A BILL

FOR

AN ACT TO PROVIDE FOR THE REGULATION OF MANUFACTURE, SALE, INSTALLATION AND GENERAL USE OF ELEVATORS AND LIFTS AND FOR RELATED MATTERS

Sponsored by Hon Mohammed Jafaru Ibrahim

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

PART I

Establishment and Functions of Inspectorate of Elevators & Lifts Regulation

Establishment of Elevators and Lifts Regulatory Inspectorate

1. There shall be established in Nigeria an inspectorate to be known as Inspectorate of Elevators & Lifts Regulation ("The Inspectorate") which shall be under the Ministry of Works, Power, Housing and Urban Development.

Establishment and function of the Inspectorate

2.-(1) The Inspectorate shall be under the control of a director designated for the purpose of this Act in the Federal Ministry of Works and Housing and Urban Development.

(2) The Director of the Inspectorate of Elevators & Lifts Regulation shall be under the office of the Honourable Minister, Federal Ministry of Works, Power, Housing and Urban Development.

(3) The Function of Inspectorate shall be:

(i) Except as otherwise provided by this Act, the Inspectorate shall Control the Design, Construction, Installation, Relocation, Alteration or Material Change, Maintenance and Operation of all Elevators, Escalators, lifts, Moving walks and Special hoisting equipment, Covered herein in all buildings and structures;

(ii) The design, Construction, Installation, Maintenance and

Operation of all miscellaneous hoisting and elevating equipment shall be subject to such special requirement as are deemed necessary by the Inspectorate to secure their safe operation;

(iii) This Act shall not apply to a lift a safety component for lifts in so far as and to the extent that the essential health and safety requirements relates to risks wholly or partly covered by other specific law applicable to that lift or safety component;

(iv) Lifts covered by this Act shall satisfy the essential health and safety requirements set out in schedule 1.

Scope and Application

3. This Act shall apply to:

(a) Lifts permanently serving buildings or constructions; and

(b) Safety components for such lifts.

Placing Elevators and Lifts on the markets, for sale

4. All appropriate measures must be taken to ensure that lifts comply with this Act, and when properly installed and maintained must be suitable for the intended purpose.

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

5. 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.

Labeling and instructions

6. Before placing a lift on the market, an installer must:

(1)(a) Ensure that it is labeled with:

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

(ii) A single postal address of which the installer can be reached; and

(iii) The type, batch or serial of the lift or other element allowing the lift to be identified.

(b) Ensure that it is accompanied by an instruction manual and direction as to the use of the lift.

(2) The instruction referred to in (1) (b) above must be:

(a) In the case of information referred to in (1) (a) and (1)(b),in a language that can be easily understood by the end users and the authorities in

states in which lifts are to be placed on the market;

(b) Clear and understandable

Building or constructions in which lifts are used

7.-(1) Any person responsible for work on any building or construction and the installer of a lift shall provide each other the necessary information and take appropriate steps in order to ensure the proper operation and safe use of the lift.

(2) All necessary measures to ensure that shafts intended for the lifts do not contain any piping or wiring or fitting other than necessary for the operation and safety of the lift.

Obligations of the manufacturer

8.-(1) the manufacturer of a lift placed on the market shall ensure that they been designed and manufactured in accordance with section 4 of this Act.

(2) The manufacturer shall draw up the technical documentation and carry out conformity assessment procedure in accordance schedule III of this Act.

(3) Where compliance of safety component for lifts with the applicable essential health and safety requirements have been demonstrated by that procedure, manufacturers shall draw up a declaration.

(4) When placing their safety components for lifts on the market, manufacturers shall ensure that they have been designed and manufactured in accordance with Section 4 of this Act.

(5) Manufacturers 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 product design or characteristic and changes in the harmonized standards in other technical specifications by reference to which conformity of a safety component for lifts is declared shall be adequately taken into account.

(6) When deemed appropriate with regard to the risks presented by a safety component for lifts, manufacturers 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 component for lifts, and shall keep distributors and installers informed of any such monitoring.

(7) Manufacturers shall ensure that safety components for lifts which they have placed on the market bear a type, batch or series 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 Section 8.

