

## STATUTORY INSTRUMENTS

# 2016 No. 1093

## The Lifts Regulations 2016

### PART 2

#### Obligations of economic operators

##### Installers

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

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

#### **Technical documentation and conformity assessment** **E+W+S**

7. Before placing a lift on the market, an installer must—
- (a) have a relevant conformity assessment procedure carried out; and
  - (b) draw up the technical documentation referred to—
    - (i) for a lift in respect of which the conformity assessment procedure in regulation 47(1) (a) is being carried out, in point 3 of Part B of Module B in [<sup>F1</sup>Schedule 11];
    - (ii) for a lift in respect of which the conformity assessment procedure in regulation 47(1) (b) or 47(1)(d) is being carried out, in point 3.1(d) of Module H1 in [<sup>F2</sup>Schedule 18];
    - (iii) for a lift in respect of which the conformity assessment procedure in regulation 47(1) (c) is being carried out, in point 3 of Module G in [<sup>F3</sup>Schedule 15].

#### **Extent Information**

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### **Textual Amendments**

- F1** Words in reg. 7(b)(i) substituted (E.W.S.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/696), reg. 1, **Sch. 22 para. 5(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 7(b)(ii) substituted (E.W.S.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/696), reg. 1, **Sch. 22 para. 5(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 7(b)(iii) substituted (E.W.S.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/696), reg. 1, **Sch. 22 para. 5(c)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

## Technical documentation and conformity assessment **N.I.**

7. Before placing a lift on the market, an installer must—
- (a) have a relevant conformity assessment procedure carried out; and
  - (b) draw up the technical documentation referred to—
    - (i) for a lift in respect of which the conformity assessment procedure in regulation 47(1) (a) is being carried out, in point 3 of Part B of Module B in Annex IV to the Directive (as amended from time to time);
    - (ii) for a lift in respect of which the conformity assessment procedure in regulation 47(1) (b) or 47(1)(d) is being carried out, in point 3.1(d) of Module H1 in Annex XI to the Directive (as amended from time to time);
    - (iii) for a lift in respect of which the conformity assessment procedure in regulation 47(1) (c) is being carried out, in point 3 of Module G in Annex VIII to the Directive (as amended from time to time).

### Extent Information

**E20** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

## [<sup>F4</sup>Declaration] of conformity and [<sup>F5</sup>UK] marking **E+W+S**

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

- (a) draw up a declaration of conformity in accordance with regulation 49 (<sup>F6</sup>... declaration of conformity);
  - (b) ensure that the declaration of conformity accompanies the lift; and
  - (c) affix the [<sup>F7</sup>UK] marking in accordance with regulation 50 ([<sup>F7</sup>UK] marking).
- (2) The installer must keep the <sup>F8</sup>... declaration of conformity up-to-date.

[<sup>F9</sup>(3) Where a lift is subject to more than one enactment requiring the drawing up of a declaration of conformity, the installer must draw up a single declaration of conformity which identifies each enactment by its title.]

### Extent Information

**E2** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

### Textual Amendments

- F4** Word in *reg. 8 heading* substituted (E.W.S.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/696), *reg. 1, Sch. 22 para. 6(2)(a)* (with *Sch. 22 para. 37*) (as amended by *S.I. 2020/676, regs. 1(1), 2*); 2020 c. 1, *Sch. 5 para. 1(1)*
- F5** Word in *reg. 8 heading* substituted (E.W.S.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/696), *reg. 1, Sch. 22 para. 6(2)(b)* (with *Sch. 22 para. 37*) (as amended by *S.I. 2020/676, regs. 1(1), 2*); 2020 c. 1, *Sch. 5 para. 1(1)*

- F6** Word in reg. 8(1)(a) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 6(3)(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Word in reg. 8(1)(c) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 6(3)(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Word in reg. 8(2) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 6(4)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Reg. 8(3) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 6(5)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

## EU declaration of conformity and CE marking **N.I.**

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

- (a) draw up a declaration of conformity in accordance with regulation 49 (EU declaration of conformity);
  - (b) ensure that the declaration of conformity accompanies the lift; and
  - (c) affix the CE marking in accordance with regulation 50 (CE marking).
- (2) The installer must keep the EU declaration of conformity up-to-date.

(3) Where a lift is subject to more than one [<sup>F57</sup>NI Protocol obligation] requiring a declaration of conformity to be drawn up, the installer must draw up a single declaration of conformity, which—

- (a) identifies the [<sup>F58</sup>relevant] EU instruments; and
- (b) includes references to the publication of those EU instruments in the Official Journal.

### Extent Information

- E21** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### Textual Amendments

- F57** Words in reg. 8(3) substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(2)(a)**
- F58** Word in reg. 8(3)(a) inserted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(2)(b)**

## Retention of technical documentation and <sup>F10</sup>... declaration of conformity **E+W+S**

9. An installer must keep the technical documentation, the <sup>F11</sup>... declaration of conformity and, where applicable, any approval decision, drawn up in respect of a lift for a period of 10 years beginning on the day on which the lift is placed on the market.

*Changes to legislation: There are currently no known outstanding effects for the The Lifts Regulations 2016, PART 2. (See end of Document for details)*

**Extent Information**

**E3** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

**F10** Word in [reg. 9](#) heading omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 7](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**F11** Word in [reg. 9](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 7](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**Retention of technical documentation and EU declaration of conformity** **N.I.**

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

**Extent Information**

**E22** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Labelling and instructions** **E+W+S**

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

- (a) ensure that it is labelled with—
  - (i) the name, registered trade name or registered trade mark of the installer;
  - (ii) a single postal address at which the installer can be contacted; and
  - (iii) the type, batch or serial number of the lift or other element allowing the lift to be identified; and
- (b) ensure that it is accompanied by the instructions referred to in <sup>F12</sup>paragraph 7(2) of Schedule 1].

<sup>F13</sup>(2) the information referred to in paragraph (1) must be clear, legible and in easily understandable English.]

<sup>F14</sup>(3) .....

**Extent Information**

**E4** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

**F12** Words in [reg. 10\(1\)\(b\)](#) substituted (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018](#) (S.I. 2018/389), [reg. 1\(1\)](#), [Sch. 6 para. 3](#) (with [reg. 2](#))

- F13** Reg. 10(2) substituted (E.W.S) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 8(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Reg. 10(3) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 8(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

## Labelling and instructions **N.I.**

- 10.**—(1) Before placing a lift on the market, an installer must—
- (a) ensure that it is labelled with—
    - (i) the name, registered trade name or registered trade mark of the installer;
    - (ii) a single postal address at which the installer can be contacted; and
    - (iii) the type, batch or serial number of the lift or other element allowing the lift to be identified; and
  - (b) ensure that it is accompanied by the instructions referred to in [F59]paragraph 7(2) of Schedule 1].
- (2) The information referred to in paragraph (1) above must be—
- (a) in the case of the information referred to in paragraph (1)(a), in a language that can be easily understood by the end-users and the competent national authority in the [F60]relevant state] in which the lift is to be placed on the market;
  - (b) in the case of the information referred to in paragraph 1(b), in a language which can be easily understood by the end-users in the [F60]relevant state] in which the lift is to be placed on the market; and
  - (c) clear and understandable.
- (3) Where the lift is to be placed on the market in [F61]Northern Ireland] the language which can be easily understood by end-users is English.

