRUCTIONS

6.1. The safety components for lifts referred to in Annex III must be accompanied by instructions, so the following can be carried out effectively and without danger:

(a) assembly;

(b) connection;

(c) adjustment;

(d) maintenance.

6.2. Each lift must be accompanied by instructions. The instructions shall contain at least the following documents:

(a) instructions containing the plans and diagrams necessary for normal use and relating to maintenance, inspection, repair, periodic checks and the rescue operations referred to in point 4.4;

(b) a logbook in which repairs and, where appropriate, periodic checks can be noted.

SCHEDULE 2

ANNEX II TO DIRECTIVE 2014/33/EU

A. CONTENT OF THE EU DECLARATION OF CONFORMITY FOR SAFETY COMPONENTS FOR LIFTS

The EU declaration of conformity for safety components for lifts shall ontain the following information:

(a) name and address of the manufacturer;

(b) where appropriate, name and address of the authorised representative;

(c) description of the safety component for lifts, details of type or series and serial number (if any); it may, where necessary for the identification of the safety component for lifts, include an image;

(d) safety function of the safety component for lifts, if not obvious from the description;

(e) year of manufacture of the safety component for lifts;

(f) all relevant provisions with which the safety component for lifts complies;

(g) a statement that the safety component for lifts is in conformity with the relevant Union harmonisation legislation;

(h) where appropriate, reference(s) to harmonised standard(s) used;

(i) where appropriate, the name, address and identification number of the notified body which carried out the EU-type examination of safety components for lifts set out in Annex IV, Part A and Annex VI, and the reference of the EU-type examination certificate issued by that notified body;

(j) where appropriate, the name, address and identification number of the notified body which carried out the conformity to type with random checking for safety components for lifts set out in Annex IX;

(k) where appropriate, the name, address and identification number of the notified body which approved the quality system operated by the manufacturer in accordance with the conformity assessment procedure set out in Annex VI or VII;

(l) the name and function of the person empowered to sign the declaration on behalf of the manufacturer or his authorised representative;

(m) place and date of signature;

(n) signature.

B. CONTENT OF THE EU DECLARATION OF CONFORMITY FOR LIFTS

The EU declaration of conformity for lifts shall be drafted in the same language as the instructions referred to in Annex I, point 6.2 and contain the following information:

(a) name andaddress of the installer;

(b) where appropriate, name and adress of the authorised representative;

(c) description of the lift, details of the type or series, serial number and address where the lift is installed;

(d) year of installation of the lift;

(e) all relevant provisions to which the lift conforms;

(f) a statement that the lift is in conformity with the relevant Union harmonisation legislation;

(g) where appropriate, reference(s) to harmonised standard(s) used;

(h) where appropriate, the name, address and identification number of the notified body which carried out the EU-type examination of lifts set out in Annex IV, Part B and the reference of the EU-type examination certificate issued by that notified body;

(i) where appropriate, the name, address and identification number of the notified body which carried out the unit verification for lifts set out in Annex VIII ;

(j) where appropriate, the name, address and identification number of the notified body which carried out the final inspection for lifts set out in Annex V;

(k) where appropriate, the name, address, and identification number of the notified body which approved the quality assurance system operated by the installer in accordance with the conformity assessment procedure set out in Annex X, XI or XII;

(l) the name and function of the person empowered to sign the declaration on behalf of the installer or his authorised representative;

(m) place and date of signature;

(n) signature.

SCHEDULE 3

ANNEX III TO DIRECTIVE 2014/33/EU

LIST OF SAFETY COMPONENTS FOR LIFTS

1. Devices for locking landing doors.

2. Devices to prevent falls referred to in point 3.2 of Annex I to prevent the car from falling or uncontrolled movements.

3. Overspeed limitation devices.

4. (a) Energy-accumulating buffers:

    (i) non-linear, or

    (ii) with damping of the return movement.

    (b) Energy-dissipating buffers.

5. Safety devices fitted to jacks of hydraulic power circuits where these are used as devices to prevent falls.

6. Electric safety devices in the form of safety circuits containing electronic components.

SCHEDULE 4

ANNEX IV TO DIRECTIVE 2014/33/EU

EU-TYPE EXAMINATION FOR LIFTS AND SAFETY COMPONENTS FOR LIFTS

(module B)

A. EU-TYPE EXAMINATION OF SAFETY COMPONENTS FOR LIFTS

1. EU-type examination is the part of a conformity assessment procedure in which a notified body examines the technical design of a safety component for lifts and verifies and attests that it satisfies the applicable requirements of Annex I and will enable a lift in which it is correctly incorporated to satisfy those requirements.

2. The application for EU-type examination shall be lodged by the manufacturer, or his authorised representative, with a single notified body of his choice.

   The application shall include:

   (a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address as well and the place of manufacture of the safety components for lifts;

   (b) a written declaration that the same application has not been lodged with any other notified body;

   (c) the technical documentation;

(d) a representative specimen of the safety component for lifts or details of the place where it can be examined. The notified body may request further specimens if needed for carrying out the test programme;

(e) the supporting evidence for the adequacy of the technical design solution. This supporting evidence shall mention any documents, including other relevant technical specifications, that have been used, in particular where the relevant harmonised standards have not been applied in full. The supporting evidence shall include, where necessary, the results of tests carried out in accordance with other relevant technical specifications by the appropriate laboratory of the manufacturer, or by another testing laboratory on his behalf and under his responsibility.

3. The technical documentation shall make it possible to assess whether the safety component for lifts meets the conditions referred to in point 1 and shall include an adequate analysis and assessment of the risk(s). The technical documentation shall specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and operation of the safety component for lifts.

The technical documentation shall contain, where applicable, the following:

(a) a description of the safety component for lifts, including its area of use (in particular possible limits on speed, load and power) and conditions (in particular explosive environments and exposure to the elements);

(b) design and manufacturing drawings and diagrams;

(c) explanations necessary for the understanding of those drawings and diagrams and the operation of the safety component for lifts;

(d) a list of the harmonised standards applied in full or in part the references of which have been published in the Official Journal of the European Union and, where those harmonised standards have not been applied, descriptions of the solutions adopted to enable the safety component for lifts to meet one or both of the conditions referred to in point 1, including a list of other relevant technical specifications applied. In the event of partly applied harmonised standards, the technical documentation shall specify the parts which have been applied;

(e) results of design calculations performed by or for the manufacturer;

(f) test reports;

(g) a copy of the instructions for the safety components for lifts;

(h) steps taken at the manufacturing stage to ensure that series-produced safety components for lifts conform to the safety component for lifts examined.

4. The notified body shall:

(a) examine the technical documentation and the supporting evidence to assess the adequacy of the technical design of the safety component for lifts;

(b) agree with the applicant on a location where the examinations and tests will be carried out;

(c) verify that the representative specimen(s) has(have) been manufactured in conformity with the technical documentation, and identify the elements which have been designed in accordance with the applicable provisions of the relevant harmonised standards, as well as the elements which have been designed in accordance with other relevant technical specifications;

(d) carry out appropriate examinations and tests, or have them carried out, to check whether, where the manufacturer has chosen to apply the specifications of the relevant harmonised standards, these have been applied correctly;

(e) carry out appropriate examinations and tests, or have them carried out, to check whether, where the specifications of the relevant harmonised standards have not been applied, the solutions adopted by the manufacturer, including those in other relevant technical specifications applied, enable the safety component for lifts to meet the conditions referred to in point 1.