(8) Manufacturer shall indicates on safety component 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 Section 8, the address shall indicate a single point at which the manufacturer can be contacted. The contact details shall be in English language.

(9) Manufacturer who consider or have 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 present a risk, manufacturers shall immediately inform the Technical Regulations conformity and of any corrective measures taken.

(10) Manufacturer shall, further to a responded request from the Technical Regulation division, provide it with all information and documentation in paper or in electronic form necessary to demonstrate the conformity of the safety components for lifts with these regulations, in at least the Maltese or English language.

(11) They shall cooperate with the Inspectorate, at its request, on any action taken to eliminate the risks posited by safety components for lifts which they placed on the market.

Authorised Representative

9.-(1) A manufacturer or an installer may, by a written mandate, appoint an authorized representative.

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

(a) Keep the manufacturer's or the installer's quality system, and the safety component for lifts placed on the market;

(b) Request from the Inspectorate any information on any component for lifts or the lift covered by the authorized representative's mandate.;

(c) Cooperate with the Inspectorate, at their request, on any action taken to eliminate the risk posed by the safety component for lifts or the lift covered by the authorized representative's mandate.

Obligations of importers

10.-(1) Importer shall by this Act import and place only compliant safety components for lifts on the market.

(2) Before placing a safety component lifts on the market, importer shall ensure that the appropriate conformity assessment procedures referred to in section 9 of this Act has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the Technical information on the safety component for lifts as contained in schedule 1 of this Act.

(3) Where an importer considers or has reason to believe that a safety component for lifts is not in conformity with Section 4 of this Act, 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 risk, the importer shall inform the manufacturer and the Inspectorate to that effect.

(4) Importers shall indicates on the safety component for lifts their name, registered trade mark and the postal address at which they can be contacted or where that is not possible, on packaging or in a document accompanying the safety component for lifts. The contact details shall be in

English language.

(5) Importers shall ensure that the safety component for lifts is accompanied by the instructions referred to in Section 4 and which shall be in English language.

(6) Importers shall ensure that, while a safety component for lifts is under their responsibility, its storage or transport condition do not jeopardize its compliance with the essential health and safety requirement referred to in Section 4.

(7) When deemed appropriate with regard to the risks presented by a safety component for lifts, importer shall, to protect the health and safety of consumers, carry out sample testing of safety components of 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 component for lifts and shall keep distributor and installers informed of any such monitoring.

(8) Importer who consider or have reason to believe that a safety component for lifts which they have placed on the market is not in conformity with this Act shall immediately take the corrective measures necessary to bring that safety component for lifts into conformity, to withdraw it or recall it if appropriate. Where the safety component for lifts presents risk, importer shall immediately inform the Inspectorate and the manufacturer of the safety component for lifts available on the market to that effect, giving details, in particular, of non-compliance and of any corrective measures taken.

Obligations of Distributors

11.-(1)When making a safety component for lifts available on the market distributors shall act with due care in relation to the requirement of this Act.

(2) Before making a safety components for lifts available on the market, distributors shall verify that the safety component for lifts bears the standard marking, that it is accompanied by a declaration of conformity, by the required documents and by the instructions referred to point 6.1 of schedule I,

General

Carrier

(1) 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 rated load of the lift set by the installer.

Where the lift is intended for the transport of persons, and where its dimension 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.

(2) 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 minimize the risk of the car falling, taking into account the conditions of use, the materials used and the conditions manufacture.

Where ropes or chains are used to suspend the car, there must be at least two independent cables or chains must have no joins or splice except where necessary for fixing or forming a loop.

(3) Control of loading (including over speed).

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

(2) Lifts must be equipped with in an over speed governor.

These requirements do not apply to lifts in which the designs of the drive system prevent over speed.

(3) Fast lifts must be equipped with a speed-monitoring and speed-limiting device.

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

Machinery

5. All passenger lifts must have their own individual lift machinery.

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;

"safe" in relation to lift or safety to component, means that the lift or, case of safety component, lift in which it is to be installed, when properly installed and maintained and used for its intended purpose conforms to all the relevant essential health and safety requirements and is not liable to endanger the health or safety of persons or, where appropriate, the safety of property, cognate expressions shall be construed accordingly;

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

"Withdrawal" means any measure aimed at preventing a safety component for lift in the supply chain from being made available on the market.