### Extent Information

- E23** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### Textual Amendments

- F59** Words in reg. 10(1)(b) substituted (21.4.2018) by The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018 (S.I. 2018/389), reg. 1(1), **Sch. 6 para. 3** (with reg. 2)
- F60** Words in reg. 10 substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(3)(a)**
- F61** Words in reg. 10 substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(3)(b)**

## Monitoring of lifts placed on the market

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

- (2) An installer must keep a register and promptly make entries in that register of any—
- (i) complaints; and
  - (ii) lifts that are not in conformity with Part 2.
- (3) An installer must keep an entry made in the register for a period of at least 10 years beginning on the day on which the obligation to make the entry arose.

**Duty to take action in respect of lifts placed on the market which are considered not to be in conformity** **E+W+S**

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

(2) Where the lift presents a risk, the installer must immediately inform the market surveillance authority <sup>F15</sup>... of the risk, giving details of—

- (a) the respect in which the lift is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

**Extent Information**

**E5** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

**F15** Words in [reg. 12\(2\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 9](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

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

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

(2) Where the lift presents a risk, the installer must immediately inform the market surveillance authority, and the competent national authorities of any other [<sup>F62</sup>relevant state] in which the installer placed the lift on the market, of the risk, giving details of—

- (a) the respect in which the lift is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

**Extent Information**

**E24** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Textual Amendments**

**F62** Words in [reg. 12\(2\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(4\)](#)

### Provision of information and cooperation

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

- (a) in paper or electronic form; and
- (b) in a language that can be easily understood by the enforcing authority.

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

- (a) evaluate a lift in accordance with regulation 64 (evaluation of lifts or safety components for lifts presenting a risk); or
- (b) eliminate the risks posed by a lift which the installer has placed on the market.

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

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

- (a) provide each other with the necessary information, and
- (b) take the appropriate steps,

in order to ensure the proper operation and safe use of the lift, in particular they must take all necessary measures to ensure that shafts intended for lifts do not contain any piping or wiring or fittings other than that necessary for the operation and safety of the lift.

Manufacturers

### Design and manufacture in accordance with essential health and safety requirements

15. Before placing a safety component for lifts on the market, a manufacturer must ensure that it has been designed and manufactured in accordance with the essential health and safety requirements.

### Technical documentation and conformity assessment **E+W+S**

16. Before placing a safety component for lifts on the market, a manufacturer must—

- (a) have a relevant conformity assessment procedure carried out; and
- (b) draw up the technical documentation referred to—
  - (i) for a safety component for lifts in respect of which the conformity assessment procedure in regulation 48(a) or 48(b) is being carried out, in point 3 of Part A of Module B in <sup>[F16]</sup>Schedule 11];
  - (ii) for a safety component for lifts in respect of which the conformity assessment procedure in regulation 48(c) is being carried out, in point 3.1(d) of Module H in <sup>[F17]</sup>Schedule 14].

#### Extent Information

**E6** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

### Textual Amendments

- F16** Words in reg. 16(b)(i) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 10(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in reg. 16(b)(ii) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 10(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

### Technical documentation and conformity assessment **N.I.**

- 16.** Before placing a safety component for lifts on the market, a manufacturer must—
- (a) have a relevant conformity assessment procedure carried out; and
  - (b) draw up the technical documentation referred to—
    - (i) for a safety component for lifts in respect of which the conformity assessment procedure in regulation 48(a) or 48(b) is being carried out, in point 3 of Part A of Module B in Annex IV to the Directive (as amended from time to time);
    - (ii) for a safety component for lifts in respect of which the conformity assessment procedure in regulation 48(c) is being carried out, in point 3.1(d) of Module H in Annex VII to the Directive (as amended from time to time).

### Extent Information

- E25** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### [<sup>F18</sup>Declaration] of conformity and [<sup>F19</sup>UK] marking **E+W+S**

**17.—**(1) Where the conformity of a safety component for lifts with the essential health and safety requirements has been demonstrated by a relevant conformity assessment procedure, before placing the safety component for lifts on the market, the manufacturer must—

- (a) draw up a declaration of conformity in accordance with regulation 49 (<sup>F20</sup>...declaration of conformity);
  - (b) ensure that it accompanies the safety component for lifts; and
  - (c) affix the [<sup>F21</sup>UK] marking in accordance with regulation 50 ([<sup>F21</sup>UK] marking).
- (2) The manufacturer must keep the <sup>F22</sup>... declaration of conformity up-to-date.

[<sup>F23</sup>(3) Where a safety component for lifts is subject to more than one enactment requiring the drawing up of a declaration of conformity, the manufacturer must draw up a single declaration of conformity which identifies each enactment by its title.]

### Extent Information

- E7** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only



### Textual Amendments

- F18** Word in reg. 17 heading substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 11(2)(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Word in reg. 17 heading substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 11(2)(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F20** Word in reg. 17(1)(a) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 11(3)(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Word in reg. 17(1)(c) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 11(3)(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F22** Word in reg. 17(2) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 11(4)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Reg. 17(3) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 22 para. 11(5)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

### EU declaration of conformity and CE marking **N.I.**

17.—(1) Where the conformity of a safety component for lifts with the essential health and safety requirements has been demonstrated by a relevant conformity assessment procedure, before placing the safety component for lifts on the market, the manufacturer must—

- (a) draw up a declaration of conformity in accordance with regulation 49 (EU declaration of conformity);
- (b) ensure that it accompanies the safety component for lifts; and
- (c) affix the CE marking in accordance with regulation 50 (CE marking).

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

(3) Where a safety component for lifts is subject to more than one [<sup>F63</sup>NI Protocol obligation] requiring a declaration of conformity to be drawn up, the manufacturer must draw up a single declaration of conformity, which—

- (a) identifies the EU instruments; and
- (b) includes references to the publication of those [<sup>F64</sup>relevant] EU instruments in the Official Journal.

### Extent Information

- E26** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### Textual Amendments

- F63** Words in reg. 17(3) substituted (N.I.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(5)(a)**

**F64** Word in reg. 17(3)(b) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), **Sch. 10 para. 3(5)(b)**

### Retention of technical documentation and <sup>F24</sup>... declaration of conformity **E+W+S**

**18.** A manufacturer must keep the technical documentation, the <sup>F25</sup>... declaration of conformity and, where appropriate, any approval decision, drawn up in respect of a safety component for lifts for a period of 10 years beginning on the day on which the safety component for lifts is placed on the market.