The notified body shall draw up an evaluation report that records the examinations, verifications and tests carried out and their outcome. Without prejudice to its obligations vis-à vis the notifying authorities, the notified body shall release the content of that report, in full or in part, only with the agreement of the manufacturer.

5. Where the type of the safety component for lifts meets the conditions referred to in point 1, the notified body shall issue an EU-type examination certificate to the manufacturer. That certificate shall contain the name and address of the manufacturer the conclusions of the EU-type examination, any conditions of validity of the certificate and the particulars necessary to identify the approved type.

The EU-type examination certificate may have one or more annexes attached.

The EU-type examination certificate and its annexes shall contain all relevant information to allow the conformity of manufactured safety components for lifts with the examined type to be evaluated and to allow for in-service control.

Where the type of the safety component for lifts does not satisfy the conditions referred to in point 1, the notified body shall refuse to issue an EU-type examination certificate and shall inform the applicant accordingly, giving detailed reasons for its refusal.

The notified body shall keep a copy of the EU-type examination certificate, its annexes and additions, as well as the technical documentation and the evaluation report, for 15 years from the date of issue of that certificate.

6. The notified body shall keep itself apprised of any changes in the generally acknowledged state of the art which indicate that the approved type may no longer meet the conditions referred to in point 1 and shall determine whether such changes require further investigation. If so, the notified body shall inform the manufacturer accordingly.

7. The manufacturer shall inform the notified body that holds the technical documentation relating to the EU-type examination certificate of any modification to the approved type that may affect the conformity of the safety component for lifts with the conditions referred to in point 1 or the conditions of validity of the EU-type examination certificate.

   The notified body shall examine the modification and inform the applicant whether the EU-type examination certificate remains valid or whether further examinations, verifications or tests are needed. As appropriate, the notified body shall issue an addition to the original EU type- examination certificate or ask for a new application for an EU-type examination to be submitted.

8. Each notified body shall inform its notifying authority concerning the EU-type examination certificates and any additions thereto which it has issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of such certificates and any additions thereto refused, suspended or otherwise restricted.

   Each notified body shall inform the other notified bodies concerning the EU-type examination certificates and any additions thereto which it has refused, withdrawn, suspended or otherwise restricted, and, upon request, concerning such certificates and/or additions thereto which it has issued.

9. The Commission, the Member States and the other notified bodies may, on request, obtain a copy of the EU-type examination certificates and additions thereto. On request, the Commission and the Member States may obtain a copy of the technical documentation and of the report on the examinations, verifications and tests carried out by the notified body.

10. The manufacturer shall keep with the technical documentation a copy of EU-type examination certificates, its annexes and additions at the disposal of the national authorities for 10 years after the safety component for lifts has been placed on the market.

11. Authorised representative

The manufacturer's authorised representative may lodge the application referred to in point 2 and fulfil the obligations set out in points 7 and 10, provided that they are specified in the mandate.

B. EU-TYPE EXAMINATION OF LIFTS

1. EU-type examination of lifts is the part of a conformity assessment procedure in which a notified body examines the technical design of a model lift, or a lift for which there is no provision for an extension or variant, and verifies and attests that it meets the applicable essential requirements set out in Annex I.

   EU-type examination of a lift includes an examination of a representative specimen of a complete lift.

2. The application for EU-type examination shall be lodged by the installer or his authorised representative with a single notified body of his choice.

   The application shall include:

   (a) the name and address of the installer; and, if the application is lodged by the authorised representative, his name and address as well;

   (b) a written declaration that the same application has not been lodged with any other notified body;

(c) the technical documentation;

(d) details of the place where the specimen lift can be examined. The specimen lift submitted for examination shall include the terminal parts and be capable of serving at least three levels (top, middle and bottom);

(e) the supporting evidence for the adequacy of the technical design solution. This supporting evidence shall mention any documents, including other relevant technical specifications that have been used, in particular where the relevant harmonised standards have not been applied in full. The supporting evidence shall include, where necessary, the results of tests carried out in accordance with other relevant technical specifications by the appropriate laboratory of the installer, or by another testing laboratory on his behalf and under his responsibility.

3. The technical documentation shall make it possible to assess the conformity of the lift with the applicable essential health and safety requirements set out in Annex I.

The technical documentation shall contain, where applicable, the following:

(a) a description of the model lift indicating clearly all the permitted variations of the model lift;

(b) design and manufacturing drawings and diagrams;

(c) explanations necessary for the understanding of those drawings and diagrams and of the operation of the lift;

(d) a list of the essential health and safety requirements taken into consideration;

(e) a list of the harmonised standards applied in full or in part the references of which have been published in the Official Journal of the European Union and, where those harmonised standards have not been applied, descriptions of the solutions adopted to meet the essential health and safety requirements of the Directive, including a list of other relevant technical specifications applied. In the event of partly applied harmonised standards, the technical documentation shall specify the parts which have been applied;

(f) a copy of the EU declarations of conformity of the safety components for lifts incorporated in the lift;

(g) results of calculations performed by or for the installer;

(h) test reports;

(i) a copy of the instructions referred to in point 6.2 of Annex I;

(j) steps taken at the installation stage to ensure that the series-produced lift conforms to the essential health and safety requirements set out in Annex I.

4. The notified body shall:

(a) examine the technical documentation and supporting evidence to assess the adequacy of the technical design of the model lift or of the lift for which there is no provision for an extension or variant;

(b) agree with the installer on a location where the examinations and tests will be carried out;

(c) examine the specimen lift to check that it has been manufactured in accordance with the technical documentation, and identify the elements which have been designed in accordance with the applicable provisions of the relevant harmonised standards, as well as the elements which have been designed in accordance with other relevant technical specifications;

(d) carry out appropriate examinations and tests, or have them carried out, to check whether, where the installer has chosen to apply the specifications of the relevant harmonised standards, these have been applied correctly;

(e) carry out appropriate examinations and tests, or have them carried out, to check whether, where the specifications of the relevant harmonised standards have not been applied, the solutions adopted by the installer, including those in other relevant technical specifications applied, meet the corresponding essential health and safety requirements of this Directive.

5. The notified body shall draw up an evaluation report that records the examinations, verifications and tests carried out and their outcome. Without prejudice to its obligations vis-à vis the notifying authorities, the notified body shall release the content of that report, in full or in part, only with the agreement of the installer.

6. Where the type meets the essential health and safety requirements set out in Annex I applicable to the lift concerned, the notified body shall issue an EU-type examination certificate to the installer. That certificate shall contain the name and address of the installer, the conclusions of the EU-type examination, any conditions of validity of the certificate and the particulars necessary to identify the approved type.