Short title

22. This Bill may be cited as Elevators and Lifts Control Bill, 2017.

SCHEDULE 1

ESSENTIAL SAFETY REQUIREMENTS

Preliminary Remarks

1.-(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 this Act is imperative. However, given the present state of the art, the objectives which they lay down may not be attainable. In such case, 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 other to identify all the risks which apply to their product; they must then design and construct them taking account of the assessment.

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 authoirised representative, the importer and the distributor;

"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;

"Installer" means the natural or legal person who takes responsibility for the design, manufacturer, installation and placing on the market of the lift;

"Lift" means a lifting appliance serving specific levels., having a carrier moving along guiding 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 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 trade mark;

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

"Placing on the market" means:

(a) The first making available on the market of safety component for lifts, or

(b) The supply of a lift for use on the European Union market in the course of a commercial activity, whether in return for payment or free of charge;

"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

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

(5) The Inspectorate shall notify the Standard Organization of Nigeria (SON), The Minister of any subsequent relevant changes to the notification.

Interpretation

21. In these regulations, unless the context otherwise requires:

"Accreditation" means accreditation in accordance with technical rules laying down requirements to be met by manufacturers and installers of lifts and elevators such as to rule relating to designation, size, weight composition, presentation, labeling and packaging of lifts and elevators;

"Authorized 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 behalf in relation to specified tasks;

"Carrier" means a part of the lift by which persons and, or goods are supported in order to be lifted or lowered;

"Standard marking" means a marking by which the installer or the manufacturer indicates that the lift or safety components for lifts are in conformity with the applicable requirement;

"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;

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

"The Directive" means directive given by the Director of the Inspectorate Department in the Ministry of Works, Housing and Urban development;

"Director" means the director in charge of the Inspectorate department of the Ministry of Works, Housing and Urban Development;

"Distributor" means any natural or legal person in the supply chain, other

to the administered decision and documents produced as a result of the work of that group.

(6) Where the Inspectorate demonstrates its conformity with the criteria laid down in the relevant harmonized standard or part thereof, the reference of which have been published in the official journal of the Inspectorate, it shall be presumed to comply with the requirement set out in this Act insofar as the applicable harmonized standard cover those requirements.

(7) Where the Inspectorate subcontract specific tasks connected with conformity assessment or have recourse to subsidiary it shall ensure that the subcontractor or the subsidiary meets the requirement set out in this Act, and shall inform the Minister accordingly.

(8) The Inspectorate shall take full responsibility for the tasks performed by subcontractors or subsidiaries wherever these are established.

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

(10) The Inspectorate shall keep at the disposal of the Standard Organisation of Nigeria (SON) the relevant documents concerning the assessment of the qualification of the subcontractor or the subsidiary and the work carried out by them under schedule IV to XII.

Notification procedures

20.-(1) The Inspectorate shall submit an application for notification under this Act to the Standard organization of Nigeria.

(2) The application referred to in Sub- Section (1) 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 that body claim to be competent as well as by an accreditation Standard Certificate, issued by the International Standard organization (ISO) attesting that the Manufacturer fulfils the requirements laid down in regulation 21.

(3) The Inspectorate shall notify Standard Organisation Nigeria (SON) using the electronic notification tool developed and managed by them.

account of the size of an undertaking, the sector in which it operates its structure the degree of complexity of the product technology in question and the mass or series nature of production process.

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

(2) 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 in relation to which the Inspectorate has been notified;

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

(c) Appropriate knowledge and understanding of the essential safety requirements set out in schedule I to this Act;

(d) The ability to draw up certificate, record and reports demonstrating that assessment has been carried out.

(3) The impartiality of the Inspectorate, their management and assessment personnel shall be ensured. The remuneration of the personnel of the inspectorate shall not depend on the number of assessment carried out on or on the results of those assessments.

(4) The personnel of the Inspectorate shall observe professional secrecy with regard to all information obtained of this Act giving effect to it, except in relation to other competent authorities are carried out proprietary rights shall be protected.