#### Extent Information

**E8** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

**F24** Word in reg. 18 heading omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 22 para. 12** (with Sch. 22 para. 37) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

**F25** Word in reg. 18 omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 22 para. 12** (with Sch. 22 para. 37) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

### Retention of technical documentation and EU declaration of conformity **N.I.**

**18.** A manufacturer must keep the technical documentation, the EU declaration of conformity and, where appropriate, any approval decision, drawn up in respect of a safety component for lifts for a period of 10 years beginning on the day on which the safety component for lifts is placed on the market.

#### Extent Information

**E27** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### Labelling and instructions **E+W+S**

**19.—(1)** Before placing a safety component for lifts on the market, a manufacturer must—

- (a) ensure that it is labelled with—
  - (i) the name, registered trade name or registered trade mark of the manufacturer;
  - (ii) a single postal address at which the manufacturer can be contacted; and
  - (iii) the type, batch or serial number of the safety component for lifts or other element allowing the safety component to be identified;
- (b) ensure that it is accompanied by the instructions referred to in [<sup>F26</sup>paragraph 7(1) of Schedule 1].

[<sup>F27</sup>(2) The information referred to in paragraph (1) must be clear, legible and in easily understandable English.]

(3) Where the size or nature of the safety component for lifts does not allow the information referred to in paragraph (1)(a) to be indicated on the safety component for lifts, that information must be provided on the label referred to in regulation 50(2).

<sup>F28</sup>(4) .....

**Extent Information**

**E9** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

- F26** Words in reg. 19(1)(b) substituted (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018 \(S.I. 2018/389\)](#), reg. 1(1), **Sch. 6 para. 4** (with reg. 2)
- F27** Reg. 19(2) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 22 para. 13(a)** (with Sch. 22 para. 37) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F28** Reg. 19(4) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 22 para. 13(b)** (with Sch. 22 para. 37) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

**Labelling and instructions** **N.I.**

- 19.—(1) Before placing a safety component for lifts on the market, a manufacturer must—
- (a) ensure that it is labelled with—
    - (i) the name, registered trade name or registered trade mark of the manufacturer;
    - (ii) a single postal address at which the manufacturer can be contacted; and
    - (iii) the type, batch or serial number of the safety component for lifts or other element allowing the safety component to be identified;
  - (b) ensure that it is accompanied by the instructions referred to in [<sup>F65</sup>paragraph 7(1) of Schedule 1].
- (2) The information referred to in paragraph (1) above must be—
- (a) in the case of the information referred to in paragraph (1)(a), in a language that can be easily understood by the end-users and the competent national authority in the [<sup>F66</sup>relevant state] in which the safety component for lifts is to be made available to end-users;
  - (b) in the case of the information referred to in paragraph 1(b), in a language which can be easily understood by the end-users in the [<sup>F66</sup>relevant state] in which the safety component for lifts is to be made available to end-users; and
  - (c) clear and understandable.
- (3) Where the size or nature of the safety component for lifts does not allow the information referred to in paragraph (1)(a) to be indicated on the safety component for lifts, that information must be provided on the label referred to in regulation 50(2).
- (4) Where the safety component for lifts is to be made available to end-users in [<sup>F67</sup>Northern Ireland] the language which can be easily understood by end-users is English.

#### Extent Information

- E28** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

#### Textual Amendments

- F65** Words in reg. 19(1)(b) substituted (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018 \(S.I. 2018/389\)](#), reg. 1(1), **Sch. 6 para. 4** (with reg. 2)
- F66** Words in reg. 19 substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), **Sch. 10 para. 3(6)(a)**
- F67** Words in reg. 19(4) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), **Sch. 10 para. 3(6)(b)**

#### Compliance procedures for series production **E+W+S**

**20.—(1)** A manufacturer of safety components for lifts which are manufactured by series production must ensure that, before placing the safety component on the market, procedures are in place to ensure that any safety components so manufactured will be in conformity with Part 2.

(2) In doing so, the manufacturer must take adequate account of—

- (a) any change in safety component for lifts design or characteristics; and
- (b) any change in a [<sup>F29</sup>designated] standard or in another technical specification by reference to which the <sup>F30</sup>... declaration of conformity was drawn up.

#### Extent Information

- E10** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F29** Word in reg. 20(2)(b) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 22 para. 14(a)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F30** Word in reg. 20(2)(b) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 22 para. 14(b)** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

#### Compliance procedures for series production **N.I.**

**20.—(1)** A manufacturer of safety components for lifts which are manufactured by series production must ensure that, before placing the safety component on the market, procedures are in place to ensure that any safety components so manufactured will be in conformity with Part 2.

(2) In doing so, the manufacturer must take adequate account of—

- (a) any change in safety component for lifts design or characteristics; and
- (b) any change in a harmonised standard or in another technical specification by reference to which the EU declaration of conformity was drawn up.

#### Extent Information

- E29** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### Monitoring of safety components for lifts made available on the market

**21.**—(1) When appropriate, having regard to the risks to the health and safety of end-users presented by a safety component for lifts, the manufacturer must—

- (a) carry out sample testing of safety components for lifts manufactured by it which are made available on the market;
- (b) investigate complaints that safety components for lifts manufactured by it are not in conformity with Part 2;
- (c) keep distributors and installers informed of actions carried out under sub-paragraphs (a) and (b).

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

- (i) complaints;
- (ii) safety components for lifts that are not in conformity with Part 2; and
- (iii) safety component for lifts recalls.

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

### Duty to take action in respect of safety components for lifts placed on the market which are considered not to be in conformity **E+W+S**

**22.**—(1) A manufacturer who considers, or has reason to believe, that a safety component for lifts which that manufacturer has placed on the market is not in conformity with Part 2, must immediately take the corrective measures necessary to—

- (a) bring the safety component for lifts into conformity;
- (b) withdraw the safety component for lifts; or
- (c) recall the safety component for lifts.

(2) Where the safety component for lifts presents a risk, the manufacturer must immediately inform the market surveillance authority<sup>F31</sup> ... of the risk, giving details of—

- (a) the respect in which the safety components for lifts is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

#### Extent Information

- E11** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F31** Words in [reg. 22\(2\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 15](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

### **Duty to take action in respect of safety components for lifts placed on the market which are considered not to be in conformity** **N.I.**

22.—(1) A manufacturer who considers, or has reason to believe, that a safety component for lifts which that manufacturer has placed on the market is not in conformity with Part 2, must immediately take the corrective measures necessary to—

- (a) bring the safety component for lifts into conformity;
- (b) withdraw the safety component for lifts; or
- (c) recall the safety component for lifts.

(2) Where the safety component for lifts presents a risk, the manufacturer must immediately inform the market surveillance authority, and the competent national authorities of any other [F68 relevant state] in which the manufacturer made the safety component for lifts available on the market, of the risk, giving details of—

- (a) the respect in which the safety components for lifts is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

#### **Extent Information**

**E30** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

#### **Textual Amendments**

**F68** Words in [reg. 22](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(7\)](#)

### **Provision of information and cooperation**

23.—(1) Following a reasoned request from the enforcing authority, and within such period as the enforcing authority may specify, a manufacturer must provide the authority with all the information and documentation necessary to demonstrate that a safety component for lifts is in conformity with Part 2—

- (a) in paper or electronic form; and
- (b) in a language that can be easily understood by the enforcing authority.