The EU-type examination certificate may have one or more annexes attached.

The EU-type examination certificate and its annexes shall contain all the information necessary to enable the conformity of lifts with the approved type to be assessed during the final inspection.

Where the type does not comply with the essential health and safety requirements set out in Annex I, the notified body shall refuse to issue an EU-type examination certificate and shall inform the installer accordingly, giving detailed reasons for its refusal.

The notified body shall keep a copy of the EU-type examination certificate, its annexes and additions, as well as the technical documentation and the evaluation report for 15 years from the date of issue of that certificate.

7. The notified body shall keep itself apprised of any changes in the generally acknowledged state of the art which indicate that the approved type may no longer comply with the essential health and safety requirements set out in Annex I, and shall determine whether such changes require further investigation. If so, the notified body shall inform the installer accordingly.

8. The installer shall inform the notified body of any modifications to the approved type, including variations not specified in the original technical documentation, that may affect the conformity of the lift with the essential health and safety requirements set out in Annex I or the conditions of validity of the EU-type examination certificate.

   The notified body shall examine the modification and inform the installer whether the EU-type examination certificate remains valid or whether further examinations, verifications or tests are needed. As appropriate the notified body shall issue an addition to the original EU-type examination certificate or ask for a new application for an EU-type examination to be submitted.

9. Each notified body shall inform its notifying authority concerning the EU-type examination certificates and any additions thereto which it has issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of such certificates and any additions thereto refused, suspended or otherwise restricted.

   Each notified body shall inform the other notified bodies concerning the EU-type examination certificates and any additions thereto which it has refused, withdrawn, suspended or otherwise restricted, and, upon request, concerning such certificates and additions thereto which it has issued.

10. The Commission, the Member States and the other notified bodies may, on request, obtain a copy of the EU-type examination certificates and additions thereto. On request, the Commission and the Member States may obtain a copy of the technical documentation and of the report on the examinations, verifications and tests carried out by the notified body.

11. The installer shall keep with the technical documentation a copy of the EU-type examination certificates, its annexes and additions at the disposal of the national authorities for 10 years after the lift has been placed on the market.

12. Authorised representative

The installer's authorised representative may lodge the application referred to in point 2 and fulfil the obligations set out in points 8 and 11, provided that they are specified in the mandate.

SCHEDULE 5

ANNEX V TO DIRECTIVE 2014/33/EU

FINAL INSPECTION FOR LIFTS

1. Final inspection is the part of a conformity assessment procedure whereby a notified body ascertains and certifies that a lift subject to an EU-type examination certificate or designed and manufactured according to an approved quality system satisfies the essential health and safety requirements set out in Annex I.

2. OBLIGATIONS OF THE INSTALLER

The installer shall take all measures necessary to ensure that the lift being installed complies with the applicable essential health and safety requirements set out in Annex I and with one of the following:

(a) an approved type described in an EU-type examination certificate;

(b) a lift designed and manufactured in accordance with a quality system pursuant to Annex XI and the EU design examination certificate if the design is not wholly in accordance with the harmonised standards.

3. FINAL INSPECTION

A notified body chosen by the installer shall carry out the final inspection of the lift about to be placed on the market in order to check the conformity of the lift with the applicable essential health and safety requirements set out in Annex I.

3.1. The installer shall lodge an application for final inspection with a single notified body of his choice and shall provide to the notified body the following documents:

(a) the plan of the complete lift;

(b) the plans and diagrams necessary for final inspection, in particular control circuit diagrams;

(c) a copy of the instructions referred to in Annex I, point 6.2;

(d) a written declaration that the same application has not been lodged with any other notified body.

The notified body may not require detailed plans or precise information not necessary for verifying the conformity of the lift.

The appropriate examinations and tests set out in the relevant harmonised standard(s) or equivalent tests shall be carried out in order to check the conformity of the lift with the applicable essential health and safety requirements set out in Annex I.

3.2. The examinations shall include at least one of the following:

(a) examination of the documents referred to in point 3.1 to check that the lift conforms with the approved type described in the EU-type examination certificate pursuant to Annex IV, Part B;

(b) examination of the documents referred to in point 3.1 to check that the lift conforms with the lift designed and manufactured in accordance with an approved quality system pursuant to Annex XI and if the design is not wholly in accordance with the harmonised standards, with the EU design examination certificate.

3.3. The tests of the lift shall include at least the following:

(a) operation of the lift both empty and at maximum load to ensure correct installation and operation of the safety devices (end stops, locking devices, etc.);

(b) operation of the lift at both maximum load and empty to ensure the correct functioning of the safety devices in the event of loss of power;

(c) static test with a load equal to 1,25 times the rated load.

The rated load shall be that referred to in Annex I, point 5.

After these tests, the notified body shall check that no distortion or deterioration which could impair the use of the lift has occurred.

4. If the lift satisfies the essential health and safety requirements set out in Annex I, the notified body shall affix or have affixed its identification number adjacent to the CE marking in accordance with Articles 18 and 19 and shall issue a final inspection certificate which mentions the examinations and tests carried out.

The notified body shall fill in the corresponding pages in the logbook referred to in Annex I, point 6.2.

If the notified body refuses to issue the final inspection certificate, it shall state the detailed reasons for refusal and indicate the necessary corrective measures to be taken. Where the installer again applies for final inspection, he shall apply to the same notified body.

5. CE marking and EU declaration of conformity

5.1. The installer shall affix the CE marking in the car of each lift which satisfies the essential health and safety requirements of this Directive, and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number adjacent to the CE marking in the car of each lift.

5.2. The installer shall draw up a written EU declaration of conformity for each lift and keep a copy of the EU declaration of conformity and the final inspection certificate at the disposal of the national authorities for 10 years after the placing on the market of the lift. A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

6. The Commission and the Member States may obtain a copy of the final inspection certificate on request.

7. Authorised representative

The installer's obligations set out in points 3.1 and 5 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 6

ANNEX VI TO DIRECTIVE 2014/33/EU

CONFORMITY TO TYPE BASED ON PRODUCT QUALITY ASSURANCE FOR SAFETY COMPONENTS FOR LIFTS

(module E)

1. Conformity to type based on product quality assurance for safety components for lifts is the part of the conformity assessment procedure whereby a notified body assesses the quality system of a manufacturer in order to ensure that the safety components for lifts are manufactured and monitored in conformity with the type described in the EU-type examination certificate , satisfy the applicable requirements of Annex I and will enable a lift to which they are correctly incorporated to satisfy those requirements.

2. OBLIGATIONS OF THE MANUFACTURER

The manufacturer shall operate an approved quality system for final inspection and testing of the safety components for lifts as specified in point 3, and shall be subject to surveillance as specified in point 4.

3. QUALITY SYSTEM

3.1. The manufacturer shall lodge an application for assessment of his quality system for the safety components for lifts concerned with a single notified body of his choice.