(5) The Inspectorate shall participate in, or ensure that their personnel responsibility for carrying out the conformity assessment tasks are informed by the relevant legislation and shall apply as general guidance

involved in the design, manufacture or the marketing, installation use or maintenance of those lifts or safety components for lifts or represent the parties engaged in those activity that may conflict with their independence of judgment or integrity in relation to conformity assessment activities for which they are notified. This shall in particular apply to consultancy services.

(5) The Inspectorate shall ensure that the activities of their subsidiaries or subcontractors do not affect the confidentiality objectivity or impartiality of their conformity assessment activities.

(6) The Inspectorate and their personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and requisite technical competence in the specific field and shall be free from pressure and inducements particularly financial, which might influence their judgment or the result of their conformity assessment activity assessment activities, especially as regards persons or groups of persons with an interest in the result of those activities.

(7) (1) The Inspectorate shall:

(a) be capable of carrying out all the conformity assessment tasks assigned to it by schedule IV to XII and in relation to which it has been notified whether those tasks are carried out by the Inspectorate itself or on its behalf and under its responsibility;

(b) 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, shall at its disposal:

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

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

(iii) Procedures for the performance of activities which take due

out the necessary procedures for the assessment and notification of conformity assessment and the monitoring of and the compliance with Section 16 of this Act.

(3) The Inspectorate shall take full responsibility for the tasks performed under Section 16 of this Act.

(4) The Inspectorate shall inform the SON of its procedures for the assessment and conformity with section 16 of this Act and of any changes thereto.

Requirements for the Inspectorate

19.-(1) For the purposes of this Act the Inspectorate shall meet the requirement laid down in Section 16 and shall ensure conformity with the provisions of this Act.

(2) The Inspectorate shall be third-party body independent of the Manufacturer, importer or installer of the lift or the safety component for lifts it assess. The Director in charge of the Inspectorate shall be a person belonging to a professional body, association, 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 independent and the absence of any conflict of interest are demonstrated be considered such a person.

(3) Inspectorate and its management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer safety, installer, purchaser, owner, user or maintainer of lifts or safety component for lifts which they assess or representative of any those parties. This shall not preclude the use of assessed lift or safety components for lifts that necessary for the operations of the Inspectorate or the use of lifts or safety components for lifts for personal purposes. This does not preclude the possibility of exchange of technical information between the manufacturer or the installer and the body.

(4) A Inspectorate, its management and the personnel responsible for carrying out the conformity assessment tasks shall not be directly

(2) The Standard 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.

(3) The Standard marking shall be affixed before the lifts or the safety component for the lifts is placed on the market.

(4) The Standard marking on lift shall be followed by the identification number of the Standard organization of Nigeria involved in the following conformity assessment procedures:

(a) the final inspection referred to in schedule V;

(b) unit verification, referred to in schedule VIII;

(c) quality assurance referred to schedule X, XI or XII.

(5) The Standard marking on safety component for lifts shall be followed by the identification number of the SON involved in any of the following conformity assessment procedures:

(a) Product quality assurance referred to in schedule VI;

(b) Full quality assurance referred to in schedule VII;

(c) Conformity to type with random checking for safety components for lifts referred to in schedule XI.

(6) The identification number of the Standard Organisation of Nigeria shall be affixed by the body itself or instruction by the manufacturer or his authorized representative or by installer or his authorized representative. The Standard marking and the identification number of Standard organization of Nigeria may be followed by any other mark indicating a special; risk or use.

(7) The Inspectorate shall build upon existing mechanism to ensure correct application of the regime governing the Standard marking and shall take appropriate action in the event of improper use of that marking.

Notification of conformity of assessment by the Inspectorate

18.-(1) The Inspectorate shall notify the (SON) or any other person or authority authorized by any other Act to carry out third-party conformity assessment under this Act.

(2) The Inspectorate shall be responsible for setting up and carrying

(b) Conformity based on unit verification for lifts set out in schedule VIII;

(c) Conformity based on full quality assurance plus design examination for lifts set out schedule XI;

(2) In the cases referred to in paragraphs (a) and (b) of sub-Section (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 necessary documentation and information to enable the latter to ensure correct and safe installation and testing of the lift.