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

- (a) evaluate a safety component for lifts in accordance with regulation 64 (evaluation of lifts or safety components for lifts presenting a risk); or
- (b) eliminate the risks posed by a safety component for lifts which the manufacturer has placed on the market.

Authorised representatives

### **Appointment of authorised representatives** **E+W+S**

24.—(1) An installer or a manufacturer may, by written mandate, appoint a person [F32 established in the United Kingdom] as their authorised representative to perform specified tasks on the installer or the manufacturer's behalf.

- (2) The mandate must allow the authorised representative to do at least the following—
- (a) in relation to lifts covered by the mandate, perform the installer's obligations under—
    - (i) regulation 9 (retention of technical documentation and <sup>F33</sup>... declaration of conformity); and
    - (ii) regulation 13 (provision of information and cooperation);
  - (b) in relation to safety components for lifts covered by the mandate, perform the manufacturer's obligations under—
    - (i) regulation 18 (retention of technical documentation and <sup>F33</sup>... declaration of conformity); and
    - (ii) regulation 23 (provision of information and cooperation).
- (3) An installer or manufacturer may not be appointed to perform the installer's or manufacturer's obligations—
- (a) in relation to lifts, under regulation 6 (design, manufacture, installation and testing in accordance with essential health and safety requirements), regulation 7 (technical documentation and conformity assessment) or regulation 8 (<sup>F33</sup>... declaration of conformity and [<sup>F34</sup>UK] marking);
  - (b) in relation to safety components for lifts, under regulation 15 (design and manufacture in accordance with essential health and safety requirements), regulation 16 (technical documentation and conformity assessment) or regulation 17 (<sup>F33</sup>... declaration of conformity and [<sup>F34</sup>UK] marking).
- (4) An authorised representative must comply with all the duties imposed on the installer or the manufacturer in relation to each obligation under these Regulations that the authorised representative is appointed by the installer or the manufacturer to perform.
- (5) As far as those duties are concerned, as well as the penalties for failure to comply with those duties, references in these Regulations (except in this regulation) to the installer or to the manufacturer are to be taken as including a reference to the authorised representative.
- (6) An installer or a manufacturer who has appointed an authorised representative to perform on their behalf an obligation under these Regulations remains responsible for the proper performance of that obligation.

#### Extent Information

- E12** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F32** Words in [reg. 24\(1\)](#) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 16\(a\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F33** Word in [reg. 24](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 16\(b\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F34** Word in [reg. 24](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 16\(c\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

## Appointment of authorised representatives **N.I.**

24.—(1) An installer or a manufacturer may, by written mandate, appoint a person as their authorised representative to perform specified tasks on the installer or the manufacturer's behalf.

- (2) The mandate must allow the authorised representative to do at least the following—
- (a) in relation to lifts covered by the mandate, perform the installer's obligations under—
    - (i) regulation 9 (retention of technical documentation and EU declaration of conformity); and
    - (ii) regulation 13 (provision of information and cooperation);
  - (b) in relation to safety components for lifts covered by the mandate, perform the manufacturer's obligations under—
    - (i) regulation 18 (retention of technical documentation and EU declaration of conformity); and
    - (ii) regulation 23 (provision of information and cooperation).

(3) An installer or manufacturer may not be appointed to perform the installer's or manufacturer's obligations—

- (a) in relation to lifts, under regulation 6 (design, manufacture, installation and testing in accordance with essential health and safety requirements), regulation 7 (technical documentation and conformity assessment) or regulation 8 (EU declaration of conformity and CE marking);
- (b) in relation to safety components for lifts, under regulation 15 (design and manufacture in accordance with essential health and safety requirements), regulation 16 (technical documentation and conformity assessment) or regulation 17 (EU declaration of conformity and CE marking).

(4) An authorised representative must comply with all the duties imposed on the installer or the manufacturer in relation to each obligation under these Regulations that the authorised representative is appointed by the installer or the manufacturer to perform.

(5) As far as those duties are concerned, as well as the penalties for failure to comply with those duties, references in these Regulations (except in this regulation) to the installer or to the manufacturer are to be taken as including a reference to the authorised representative.

(6) An installer or a manufacturer who has appointed an authorised representative to perform on their behalf an obligation under these Regulations remains responsible for the proper performance of that obligation.

### Extent Information

**E31** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Importers

## Prohibition on placing on the market a safety component for lifts which is not in conformity with the essential health and safety requirements

25. An importer must not place a safety component for lifts on the market unless it is in conformity with the essential health and safety requirements.



**Requirements which must be satisfied before an importer places a safety component for lifts on the market** **E+W+S**

26.—(1) Before placing a safety component for lifts on the market, an importer must ensure that—

- (a) a relevant conformity assessment procedure has been carried out by the manufacturer;
- (b) the manufacturer has drawn up the technical documentation;
- (c) the safety component for lifts—
  - (i) bears the <sup>F35</sup>UK marking; and
  - (ii) is accompanied by the <sup>F36</sup>... declaration of conformity and any required labels; and
- (d) the manufacturer has complied with the requirement in regulation 19 (labelling and instructions).

(2) In paragraph 1(c)(ii), “required labels” means any labels that are required to be attached to the safety component for lifts pursuant to regulation 19(3).

**Extent Information**

**E13** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

**F35** Word in reg. 26(1)(c)(i) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, Sch. 22 para. 17(a) (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

**F36** Word in reg. 26(1)(c)(ii) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, Sch. 22 para. 17(b) (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

**Requirements which must be satisfied before an importer places a safety component for lifts on the market** **N.I.**

26.—(1) Before placing a safety component for lifts on the market, an importer must ensure that—

- (a) a relevant conformity assessment procedure has been carried out by the manufacturer;
- (b) the manufacturer has drawn up the technical documentation;
- (c) the safety component for lifts—
  - (i) bears the CE marking; and
  - (ii) is accompanied by the EU declaration of conformity and any required labels; and
- (d) the manufacturer has complied with the requirement in regulation 19 (labelling and instructions).

(2) In paragraph 1(c)(ii), “required labels” means any labels that are required to be attached to the safety component for lifts pursuant to regulation 19(3).

**Extent Information**

**E32** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### Prohibition on placing on the market safety components for lifts considered not to be in conformity with the essential health and safety requirements

27.—(1) Where an importer considers, or has reason to believe, that a safety component for lifts is not in conformity with the essential health and safety requirements, the importer must not place the safety component for lifts on the market.

(2) Where the safety component for lifts presents a risk, the importer must inform the manufacturer and the market surveillance authority of that risk.