The application shall include:

(a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address as well;

(b) a written declaration that the same application has not been lodged with any other notified body;

(c) the address of the premises where final inspection and testing of the safety components for lifts are carried out;

(d) all relevant information on the safety components for lifts to be manufactured;

(e) the documentation concerning the quality system;

(f) the technical documentation of the approved safety components for lifts and a copy of the EU-type examination certificate.

3.2. Under the quality system, each safety component for lifts shall be inspected and appropriate tests as set out in the relevant harmonised standards or equivalent tests shall be carried out in order to ensure that it meets the applicable conditions referred to in point 1. All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall contain in particular an adequate description of:

(a) the quality objectives;

(b) the organizational structure, responsibilities and powers of the management with regard to product quality;

(c) the examinations and tests that will be carried out after manufacture;

(d) the means of monitoring the effective operation of the quality system; and

(e) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned, etc.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in point 3.2. It shall presume conformity with those requirements in respect of the elements of the quality systems that comply with the corresponding specifications of the relevant harmonised standard.

In addition to experience in quality management systems, the auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essential health and safety requirements set out in Annex I.

The audit shall include an assessment visit to the manufacturer's premises.

The auditing team shall review the technical documentation referred to in point 3.1(f), in order to verify the manufacturer's ability to identify the relevant requirements of this Directive and to carry out the necessary examinations with a view to ensuring compliance of the safety components for lifts with those requirements.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the audit and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising from the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer or his authorised representative shall keep the notified body which has approved the quality system informed of any intended changes of the quality system.

The notified body shall assess the modifications proposed and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.2 or whether a reassessment is necessary.

It shall notify the manufacturer of its decision. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

4. SURVEILLANCE UNDER THE RESPONSIBILITY OF THE NOTIFIED BODY

4.1. The purpose of surveillance is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall for assessment purposes allow the notified body access to the premises where final inspection, testing and storage are carried out and provide it with all necessary information, in particular:

(a) the quality system documentation;

(b) the technical documentation;

(c) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned.

4.3. The notified body shall periodically carry out audits to ensure that the manufacturer maintains and applies the quality system and shall provide the manufacturer with an audit report.

4.4. Additionally, the notified body may pay unexpected visits to the manufacturer's premises where final inspection and testing of safety components for lifts are carried out.

At the time of such visits, the notified body may, where necessary, carry out tests or have them carried out in order to check the proper functioning of the quality system. It shall provide the manufacturer , with a visit report and, if a test has been carried out, with a test report.

5. CE marking and EU declaration of conformity;

5.1. The manufacturer shall affix the CE marking, and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number to each individual safety component for lifts that meets the conditions referred to in point 1.

5.2. The manufacturer shall draw up a written EU declaration of conformity for each safety component for lifts and keep a copy of it at the disposal of the national authorities for 10 years after the safety component for lifts has been placed on the market. The EU declaration of conformity shall identify the safety component for which it has been drawn up.

6. The manufacturer shall for a period ending 10 years after the safety component for lifts has been placed on the market, keep at the disposal of the national authorities:

(a) the technical documentation referred to in point 3.1(f);

(b) the documentation referred to in point 3.1(e);

(c) the information relating to the change referred to in point 3.5;

(d) the decisions and reports from the notified body which are referred to in the third paragraph of point 3.5 and in points 4.3 and 4.4.

7. Each notified body shall inform its notifying authority of quality system approval decision(s) issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of approval decisions refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of quality system approval decision(s) which it has refused, suspended or withdrawn and, upon request, of approval decision(s) which it has issued.

On request, the notified body shall provide the Commission and the Member States with a copy of quality system approval decision(s) issued.

8. Authorised representative

The manufacturer's obligations set out in points 3.1, 3.5, 5 and 6 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 7

ANNEX VII TO DIRECTIVE 2014/33/EU

CONFORMITY BASED ON FULL QUALITY ASSURANCE FOR SAFETY COMPONENTS FOR LIFTS

(module H)

1. Conformity based on full quality assurance for safety components for lifts is the conformity assessment procedure whereby a notified body assesses the quality system of a manufacturer to ensure that the safety components for lifts are designed, manufactured, inspected and tested in order to satisfy the applicable requirements of Annex I and to enable a lift to which they are correctly incorporated to satisfy those requirements.

2. Obligations of the manufacturer

   The manufacturer shall operate an approved quality system for the design, manufacture, final inspection and testing of safety components for lifts as specified in point 3 and shall be subject to surveillance as specified in point 4.

3. QUALITY SYSTEM

3.1. The manufacturer shall lodge an application for assessment of his quality system with a single notified body of his choice. The application shall include:

(a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address as well;

(b) the address of the premises where the safety components for lifts are designed, manufactured, inspected and tested;

(c) all relevant information on safety components for lifts to be manufactured;

(d) the technical documentation described in point 3 of Annex IV, Part A for one model of each category of safety component for lifts to be manufactured;

(e) the documentation on the quality system;

(f) a written declaration that the same application has not been lodged with any other notified body.

3.2. The quality system shall ensure compliance of the safety components for lifts with the conditions referred to in point 1. All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall contain in particular an adequate description of:

(a) the quality objectives and the organizational structure, responsibilities and powers of the management with regard to the design and product quality ;

(b) the technical design specifications, including standards that will be applied and, where the relevant harmonised standards will not be applied or not applied in full, the means, including other relevant technical specifications, that will be used to ensure that the conditions referred to in point 1 will be met;

(c) the design control and design verification techniques, processes and systematic actions that will be used when designing the safety components for lifts;

(d) the corresponding manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

(e) the examinations and tests that will be carried out before, during and after manufacture, and the frequency with which they will be carried out;

(f) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned;

(g) the means of monitoring the achievement of the required design and product quality and the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in point 3.2. It shall presume conformity with those requirements in respect of the elements of the quality systems that comply with the corresponding specifications of the relevant harmonised standard.

In addition to experience in quality management systems, the auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essential health and safety requirements set out in Annex I. The audit shall include an assessment visit to the manufacturer's premises.

The auditing team shall review the technical documentation referred to in point 3.1(d) to verify the manufacturer's ability to identify the applicable essential health and safety requirements set out in Annex I and to carry out the necessary examinations with a view to ensuring compliance of the safety components for lifts with those requirements.

The decision shall be notified to the manufacturer and, where appropriate, to his authorised representative. The notification shall contain the conclusions of the audit and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fullfil the obligations arising from the quality system as approved and maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the notified body which has approved the quality system informed of any intended change to the quality system.

The notified body shall assess the modifications proposed and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.2 or whether a reassessment is necessary.

It shall notify the manufacturer of its decision. The notification shall contain the conclusions of the assessment and the reasoned assessment decision.

4. SURVEILLANCE UNDER THE RESPONSIBILITY OF THE NOTIFIED BODY

4.1. The purpose of surveillance is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall for assessment purposes allow the notified body access to the design, manufacture, inspection and testing, and storage locations, and shall provide it with all necessary information, in particular:

(a) the full quality system documentation;

(b) the quality records provided for in the design part of the quality system such as results of analyses, calculations, tests;

(c) the technical documentation for the safety components for lifts manufactured;

(d) the quality records provided for in the manufacturing part of the full quality system, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned

4.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide the manufacturer with an audit report.