(3) All permitted variation between the model lifts and the lifts derived from the model lift shall be clearly specified (with maximum valves) 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 I.

Declaration of Conformity

16.-(1) The declaration of conformity shall state the fulfillment of the essential health and safety requirement set out in schedule 1 has been demonstrated.

(2) The declaration of conformity shall have the model structure set out in schedule II, shall contain the elements specified in the relevant schedule V to XII and shall be continuously updated. For a lift or safety component for lifts made available on the Nigerian market, the declaration of conformity shall be in English language.

(3) By drawing quip the 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 with the requirement laid down in these regulations.

Standard Marking

17.-(1) The Standard marking shall be subject to approval of the SON of general principles set out by the Inspectorate for that purpose.

under his name or trademark or modifies a safety component for lifts already placed on the market in such a way that compliance with the requirements of these Act may be affected.

Presumption of conformity of Lifts and Safety component for lifts

13. Lifts and safety components for lifts which are in conformity with international standard which has been approved by the Standard Organisation of Nigeria(SON)and have been published in their official journal shall be presumed to be in conformity with the essential safety requirements set out schedule I covered by those standards parts thereof.

Conformity assessment procedures for safety component for lifts

14. Safety component 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 to the Standard Organisation of Nigeria (SON) for examination set out in schedule IV , party A and the conformity to type shall be ensured with random checking of the safety component for lifts set out in schedule II:

(b) The model of the safety component for lifts shall be submitted Standard Organisation of Nigeria (SON) for examination set out in schedule II, part A, and be subject to conformity to type based on product quality assurance in accordance with schedule IV;

(c) Conformity based on full quality assurance set out in schedule VII.

Conformity assessment procedures for lifts

15.-(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 lifts that has undergone a Standard Organisation of Nigeria (SON) examination set in schedule IV, part B:

(i) Final inspection for lifts set out in schedule V;

(ii) Conformity to type based on product quality assurance for lifts set out in schedule X;

(iii) Conformity to type based production quality assurance for lifts set out in schedule XII;

in English language and that the manufacturer and the importer have complied with the requirements set out in Section (7) and (8) and Section 10(4), respectively.

(3) Where a distributor considers or has reason to believe that a safety component for lifts is not in conformity with Section 8(2), he shall not place it 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 Inspectorate.

(4) Distributors shall ensure that, while a safety component for lifts is under their responsibility, its storage or transport conditions do not jeopardize its compliance with regulation 6(2).

(5) Distributors who consider or have reasons to believe that a safety component for lifts which they have made available on the market is not in conformity with these regulations shall make sure that the corrective measures necessary to bring that safety components for lifts into conformity, to withdraw it or recall it, if appropriately are taken, Furthermore , where the safety component for lifts present a risk, distributor shall immediately inform the component national component for lifts available on the market to that effect giving details, in particular, of the non -compliance and of any corrective measures taken.

(6) Distributors shall, further to a reasoned request from the Inspectorate 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 the Inspectorate, as its request on any action taken to eliminate the risks posed by safety component 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 Act and shall be subject to the obligations of the manufacturer under Section 9, where he places a safety component for lifts

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

(e) A list of the harmonized standard applied in full or in part the reference of which have been published in the official journal and where those harmonized standards, the technical documentation shall specify the parts which have been applied;

(f) A copy of the declarations of conformity of the safety component for lifts incorporated in the lift;

(g) Results of design calculations permitted by or for the installer;

(h) Test reports;

(i) A copy of the instruction referred to in point 6.2 of Schedule I;

(j) Steps taken at the insulation stage to ensure that the series produced lift conforms to the essential health and safety requirement set out in Schedule I.

4. The Inspectorate shall:

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

(b) Agree with the installer on a location where the examination and test 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 element which have been designed in accordance with the applicable provision of the relevant harmonized standard as well as the element which have been designed in accordance with other relevant technical specifications;

(d) Carry out appropriate examinations and test or have them carried out to check whether where the installer has chosen to apply the specifications of the relevant harmonized standard these have been applied correctly;

(e) Carry out appropriate examination and test or have them carried out to check whether where the specification of the relevant harmonized

requirements set out Schedule I.

The inspectorate examination of a lift includes an examination of a representative specimen of a complete lift.