### Information identifying importer **E+W+S**

28.—(1) Before placing a safety component for lifts on the market, an importer must indicate on the safety component for lifts—

- (a) the name, registered trade name or registered trade mark of the importer; and
- (b) a postal address at which the importer can be contacted.

(2) The information specified in paragraph (1) must be in a language which can be easily understood by end-users and the [<sup>F37</sup>market surveillance authority].

[<sup>F38</sup>(3) Paragraph (1) does not apply where—

- (a) either—
  - (i) it is not possible to set out the information specified in paragraph (1) on the safety component for lifts; or
  - (ii) the importer has imported the safety component from an EEA state or Switzerland and places it on the market within the period of [<sup>F39</sup>seven years] beginning with IP completion day; and
- (b) before placing the safety component for lifts on the market, the importer sets out the information specified in paragraph (1)—
  - (i) on the packaging; or
  - (ii) in a document accompanying the safety component for lifts.]

#### Extent Information

**E14** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

**F37** Words in [reg. 28\(2\)](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, [Sch. 22 para. 18\(a\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**F38** [Reg. 28\(3\)](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, [Sch. 22 para. 18\(b\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2; [S.I. 2019/1246](#), regs. 1(3), 5; [S.I. 2020/852](#), regs. 2(2), 4(2), [Sch. 1 para. 1\(k\)\(iii\)](#); and [S.I. 2020/1460](#), reg. 1(4), [Sch. 3 para. 2\(1\)\(g\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#))

**F39** Words in [reg. 28\(3\)\(a\)\(ii\)](#) substituted (E.W.S.) (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022](#) (S.I. 2022/1393), regs. 1(1), 4, [Sch. 3 \(i\)](#)

**Information identifying importer** **N.I.**

28.—(1) Before placing a safety component for lifts on the market, an importer must indicate on the safety component for lifts—

- (a) the name, registered trade name or registered trade mark of the importer; and
- (b) a postal address at which the importer can be contacted.

(2) The information specified in paragraph (1) must be in a language which can be easily understood by end-users and the competent national authority in the [<sup>F69</sup>relevant state] in which the safety component for lift is to be made available to such end-users.

(3) Where it is not possible to indicate the information specified in paragraph (1) on the safety component for lifts, the importer must indicate that information—

- (a) on the packaging; or
- (b) in a document accompanying the safety component for lifts.

**Extent Information**

**E33** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Textual Amendments**

**F69** Words in [reg. 28](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(7\)](#)

**Instructions** **E+W+S**

29.—<sup>F40</sup>(1) When placing a safety component for lifts on the market, an importer must ensure that it is accompanied by the instructions referred to in paragraph 7 of Schedule 1 and that they are clear, legible and in easily understandable English.]

<sup>F41</sup>(2) .....

**Extent Information**

**E15** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

**F40** [Reg. 29\(1\)](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 19\(a\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**F41** [Reg. 29\(2\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 19\(b\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**Instructions** **N.I.**

29.—(1) When placing a safety component for lifts on the market, an importer must ensure that it is accompanied by the instructions referred to in [<sup>F70</sup>paragraph 7 (1) of Schedule 1] in a language

which can be easily understood by end-users in the [<sup>F71</sup>relevant state] in which the safety component for lifts is to be made available to such end-users.

(2) Where the safety component for lifts is being made available to end-users in [<sup>F72</sup>Northern Ireland], the language which can be easily understood by end-users is English.

#### **Extent Information**

**E34** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

#### **Textual Amendments**

**F70** Words in [reg. 29\(1\)](#) substituted (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018 \(S.I. 2018/389\)](#), [reg. 1\(1\)](#), [Sch. 6 para. 5](#) (with [reg. 2](#))

**F71** Words in [reg. 29](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(8\)\(a\)](#)

**F72** Words in [reg. 29](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(8\)\(b\)](#)

### **Storage and transport**

**30.** Where an importer has responsibility for a safety component for lifts, the importer must ensure that the conditions under which the safety component for lifts is stored or transported do not jeopardise its conformity with the essential health and safety requirements.

### **Monitoring of safety components for lifts made available on the market**

**31.—(1)** When appropriate, having regard to the risks to the health and safety of end-users presented by a safety component for lifts, the importer must—

- (a) carry out sample testing of safety components for lifts made available on the market by the importer;
- (b) investigate complaints that safety components for lifts made available on the market by the importer are not in conformity with Part 2;
- (c) keep distributors and installers informed of any actions carried out under sub-paragraphs (a) and (b).

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

- (i) complaints;
- (ii) safety components for lifts that are not in conformity with Part 2; and
- (iii) safety components for lifts recalls.

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

### **Duty to take action in respect of safety components for lifts placed on the market which are considered not to be in conformity**

**32.—(1)** An importer who considers, or has reason to believe, that a safety component for lifts which that importer has placed on the market is not in conformity with Part 2, must immediately take the corrective measures necessary to—

- (a) bring the safety component for lifts into conformity;
- (b) withdraw the safety component for lifts; or
- (c) recall the safety component for lifts.

(2) Where the safety component for lifts presents a risk, the importer must immediately inform the market surveillance authority, and the competent national authorities of any other member State in which the importer made the safety component for lifts available on the market, of the risk, giving details of—

- (a) the respect in which the safety components for lifts is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

### Retention of technical documentation and <sup>F42</sup>...declaration of conformity **E+W+S**

**33.** An importer must, for a period of 10 years beginning on the day on which the safety component for lifts is placed on the market—

- (a) keep a copy of the <sup>F43</sup>... declaration of conformity and, where applicable, any approval decision, at the disposal of enforcing authorities; and
- (b) ensure that the technical documentation can be made available to enforcing authorities, upon request.

#### Extent Information

**E16** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

**F42** Word in [reg. 33](#) heading omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 20](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**F43** Word in [reg. 33](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 22 para. 20](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

### Retention of technical documentation and EU declaration of conformity **N.I.**

**33.** An importer must, for a period of 10 years beginning on the day on which the safety component for lifts is placed on the market—

- (a) keep a copy of the EU declaration of conformity and, where applicable, any approval decision, at the disposal of enforcing authorities; and
- (b) ensure that the technical documentation can be made available to enforcing authorities, upon request.

#### Extent Information

**E35** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Provision of information and cooperation**

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

- (a) in paper or electronic form; and
- (b) in a language that can be easily understood by the enforcing authority.

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

- (a) evaluate a safety component for lifts in accordance with regulation 64 (evaluation of lifts or safety components for lifts presenting a risk); or
- (b) eliminate the risks posed by a safety component for lifts which the importer has placed on the market.

**Cases in which obligations of manufacturers apply to importers**

35.—(1) An economic operator who would, but for this regulation, be considered an importer (“A”), is to be considered a manufacturer for the purposes of these Regulations and is subject to the relevant obligations of the manufacturer under this Part, where A—

- (a) places a safety component for lifts on the market under A's own name or trademark; or
- (b) modifies a safety component for lifts already placed on the market in such a way that it may affect whether the safety component for lifts is in conformity with Part 2.