4.4. Additionally, the notified body may pay unexpected visits to the manufacturer. At the time of such visits, the notified body may, where necessary, carry out tests or have them carried out in order to check the proper functioning of the quality system. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

5. CE marking and EU declaration of conformity

5.1. The manufacturer shall affix the CE marking, and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number to each individual safety component for lifts that meets the conditions referred to in point 1.

5.2. The manufacturer shall draw up a written EU declaration of conformity for each safety component for lifts and keep a copy of it at the disposal of the national authorities for 10 years after the safety component for lifts has been placed on the market. The EU declaration of conformity shall identify the safety component for lifts for which it has been drawn up.

6. The manufacturer shall, for a period ending 10 years after the safety component for lifts has been placed on the market, keep at the disposal of the national authorities:

   (a) the documentation referred to in point 3.1(e);

   (b) the technical documentation referred to in point 3.1(d);

   (c) the information relating to the change referred to in the first paragraph of point 3.5;

   (d) the decisions and reports from the notified body referred to in the third paragraph of point 3.5. and in points 4.3 and 4.4.

7. Each notified body shall inform its notifying authority of quality system approval decision(s) issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of approval decisions refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of quality system approval decisions which it has refused, suspended or withdrawn and, upon request, of approval decisions which it has issued.

On request, the notified body shall provide the Commission and the Member States with a copy of quality system approval decision(s) issued.

The notified body shall keep a copy of the approval decision issued, its annexes and additions, as well as the technical documentation for 15 years from the date of their issue.

8. Authorised representative

The manufacturer's obligations set out in points 3.1, 3.5, 5 and 6 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 8

ANNEX VIII TO DIRECTIVE 2014/33/EU

CONFORMITY BASED ON UNIT VERIFICATION FOR LIFTS

(module G)

1. Conformity based on unit verification is the conformity assessment procedure whereby a notified body assesses whether a lift complies with the applicable essential health and safety requirements set out in Annex I.

2. OBLIGATIONS OF THE INSTALLER

2.1. The installer shall take all measures necessary so that the manufacturing process and its monitoring ensure conformity of the lift with the applicable essential health and safety requirements set out in Annex I.

2.2. The installer shall apply to a single notified body of his choice for unit verification.

The application shall contain:

(a) the name and address of the installer, and if the application is lodged by the authorised representative, his name and address as well;

(b) the location where the lift is installed;

(c) a written declaration to the effect that a similar application has not been lodged with another notified body;

(d) the technical documentation.

3. The technical documentation shall allow an assessment of the conformity of the lift with the applicable essential health and safety requirements set out in Annex I.

The technical documentation shall contain at least the following elements:

(a) a description of the lift;

(b) design and manufacturing drawings and diagrams;

(c) explanations necessary for the understanding of those drawings and diagrams and of the operation of the lift;

(d) a list of the essential health and safety requirements taken into consideration;

(e) a list of the harmonised standards applied in full or in part the references of which have been published in the Official Journal of the European Union and, where those harmonised standards have not been applied, descriptions of the solutions adopted to meet the essential health and safety requirements of the Directive, including a list of other relevant technical specifications applied. In the event of partly applied harmonised standards, the technical documentation shall specify the parts which have been applied;

(f) a copy of the EU-type examinationcertificates of the safety components for lifts incorporated in the lift;

(g) results of design calculations performed by or for the installer;

(h) test reports;

(i) a copy of the instructions referred to in point 6.2 of Annex I.

4. Verification

The notified body chosen by the installer shall examine the technical documentation and the lift and carry out the appropriate tests as set out in the relevant harmonised standard(s), or equivalent tests, to check its conformity with the applicable essential health and safety requirements set out in Annex I. The tests shall include at least the tests referred to in point 3.3 of Annex V.

If the lift meets the essential health and safety requirements set out in Annex I the notified body shall issue a certificate of conformity relating to the tests carried out.

The notified body shall fill in the corresponding pages of the logbook referred to in point 6.2 of Annex I.

If the notified body refuses to issue the certificate of conformity, it shall state in detail its reasons for refusal and indicate the necessary corrective measures to be taken. When the installer reapplies for unit verification he shall apply to the same notified body.

On request, the notified body shall provide the Commission and the Member States with a copy of the certificate of conformity.

5. CE marking and EU declaration of conformity;

5.1. The installer shall affix the CE marking in the car of each lift which satisfies the essential health and safety requirements of this Directive, and, under the responsibility of the notified body referred to in point 2.2, the latter's identification number adjacent to the CE marking in the car of each lift.

5.2. The installer shall draw up a written EU declaration of conformity for each lift and keep a copy of the EU declaration of conformity at the disposal of the national authorities for 10 years after the placing on the market of the lift. A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

6. The installer shall keep with the technical documentation a copy of the certificate of conformity at the disposal of the national authorities for 10 years from the date on which the lift is placed on the market.

7. Authorised representative

The installer's obligations set out in points 2.2 and 6 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 9

ANNEX IX TO DIRECTIVE 2014/33/EU

CONFORMITY TO TYPE WITH RANDOM CHECKING
FOR SAFETY COMPONENTS FOR LIFTS

(module C 2)

1. Conformity to type with random checking is the part of the conformity assessment procedure whereby a notified body carries out checks on safety components for lifts to ensure that they are in conformity with the approved type as described in the EU type examination certificate and satisfy the applicable requirements of Annex I and will enable a lift in which they are correctly incorporated to satisfy those requirements.

2. MANUFACTURING

   The manufacturer shall take all measures necessary to ensure that the manufacturing process and its monitoring ensure that the manufactured safety components for lifts meet the conditions referred to in point 1.

3. The manufacturer shall lodge an application for random checking with a single notified body of his choice.

The application shall include:

(a) the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address as well;

(b) a written declaration that the same application has not been lodged with any other notified body;

(c) all relevant information on the safety components for lifts manufactured;

(d) the address of the premises where the sample of the safety components for lifts can be taken.

4. The notified body shall carry out or have carried out checks on safety components for lifts at random intervals. An adequate sample of the final safety components for lifts, taken on site by the notified body, shall be examined and appropriate tests set out in the relevant harmonised standards, and/or equivalent tests set out in other relevant technical specifications, shall be carried out to check whether the safety components for lifts meets the conditions referred to in point 1. In cases where one or more of the safety components for lifts checked do not conform, the notified body shall take appropriate measures.

The points to be taken into account when checking the safety components for lifts will be defined by joint agreement between all the notified bodies responsible for this procedure, taking into consideration the essential characteristics of the safety components for lifts.

The notified body shall issue a certificate of conformity to type with respect to the examinations and tests carried out.

On request, the notified body shall provide the Commission and the Member States with a copy of the certificate of conformity to type.

5. CE marking and EU declaration of conformity

5.1. The manufacturer shall affix the CE marking, and, under the responsibility of the notified body referred to in point 3, the latter's identification number to each individual safety component for lifts that meets the conditions referred to in point 1.