Distributors

**Duty to act with due care**

36. When making a safety component for lifts available on the market, a distributor must act with due care to ensure that it is in conformity with Part 2.

**Requirements which must be satisfied before a distributor makes a safety component for lifts available on the market E+W+S**

37.—(1) Before making a safety component for lifts available on the market, the distributor must ensure that—

- (a) the safety component for lifts—
  - (i) bears the [<sup>F44</sup>UK] marking;
  - (ii) is accompanied by the <sup>F45</sup>... declaration of conformity and the required documents; and
  - [<sup>F46</sup>(iii) is accompanied by the instructions referred to in paragraph 7 of Schedule 1 and that they are clear, legible and in easily understandable English;]
- (b) the manufacturer has complied with the requirements set out in regulation 19 (labelling and instructions); and
- (c) the importer has complied with the requirements set out in regulation 28 (information identifying importer).

<sup>F47</sup>(2) .....

(3) In paragraph 1(a)(ii), “required documents” means any labels or documents that are required to be provided with the safety component for lifts pursuant to—

- (a) regulation 19(3); and
- (b) regulation 28(3).

#### Extent Information

- E17** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F44** Word in reg. 37(1)(a)(i) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 22 para. 21\(a\)\(i\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F45** Word in reg. 37(1)(a)(ii) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 22 para. 21\(a\)\(ii\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F46** [Reg. 37\(1\)\(a\)\(iii\)](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 22 para. 21\(a\)\(iii\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F47** [Reg. 37\(2\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 22 para. 21\(b\)](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

### Requirements which must be satisfied before a distributor makes a safety component for lifts available on the market **N.I.**

37.—(1) Before making a safety component for lifts available on the market, the distributor must ensure that—

- (a) the safety component for lifts—
  - (i) bears the CE marking;
  - (ii) is accompanied by the EU declaration of conformity and the required documents; and
  - (iii) is accompanied by the instructions referred to in <sup>[F73]</sup>paragraph 7(1) of Schedule 1] in a language which can be easily understood by end-users in the <sup>[F74]</sup>relevant state] in which the safety component for lifts is to be made available on the market;
- (b) the manufacturer has complied with the requirements set out in regulation 19 (labelling and instructions); and
- (c) the importer has complied with the requirements set out in regulation 28 (information identifying importer).

(2) Where the safety component for lifts is to be made available to end-users in <sup>[F75]</sup>Northern Ireland] the language which can be easily understood by end-users is English.

(3) In paragraph 1(a)(ii), “required documents” means any labels or documents that are required to be provided with the safety component for lifts pursuant to—

- (a) regulation 19(3); and
- (b) regulation 28(3).

#### Extent Information

- E36** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

#### Textual Amendments

- F73** Words in [reg. 37\(1\)\(a\)\(iii\)](#) substituted (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018 \(S.I. 2018/389\)](#), [reg. 1\(1\)](#), [Sch. 6 para. 6](#) (with [reg. 2](#))
- F74** Words in [reg. 37](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(9\)\(a\)](#)
- F75** Words in [reg. 37](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(9\)\(b\)](#)

### Prohibition on making available on the market where the safety component for lifts is not considered to be in conformity with the essential health and safety requirements

**38.**—(1) Where a distributor considers, or has reason to believe, that a safety component for lifts is not in conformity with the essential health and safety requirements, the distributor must not make the safety component for lifts available on the market.

(2) Where the safety component for lifts presents a risk, the distributor must inform the following persons of that risk—

- (a) the manufacturer or the importer; and
- (b) the market surveillance authority.

### Storage and transport

**39.** Where a distributor has responsibility for a safety component for lifts, the distributor must ensure that the conditions under which the safety component for lifts is stored or transported do not jeopardise its conformity with the essential health and safety requirements.

### Duty to take action in respect of safety components for lifts made available on the market which are not in conformity with Part 2 **E+W+S**

**40.**—(1) A distributor, who considers, or has reason to believe, that a safety component for lifts which the distributor has made available on the market is not in conformity with Part 2, must make sure that the necessary corrective measures are taken to—

- (a) bring that safety component for lifts into conformity;
- (b) withdraw the safety component for lifts; or
- (c) recall the safety component for lifts.

(2) Where the safety component for lifts presents a risk, the distributor must immediately inform the market surveillance authority<sup>F48</sup>... of that risk, giving details of—

- (a) the respect in which the safety component for lifts is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.



**Extent Information**

**E18** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

**Textual Amendments**

**F48** Words in [reg. 40\(2\)](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 22](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

**Duty to take action in respect of safety components for lifts made available on the market which are not in conformity with Part 2** **N.I.**

**40.**—(1) A distributor, who considers, or has reason to believe, that a safety component for lifts which the distributor has made available on the market is not in conformity with Part 2, must make sure that the necessary corrective measures are taken to—

- (a) bring that safety component for lifts into conformity;
- (b) withdraw the safety component for lifts; or
- (c) recall the safety component for lifts.

(2) Where the safety component for lifts presents a risk, the distributor must immediately inform the market surveillance authority, and the competent national authorities of the [<sup>F76</sup>relevant states] in which the distributor has made the safety component for lifts available on the market, of that risk, giving details of—

- (a) the respect in which the safety component for lifts is considered not to be in conformity with Part 2; and
- (b) any corrective measures taken.

**Extent Information**

**E37** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

**Textual Amendments**

**F76** Words in [reg. 40](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 10 para. 3\(10\)](#)

**Provision of information and cooperation**

**41.**—(1) Following a reasoned request from an enforcing authority, and within such period as the authority may specify, a distributor must provide the authority with all the information and documentation, in paper or electronic form, necessary to demonstrate that a safety component for lifts is in conformity with Part 2.

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

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

- (b) eliminate the risks posed by a safety component for lifts which the distributor has made available on the market.

### Cases in which obligations of manufacturers apply to distributors

**42.**—(1) An economic operator who would, but for this regulation, be considered a distributor (“A”), is to be considered a manufacturer for the purposes of these Regulations and is subject to the relevant obligations of the manufacturer under this Part, where A—

- (a) places a safety component for lifts on the market under A's own name or trademark; or  
 (b) modifies a safety component for lifts already placed on the market in such a way that it may affect whether the safety component for lifts is in conformity with Part 2.

All economic operators

### [<sup>F49</sup>Translation of declaration of conformity

**43.**—(1) Before placing a lift on the market or making a safety component for lifts available on the market, an economic operator must ensure that the EU declaration of conformity is prepared in, or translated into, the language required by the [<sup>F50</sup>relevant state] in which the lift is to be placed on the market or the safety component for lifts is to be made available on the market.

(2) Where the lift is to be placed on the market or the safety component for lifts is to be made available on the market in [<sup>F51</sup>Northern Ireland], the language required is English.]