5.2. The manufacturer shall draw up a written EU declaration of conformity for each safety component for lifts and keep a copy of it at the disposal of the national authorities for 10 years after the safety component for lifts has been placed on the market. The EU declaration of conformity shall identify the safety component for lifts for which it has been drawn up.

6. Authorised representative

The manufacturer's obligations may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate. An authorised representative shall not fulfil the manufacturer's obligations set out in point 2.

SCHEDULE 10

ANNEX X TO DIRECTIVE 2014/33/EU

CONFORMITY TO TYPE BASED ON PRODUCT QUALITY ASSURANCE FOR LIFTS

(module E)

1. Conformity to type based on product quality assurance is the part of the conformity assessment procedure whereby a notified body assesses the product quality system of an installer to ensure that the lifts are in conformity with the approved type as described in the EU-type examination certificate or with a lift designed and manufactured under a full quality system approved in accordance with Annex XI, and satisfy the applicable essential health and safety requirements set out in Annex I.

2. OBLIGATIONS OF THE INSTALLER

The installer shall operate an approved quality system for final inspection and testing of the lift as specified in point 3, and shall be subject to surveillance as specified in point 4.

3. QUALITY YSTEM

3.1. The installer shall lodge an application for assessment of his quality system for the lifts concerned with a single notified body of his choice.

The application shall include:

(a) the name and address of the installer, and if the application is lodged by the authorised representative, his name and address as well;

(b) all relevant information on the lifts to be installed;

(c) the documentation on the quality system;

(d) the technical documentation of the lifts to be installed;

(e) a written declaration that the same application has not been lodged with any other notified body.

3.2. Under the quality system, each lift shall be examined and appropriate tests as set out in the relevant harmonised standards or equivalent tests shall be carried out in order to ensure its conformity with the applicable essential health and safety requirements set out in Annex I.

All the elements, requirements and provisions adopted by the installer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and quality records.

It shall contain in particular an adequate description of:

(a) the quality objectives;

(b) the organisational structure, responsibilities and powers of the management with regard to product quality;

(c) the examinations and tests that will be carried out before placing on the market, including at least the tests laid down in point 3.3 of Annex V;

(d) the means of monitoring the effective operation of the quality system;

(e) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in point 3.2. It shall presume conformity with those requirements in respect of the elements of the quality systems that comply with the corresponding specifications of the relevant harmonised standard.

The auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essential health and safety requirements set out in Annex I. The audit shall include an assessment visit to the premises of the installer and a visit to the installation site.

The decision shall be notified to the installer. The notification shall contain the conclusions of the audit and the reasoned assessment decision.

3.4. The installer shall undertake to fulfill the obligations arising from the quality system as approved and to maintain it so that it remains adequate and efficient.

3.4.1. The installer shall keep the notified body which has approved the quality system informed of any intended change to the system.

3.4.2. The notified body shall assess the modifications proposed and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.2 or whether a reassessment is necessary.

It shall notify its decision to the installer or, where appropriate, to his authorised representative. The notification shall contain the conclusions of the assessment and the reasoned assessment decision.

The notified body shall affix, or cause to be affixed, its identification number adjacent to the CE marking in accordance with Articles 18 and 19.

4. SURVEILLANCE UNDER THE RESPONSIBILITY OF THE NOTIFIED BODY

4.1. The purpose of surveillance is to make sure that the installer duly fulfils the obligations arising out of the approved quality system.

4.2. The installer shall, for assessment purposes, allow the notified body access to the installation, inspection and testing locations, and shall provide it with all necessary information, in particular:

(a) the quality system documentation;

(b) the technical documentation;

(c) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned, etc.

4.3. The notified body shall periodically carry out audits to ensure that the installer maintains and applies the quality system and shall provide the installer with an audit report.

4.4. Additionally, the notified body may pay unexpected visits to the lift installation sites.

At the time of such visits, the notified body may, where necessary, carry out tests or have them carried out in order to check the proper functioning of the quality system and of the lift. It shall provide the installer with a visit report and, if tests have been carried out, with a test report.

5. The installer shall, for 10 years after the last lift has been installed, keep at the disposal of the national authorities:

(a) the documentation referred to in point 3.1(c);

(b) the technical documentation referred to in point 3.1(d);

(c) the information relating to the changes referred to in point 3.4.1;

(d) the decisions and reports from the notified body which are referred to in the second paragraph of point 3.4.2 and in points 4.3 and 4.4.

6. Each notified body shall inform its notifying authority of quality system approval decision(s) issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of approval decisions, refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of quality system approval decision(s) which it has refused, suspended or withdrawn and, upon request, of approval decision(s) which it has issued.

On request, the notified body shall provide the Commission and the Member States with a copy of quality 7stem approval decision(s) issued.

7. CE marking and EU declaration of conformity

7.1. The installer shall affix the CE marking in the car of each lift which satisfies the essential health and safety requirements of this Directive, and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number adjacent to the CE marking in the car of each lift.

7.2. The installer shall draw up a written EU declaration of conformity for each lift and keep a copy of the EU declaration of conformity at the disposal of the national authorities for 10 years after the placing on the market of the lift. A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

8. Authorised representative

The installer's obligations set out in points 3.1, 3.4.1, 5 and 7 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 11

ANNEX XI TO DIRECTIVE 2014/33/EU

CONFORMITY BASED ON FULL QUALITY ASSURANCE
PLUS DESIGN EXAMINATION FOR LIFTS

(module H1)

1. Conformity based on full quality assurance plus design examination for lifts is the conformity assessment procedure whereby a notified body assesses the quality system of an installer and, where appropriate, the design of the lifts, to ensure that the lifts satisfy the applicable essential health and safety requirements set out in Annex I.

2. OBLIGATIONS OF THE INSTALLER

The installer shall operate an approved quality system for thedesign, manufacture, assembly, installation, final inspection and testing of the lifts as specified in point 3, and shall be subject to surveillance as specified in point 4. The adequacy of the technical design of the lifts shall have been examined in accordance with point 3.3.

3. QUALITY SYSTEM

3.1. The installer shall lodge an application for assessment of his quality system with a single notified body of his choice.

The application shall include:

(a) the name and address of the installer, and, if the application is lodged by the authorised representative, his name and address as well;

(b) all relevant information on the lifts to be installed, in particular information which makes for an understanding of the relationship between the design and operation of the lift;

(c) the documentation on the quality system;

(d) the technical documentation described in point 3 of Annex IV, Part B;

(e) a written declaration that the same application has not been lodged with any other notified body.

3.2. The quality system shall ensure compliance of the lifts with the applicable essential health and safety requirements set out in Annex I. All the elements, requirements and provisions adopted by the installer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and quality records.