#### Textual Amendments

- F49** Reg. 43 omitted (E.W.S.) (31.12.2020) by virtue of *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/696), reg. 1, **Sch. 22 para. 23** (with Sch. 22 para. 37) (as amended by *S.I. 2020/676*, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in reg. 43 substituted (N.I.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020* (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(11)(a)**
- F51** Words in reg. 43 substituted (N.I.) (31.12.2020) by *The Product Safety and Metrology etc. (Amendment) (Northern Ireland) (EU Exit) Regulations 2020* (S.I. 2020/1112), reg. 1(b), **Sch. 10 para. 3(11)(b)**

### Identification of economic operators

**44.**—(1) An economic operator (“E”), who receives a request in relation to a safety component for lifts from the market surveillance authority before the end of the relevant period, must, within such period as the authority may specify, identify to the authority—

- (a) any other economic operator who has supplied E with the safety component for lifts; and  
 (b) any other economic operator to whom E has supplied the safety component for lifts.
- (2) The relevant period is—
- (a) for the information in paragraph (1)(a), a period of 10 years beginning on the day on which E was supplied with the safety component for lifts;  
 (b) for the information in paragraph (1)(b), a period of 10 years beginning on the day on which E supplied the safety component for lifts.

### Prohibition on improper use of [<sup>F52</sup>UK] marking **E+W+S**

**45.**—(1) An economic operator must not affix the [<sup>F53</sup>UK] marking to a lift or a safety component for lifts unless—

- (a) that economic operator is the installer or the manufacturer; and
- (b) the conformity of the lift or the safety component for lifts with the essential health and safety requirements has been demonstrated by a relevant conformity assessment procedure.

(2) An economic operator must not affix a marking to a lift or a safety component for lifts (other than the [<sup>F53</sup>UK] marking) which purports to attest that the lift or the safety component for lifts is in conformity with the essential health and safety requirements.

(3) An economic operator must not affix to a lift or a safety component for lifts a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the [<sup>F53</sup>UK] marking.

(4) An economic operator must not affix to a lift or a safety component for lifts any other marking if the visibility, legibility and meaning of the [<sup>F53</sup>UK] marking would be impaired as a result.

#### Extent Information

**E19** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

**F52** Word in [reg. 45 heading](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 24](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

**F53** Word in [reg. 45](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 22 para. 24](#) (with [Sch. 22 para. 37](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

### Prohibition on improper use of CE marking **N.I.**

**45.**—(1) An economic operator must not affix the CE marking to a lift or a safety component for lifts unless—

- (a) that economic operator is the installer or the manufacturer; and
- (b) the conformity of the lift or the safety component for lifts with the essential health and safety requirements has been demonstrated by a relevant conformity assessment procedure.

(2) An economic operator must not affix a marking to a lift or a safety component for lifts (other than the CE marking) which purports to attest that the lift or the safety component for lifts is in conformity with the essential health and safety requirements.

(3) An economic operator must not affix to a lift or a safety component for lifts a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the CE marking.

(4) An economic operator must not affix to a lift or a safety component for lifts any other marking if the visibility, legibility and meaning of the CE marking would be impaired as a result.

### **Extent Information**

**E38** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

### **[<sup>F54</sup>Obligations which are met by complying with obligations in the Directive**

- 45A.**—(1) In this regulation—
- (a) any reference to an Article or an Annex is a reference to an Article of or an Annex to the Directive;
  - (b) “CE marking” has the meaning given to it in Article 2(21);
  - (c) “harmonised standard” has the meaning given to it in Article 2(13).
- (2) Paragraph (3) applies where, before placing a lift on the market, the installer—
- (a) ensures that the lift has been designed, manufactured, installed and tested in accordance with the essential health and safety requirements set out in Annex I;
  - (b) ensures that the conformity assessment procedure that applies to that lift in accordance with Article 16 has been carried out;
  - (c) draws up the technical documentation referred to in Article 7(2);
  - (d) ensures that the technical documentation and other records and correspondence relating to the conformity assessment procedures are prepared in or translated into English;
  - (e) affixes a CE marking and other markings, in accordance with Articles 18 and 19(1) to (5);
  - (f) draws up an EU declaration of conformity, in accordance with Article 17; and
  - (g) ensures that the EU declaration of conformity is prepared in or translated into English.
- (3) Where this paragraph applies—
- (a) the requirements of regulations 6, 7, 8(1) and 8(3) are to be treated as being satisfied;
  - (b) regulations 2(2)(a), 8(2), 9, 24(2), 24(3) and 45 apply subject to the modifications in paragraph (10);
  - (c) Part 3 does not apply; and
  - (d) regulation 68 does not apply.
- (4) Paragraph (5) applies where, before placing a safety component for lifts on the market, the manufacturer—
- (a) ensures that the safety component has been designed and manufactured in accordance with Article 5(2);
  - (b) ensures that the conformity assessment procedure that applies to that safety component in accordance with Article 15 has been carried out;
  - (c) ensures that the relevant technical documentation referred to in Article 8(2) is drawn up;
  - (d) ensures that the technical documentation and other records and correspondence relating to the conformity assessment procedures are prepared in or translated into English;
  - (e) affixes a CE marking and other markings, in accordance with Articles 18 and 19(1) to (5);
  - (f) draws up an EU declaration of conformity, in accordance with Article 17; and
  - (g) ensures that the EU declaration of conformity is prepared in or translated into English.
- (5) Where this paragraph applies—
- (a) the requirements of regulations 15, 16, 17(1) and (17)(3) are to be treated as being satisfied;

- (b) regulations 2(2)(a), 17(2), 18, 20(2), 24(2), 24(3) and 45 apply subject to the modifications in paragraph (10);
  - (c) Part 3 does not apply; and
  - (d) regulation 68 does not apply.
- (6) Paragraph (7) applies where, before placing a safety component for lifts on the market, the importer ensures that—
- (a) the conformity assessment procedure that applies to that lift in accordance with Article 15 has been carried out;
  - (b) the manufacturer has drawn up the relevant technical documentation referred to in Article 8(2); and
  - (c) the safety component for lifts—
    - (i) bears the CE marking; and
    - (ii) is accompanied by the EU declaration of conformity drawn up in accordance with Article 17.
- (7) Where this paragraph applies—
- (a) the requirements of regulation 26(1)(a) to (c)(i) are to be treated as being satisfied;
  - (b) any requirement of regulation 26(1)(c)(ii), insofar as it relates to the declaration of conformity, is to be treated as being satisfied; and
  - (c) regulations 2(2)(a), 27(1), 30 and 33 apply subject to the modifications in paragraph (10).
- (8) Paragraph (9) applies where, before making a safety component for lifts available on the market, a distributor ensures that the safety component for lifts—
- (a) bears the CE marking; and
  - (b) is accompanied by an EU declaration of conformity drawn up in accordance with Article 17.
- (9) Where this paragraph applies—
- (a) the requirements of regulations 37(1)(a)(i) are to be treated as being satisfied;
  - (b) any requirement of regulation 37(1)(a)(ii), insofar as it relates to the declaration of conformity, is to be treated as being satisfied; and
  - (c) regulations 2(2)(a), 38(1) and 39 apply subject to the modifications in paragraph (10).
- (10) The modifications referred to in paragraphs (3)(b), (5)(b), (7)(c) and 9(c) are that—
- (a) any reference to “declaration of conformity” is to be read as a reference to the EU declaration of conformity;
  - (b) any reference to “UK marking” is to be read as a reference to the CE marking;
  - (c) any reference to “essential health and safety requirements” is to be read as a reference to the essential health and safety requirements referred to in Annex I;
  - (d) any reference to “designated standard” is to be read as a reference to a harmonised standard;
  - (e) any reference to “relevant conformity assessment procedure” is to be read as a reference to the conformity assessment procedure that applies to the lift or the safety component for the lift in accordance with Article 15 or Article 16, as the case may be;
  - (f) any reference to “technical documentation” is a reference to the relevant technical documentation set out in Annexes IV to XII.

### Textual Amendments

**F54** Regs. 45A-45D inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 22 para. 25** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 14(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**

### Conformity assessment procedure obligation which is met by complying with the Directive

**45B.**—(1) In this regulation, any reference to an Article or an Annex is a reference to an Article of or an Annex to the Directive.

(2) Paragraph (3) applies where, prior to the manufacture of a safety component, the manufacturer ensures that the conformity assessment procedure set out in Annex IV, Part A and referred to in Article 15(a) and (b) as EU-type examination, has been carried out in relation to a model of the safety component in accordance with Article 15(a) or (b).

(3) Where this paragraph applies—

- (a) the requirement in regulation 48(a) or (b) to submit the model of the safety component for the conformity assessment procedure referred to in that regulation as Type examination is to be treated as being satisfied;
- (b) any reference to “relevant conformity assessment procedure” in regulations 16(a), 17(1), 26(1)(a), 45(1)(b) and 49(b) is to be read as including the conformity assessment procedure referred to in Article 15(a) or (b) as EU-type examination; and
- (c) any reference to “technical documentation” in regulations 16(b), 18, 26(1)(b) and 33(b) is to be read as including the technical documentation relating to the design of the safety component referred to in Annex IV, Part A.

(4) Paragraph (5) applies where, a lift is designed and manufactured in accordance with a model lift that has undergone the conformity assessment procedure set out in Annex IV, Part B, referred to in Article 16(1)(a) as EU-type examination.

(5) Where this paragraph applies—

- (a) the condition in regulation 47(1)(a) that the lift is designed and manufactured in accordance with a model lift which has undergone a Type examination set out in Part B of Schedule 11, is to be treated as being satisfied;
- (b) any reference to “relevant conformity assessment procedure” in regulations 7(a), 8(1), 45(1)(b) and 49(b) is to be read as including the conformity assessment procedure set out in Annex IV, Part B and referred to in Article 16(1)(a) as EU-type examination; and
- (c) any reference to “technical documentation” in regulations 7(b) and 9 is to be read as including the technical documentation relating to the design of the lift referred to in Annex IV, Part B.

### Textual Amendments

**F54** Regs. 45A-45D inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 22 para. 25** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 14(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**

## Expiry of regulations 45A and 45B

**45C.**—(1) Subject to paragraph (2), regulation 45A ceases to have effect at the end of the period of [<sup>F55</sup>four years] beginning with IP completion day.

(2) Notwithstanding the expiry of regulation 38A—

- (a) any safety component for lifts which was placed on the market pursuant to regulation 45A may continue to be made available on the market on or after the expiry of regulation 45A;
- (b) any obligation to which a person was subject under regulation 45A in respect of a lift or safety component for lifts placed on the market pursuant to regulation 45A continues to have effect after the expiry of regulation 45A, in respect of that lift or safety component for lifts.

(3) Subject to paragraph (4), regulation 45B ceases to have effect at the end of the period of [<sup>F56</sup>four years] beginning with IP completion day.

(4) Where a conformity assessment procedure has been completed pursuant to regulation 45B in relation to a lift or a safety component for lifts prior to the expiry of regulation 45B, regulation 45B continues to apply in respect of that lift or safety component for lifts where—

- (a) the manufacturer arranges for the EU-Type examination certificate and any annexes to be transferred to an approved body;
  - (b) the approved body referred to in sub-paragraph (a) accepts responsibility for the EU-Type examination certificate; and
  - (c) the approved body issues a Type-examination certificate relying, or relying in part, on any examinations or tests undertaken prior to the issue of the EU-Type examination certificate.
- (5) In paragraph (4) “EU-Type examination certificate” means a certificate issued after—
- (a) in relation to a safety component for lifts, the conformity assessment procedure set out in Annex IV, Part A of the Directive and referred to in Article 15(a) and (b) of the Directive as EU-type examination, has been carried out in relation to a model of the safety component for lifts in accordance with Article 15(a) or (b) of the Directive; or
  - (b) in relation to a lift that is designed and manufactured in accordance with a model, the conformity assessment procedure set out in Annex IV, Part B of the Directive, referred to in Article 16(1)(a) of the Directive as an EU-type examination has been carried out in relation to a model.

### Textual Amendments

- F54** Regs. 45A-45D inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 22 para. 25** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 14(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F55** Words in reg. 45C(1) substituted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022](#) (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1** (l)
- F56** Words in reg. 45C(3) substituted (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022](#) (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1** (l)

## Qualifying Northern Ireland Goods

**45D.**—(1) Where paragraph (2) applies a safety component for lifts is to be treated as being in conformity with Part 2.

(2) This paragraph applies where—

- (a) a safety component for lifts—
    - (i) is in conformity with Part 2, as that Part applies in Northern Ireland; and
    - (ii) is qualifying Northern Ireland goods; and
  - (b) an importer has complied with the obligations set out in paragraph (3).
- (3) The obligations referred to in paragraph (2)(b) are that, before placing the safety component for lifts on the market, the importer—
- (a) complies with regulation 28;
  - (b) ensures that—
    - (i) the relevant conformity assessment procedure has been carried out in accordance with Part 3, as that Part applies in Northern Ireland;
    - (ii) the manufacturer has drawn up the technical documentation; and
    - (iii) the safety component bears the CE marking.
- (4) In this regulation—
- “CE marking” has the meaning given to it in regulation 2(1), as it applies in Northern Ireland;
- “qualifying Northern Ireland goods” has the meaning given to it in regulations made under section 8C(6) of the European Union (Withdrawal) Act 2018;
- “technical documentation” means the documentation a manufacturer must draw up in accordance with regulation 16(b), as it applies in Northern Ireland.]

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#### Textual Amendments

**F54** Regs. 45A-45D inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 22 para. 25** (with Sch. 22 para. 37) (as amended by S.I. 2020/676, regs. 1(1), **2** and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 14(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**



**Changes to legislation:**

There are currently no known outstanding effects for the The Lifts Regulations 2016, PART 2.