It shall contain in particular an adequate description of:

(a) the quality objectives and the organisational structure, responsibilities and powers of the management with regard to design and product quality;

(b) the technical design specifications, including standards that will be applied and, where the relevant harmonised standards will not be applied in full, the means, including other relevant technical specifications that will be used to ensure that the applicable essential health and safety requirements set out in Annex I will be met;

(c) the design control and design verification techniques, processes and systematic actions that will be used when designing the lifts;

(d) the examinations and tests that will be carried out on acceptance of the supplies of materials, components and sub-assemblies;

(e) the corresponding assembly, installation, quality control and quality assurance techniques, processes and systematic actions that will be used;

(f) the examinations and tests that will be carried out before (inspection of installation conditions: shaft, housing of machinery, etc.), during and after installation (including at least the tests laid down in point 3.3 of Annex V);

(g) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned;

(h) the means of monitoring the achievement of the required design and product quality and the effective operation of the quality system.

3.3. Design examination

3.3.1. When the design is not entirely in accordance with harmonised standards, the notified body shall ascertain whether the design conforms to the essential health and safety requirements set out in Annex I and, if it does, issue an EU design examination certificate to the installer, stating the limits of the certificate's validity and giving the details required for identification of the approved design.

3.3.2. Where the design does not satisfy the applicable essential health and safety requirements set out in Annex I, the notified body shall refuse to issue an EU design examination certificate and shall inform the installer accordingly, giving detailed reasons for its refusal.

The notified body shall keep itself apprised of any changes in the generally acknowledged state of the art which indicate that the approved design may no longer comply with the essential health and safety requirements set out in Annex I, and shall determine whether such changes require further investigation. If so, the notified body shall inform the installer accordingly.

3.3.3. The installer shall keep the notified body that has issued the EU design examination certificate informed of any modification to the approved design that may affect the conformity with the essential health and safety requirements set out in Annex I or the conditions for validity of the certificate. Such modifications shall require additional approval — from the notified body that issued the EU design examination certificate — in the form of an addition to the original EU design examination certificate.

3.3.4. Each notified body shall inform its notifying authority of the EU design examination certificates and/or any additions thereto which it has issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of EU design examination certificates and/or any additions thereto refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of the EU design examination certificates and/or any additions thereto which it has refused, withdrawn, suspended or otherwise restricted, and, upon request, of the certificates and/or additions thereto which it has issued.

The Commission, the Member States and the other notified bodies may, on request, obtain a copy of the EU design examination certificates and/or additions thereto. On request, the Commission and the Member States may obtain a copy of the technical documentation and of the results of the examinations carried out by the notified body.

3.3.5. The installer shall keep a copy of the EU design examination certificate, its annexes and additions together with the technical documentation at the disposal of the national authorities for 10 years after the lift has been placed on the market.

3.4. Assessment of the quality system

The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in point 3.2. It shall presume conformity with those requirements in respect of the elements of the quality systems that comply with the corresponding specifications of the relevant harmonised standard.

The auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essential health and safety requirements set out in Annex I. The audit shall include an assessment visit to the installer's premises and a visit to an installation site.

The auditing team shall review the technical documentation referred to in point 3.1(d), to verify the installer’s ability to identify the applicable essential health and safety requirements set out in Annex I and to carry out the necessary examinations with a view to ensuring compliance of the lift with those requirements.

The decision shall be notified to the installer or, where appropriate, to his authorised representative. The notification shall contain the conclusions of the assessment and the reasoned assessment decision.

3.5. The installer shall undertake to fulfil the obligations arising from the quality system as approved and to maintain it so that it remains adequate and efficient.

The installer shall keep the notified body that has approved the quality system informed of any intended change to the system.

The notified body shall assess the modifications proposed and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.2 or whether a reassessment is necessary.

It shall notify its decision to the installer or, where appropriate, to his authorised representative. The notification shall contain the conclusions of the assessment and the reasoned assessment decision.

The notified body shall affix, or cause to be affixed, its identification number adjacent to the CE marking in accordance with Articles 18 and 19.

4. SURVEILLANCE UNDER THE RESPONSIBILITY OF THE NOTIFIED BODY

4.1. The purpose of surveillance is to make sure that the installer duly fulfils the obligations arising out of the approved quality system.

4.2. The installer shall, for assessment purposes, allow the notified body access to the design, manufacture, assembly, installation, inspection, testing and storage locations, and shall provide it with all necessary information, in particular:

(a) the quality system documentation;

(b) the quality records provided for in the design part of the quality system, such as results of analyses, calculations, tests;

(c) the quality records provided for in the part of the quality system concerning acceptance of supplies and installation, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned.

4.3. The notified body shall carry out periodic audits to make sure that the installer maintains and applies the quality system and shall provide the installer with an audit report.

4.4. Additionally, the notified body may pay unexpected visits to the premises of the installer or to the installation site of a lift. At the time of such visits, the notified body may, where necessary, carry out tests or have them carried out in order to check the proper functioning of the quality system. It shall provide the installer with a visit report and, if tests have been carried out, with a test report.

5. The installer shall, keep at the disposal of the national authorities for a period ending 10 years after the lift has been placed on the market :

(a) the documentation referred to in point 3.1(c);

(b) the technical documentation referred to in point 3.1(d);

(c) the information relating to the changes referred to in the second paragraph of point 3.5;

(d) the decisions and reports from the notified body which are referred to in the fourth paragraph of point 3.5 and in points 4.3 and 4.4.

6. Each notified body shall inform its notifying authority of full quality system approval decision(s) issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of approval decisions refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of quality system approval decision(s) which it has refused, suspended or withdrawn, and, upon request, of approval decisions which it has issued.

The notified body shall keep a copy of the approval decision issued, its annexes and additions, as well as the technical documentation for 15 years from the date of their issue.

On request, the notified body shall provide the Commission and the Member States with a copy of quality system approval decision(s) issued.

7. CE marking and EU declaration of conformity

7.1. The installer shall affix the CE marking in the car of each lift which satisfies the essential health and safety requirements of this Directive, and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number adjacent to the CE marking in the car of each lift.

7.2. The installer shall draw up a written EU declaration of conformity for each lift and keep a copy of the EU declaration of conformity at the disposal of the national authorities for 10 years after the placing on the market of the lift. A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

8. Authorised representative

The installer's obligations set out in points 3.1, 3.3.3, 3.3.5, 5 and 7 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 12

ANNEX XII TO DIRECTIVE 2014/33/EU

CONFORMITY TO TYPE BASED ON PRODUCTION QUALITY ASSURANCE FOR LIFTS

(module D)

1. Conformity to type based on production quality assurance for lifts is the part of the conformity assessment procedure whereby a notified body assesses the production quality system of a installer to ensure that the lifts installed are in conformity with the approved type as described in the EU-type examination certificate or with a lift designed and manufactured under a quality system approved in accordance with Annex XI, and satisfy the applicable essential health and safety requirements set out in Annex I.

2. OBLIGATIONS OF THE INSTALLER

The installer shall operate an approved quality system for manufacture, assembly, installation, final inspection and testing of the lifts as specified in point 3, and shall be subject to surveillance as specified in point 4.

3. QUALITY SYSTEM

3.1. The installer shall lodge an application for assessment of his quality system with a single notified body of his choice.

The application shall include:

(a) the name and address of the installer, and, if the application is lodged by the authorised representative, his name and address as well;

(b) all relevant information for the lifts to be installed;

(c) the documentation on the quality system;

(d) the technical documentation of the lifts to be installed;

(e) a written declaration that the same application has not been lodged with any other notified body.

3.2. The quality system shall ensure compliance of the lifts with the applicable essential health and safety requirements set out in Annex I.

All the elements, requirements and provisions adopted by the installer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. The quality system documentation shall permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall contain in particular an adequate description of:

(a) the quality objectives and the organizational structure, responsibilities and powers of the management with regard to the product quality;

(b) the manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

(c) the examinations and tests that will be carried out before, during and after installation;

(d) the quality records, such as inspection reports and test data, calibration data, reports on the qualification of the personnel concerned;

(e) the means of monitoring the achievement of the required product quality and the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in point 3.2. It shall presume conformity with those requirements in respect of the elements of the quality system that comply with the corresponding specifications of the relevant harmonised standard.

The auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essential health and safety requirements set out in Annex I.

The audit shall include an assessment visit to the installer's premises and a visit to an installation site.

The decision shall be notified to the installer. The notification shall contain the conclusions of the audit and the reasoned assessment decision.

3.4. The installer shall undertake to fulfil the obligations arising from the quality system as approved and to maintain it so that it remains adequate and efficient.

3.4.1. The installer shall keep the notified body that has approved the quality system informed of any intended change to the system.

3.4.2. The notified body shall assess the modifications proposed and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.2 or whether a reassessment is necessary.

It shall notify its decision to the installer or, where appropriate, to his authorised representative. The notification shall contain the conclusions of the assessment and the reasoned assessment decision.

The notified body shall affix, or cause to be affixed, its identification number adjacent to the CE marking in accordance with Articles 18 and 19.

4. SURVEILLANCE UNDER THE RESPONSIBILITY OF THE NOTIFIED BODY

4.1. The purpose of surveillance is to make sure that the installer duly fulfils the obligations arising out of the approved quality system.

4.2. The installer shall, for assessment purposes, allow the notified body access to the manufacture, assembly, installation, inspection, testing and storage locations, and shall provide it with all necessary information, in particular:

(a) the quality system documentation;

(b) the technical documentation;

(c) the quality records, such as inspection reports and test data, calibration data, reports on the qualifications of the personnel concerned.

4.3. The notified body shall carry out periodic audits to make sure that the installer maintains and applies the quality system and shall provide the installer with an audit report.

4.4. Additionally, the notified body may pay unexpected visits to the installer. During such visits the notified body may, where necessary carry out tests, or have them carried out, in order to verify that the quality system is functioning correctly. The notified body shall provide the installer with a visit report and, if tests have been carried out, with a test report.

5. The installer shall, keep at the disposal of the national authorities for a period ending of 10 years after the lift has been placed on the market:

(a) the documentation referred to in point 3.1(c);

(b) the technical documentation referred to in point 3.1(d);

(c) the information relating to the changes referred to in point 3.4.1;

(d) the decisions and reports from the notified body which are referred to in the second paragraph of points 3.4.2., and in points 4.3 and 4.4.

6. Each notified body shall inform its notifying authority of quality system approval decision(s) issued or withdrawn, and shall, periodically or upon request, make available to its notifying authority the list of approval decisions refused, suspended or otherwise restricted.

Each notified body shall inform the other notified bodies of quality system approval decision(s) which it has refused, suspended or withdrawn, and, upon request, of approval decision(s) which it has issued.

On request, the notified body shall provide the Commission and the Member States with a copy of quality system approval decision(s) issued.

7. CE marking and EU declaration of conformity

7.1. The installer shall affix the CE marking in the car of each lift which satisfies the essential health and safety requirements of this Directive, and, under the responsibility of the notified body referred to in point 3.1, the latter's identification number adjacent to the CE marking in the car of each lift.

7.2. The installer shall draw up a written EU declaration of conformity for each lift and keep a copy of the EU declaration of conformity at the disposal of the national authorities for 10 years after the placing on the market of the lift. A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

8. Authorised representative

The installer's obligations set out in points 3.1, 3.4.1, 5 and 7 may be fulfilled by his authorised representative, on his behalf and under his responsibility, provided that they are specified in the mandate.

SCHEDULE 13

ANNEX XIII TO DIRECTIVE 2014/33/EU

Part A

Repealed Directive with list of the successive amendments thereto

(referred to in Article 47)

Directive 95/16/EC of the European Parliament and of the Council (OJ L 213, 7.9.1995, p. 1)	
Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1)	Only point 10 of Annex I
Directive 2006/42/EC of the European Parliament and of the Council (OJ L 157, 9.6.2006, p. 24)	Only Article 24
Regulation (EU) No 1025/2012 of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)	Only point (i) of Article 26(1)

Part B

▌Time-limits for transposition into national law and dates of application

(referred to in Article 45)

Directive	Time-limit for transposition	Date of application
95/16/EC	1 January 1997	1 July 1997
2006/42/EC, Article 24	29 June 2008	29 December 2009

SCHEDULE 14

ANNEX XIV TO DIRECTIVE 2014/33/EU

CORRELATION TABLE

Directive 95/16/EC	This Directive
Article 1(1)	Article 1(1), first subparagraph
—	Article 1(1), second subparagraph
Article 1(2), first subparagraph	Article 2(1)
Article 1(2), second subparagraph	Article 1(1)
Article 1(2), third subparagraph	
Article 1(3)	Article 1(2)
Article 1(4), first indent of first subparagraph	Article 2(6)
Article 1(4), second indent of first subparagraph	Article 2(5)
Article 1(4), fourth indent of first subparagraph	Article 2(7)
Article 1(4), fifth indent of first subparagraph	Article 2(3)
Article 1(4), second subparagraph	Article 16(3)
Article 1(4), third subparagraph	Article 16(4)
Article 1(5)	Article 1(3)
–	Article 2(1)
Article 2(1), first indent	Article 4(1)
Article 2(1), second indent	Article 4(2)
Article 2(2)	Article 6(1)
Article 2(3)	Article 6(2)
Article 2(4)	Article 3(4)
Article 2(5)	Article 3(3)
Article 3, first paragraph	Article 5(1)
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Article 4(1)	Article 3(1)
Article 4(2)	Article 3(2)
—	Articles 7 to 14
Article 5(1)	Article 14

Directive 95/16/EC	This Directive
Article 6(1) and (2)	___
Article 6(3) and (4)	Article 42
Article 7(1), first subparagraph	Article 38(1)
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Article 7(2), first subparagraph	Article 39(3)
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Article 8(3), first and third indents	Article 17(2) and Article 19(3)
Article 8(3), second indents	Article 7(3)
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Article 8(5)	Article 12
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Article 10(1)	___
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Article 10(4)(a)	Article 41(1)(a)
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Directive 95/16/EC	This Directive
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Article 14	—
Article 15(1) and (2)	—
Article 15(3)	Article 46(2)
Article 16	Article 46
Article 17	Article 49
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