2. The application for Inspectorate examination shall be lodge by the installer or his authorized representative.

The application shall include:

(a) The and address of the installer; and if the application is lodge by the authorized representative, his name and address as well;

(b) A written declaration that the same application has not been lodged;

(c) The technical documentation;

(d) Details of the place where the specimen lift can be examined.

The specimen lift submitted for examination shall include 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 specification that have been used in particular where the relevant technical harmonized standard have not been applied in full. The supporting evidence shall include where necessary the results of test carried out in accordance with other relevant technical specification 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 requirement set out in Schedule I.

The technical documentation shall contain, where applicable the following:

(a) A description of the model lift indicating clearly all the permitted variation of the model lifts;

(b) Design and manufacturing drawings and diagrams;

(c) Explanations necessary for the understanding of those drawing and diagrams and of the operation of the lift;

modification to the approved type that may affect the conformity of the safety component for lift with the conditions referred to point 1 or the conditions validity of the examination certificate.

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

8. The Inspectorate shall inform its notifying authorities concerning the examination certificate and any addition thereto which it has issued or withdrawn and shall periodically or upon request, make available to it the list of such certificates and any addition thereto refused suspended or otherwise restricted.

The Inspectorate shall inform the other relevant authorities concerning the examination certificates and any additions thereto which it has refused withdrawn, suspended or otherwise restricted and upon request concerning such certificates and/or addition thereto which it has issued.

9. The manufacturer shall keep with the technical documentation a copy of examination certificates. Its schedule and addition at the disposal of the national authorizes for 1 ° years after the safety component for lifts has been placed on the market.

Authorized representative

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

B. Inspectorate examination of lifts:

1. The Inspectorate examination of lifts is the part of a conformity assessment procedure in which a notified body examines the technical design of a model lifts or a lift for which there is no provision for the technical design of the model lift or the lift meet the applicable essential health and safety

conditions referred to point 1.

The Inspectorate shall draw up evaluation report that records the examination verifications and test carried out and their outcome. Without prejudice to its obligations vis-a-vis the notifying authorities the Inspectorate shall released 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 conditions referred to in point I, the Inspectorate shall issued an examination certificate to the manufacturer. That certificate shall contain the name and address of the manufacturers the conclusion of the examination any condition of validity of the certificate particulars necessary to identify the approved type.

The examination certificate and its Schedules shall contain all relevant information to allow the conformity of manufactured b safety component 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 condition referred to in point 1, the notified body shall refuse to issue an examination certificate and shall inform the applicant accordingly, giving detailed reasons for its refusal.

The Inspectorate shall keep a copy of the examination certificate, its schedule 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 appropriate of any changes in the generally acknowledge state of the art which indicates 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 Inspectorate shall inform the manufacturer accordingly.

7. The manufacturer shall inform the Inspectorate that holds the technical documentation relating to the examination certificate of any

harmonized standard have not been applied descriptions of the solution adapted to enable the safety component for lifts to meet the conditions referred to point I, including a list of other relevant technical specification applied. In the event of partly applied 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 safety component for lifts examined.

4. The Inspectorate 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 examination 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 provision s of the relevant harmonized standard as well as element which been designed in accordance with other relevant technical specifications;

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

(e) Carry out appropriate examination and test or have them carried out to check whether the specifications of the relevant standard have not been applied the solution adopted by the manufacturer applying other relevant technical specification enable the safety component for lifts to meet the

lodged by the authorized representative, his name and address as well and the place the place of manufacture of the safety components for lifts;

(b) A written declaration that the same application has not been lodge with another 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 inspectorate may request further specimen if need be for carrying out the test programmed;

(e) The supporting evidence for the adequacy of the technical design solution. This supporting evidence shall mention any document including other relevant technical specifications that have been applied in full. The supporting evidence shall include, where necessary, the result of tests carried out in accordance with other relevant technical specification by the appropriate laboratory of the manufacturer or an 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 meet the condition referred to in point 1 and shall include an adequate analysis and assessment of risk(s). The technical documentation shall specify the applicable requirement and cover as far as relevant for the assessment the design manufacturer 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 environment and exposure to the elements);

(b) Design and manufacturing drawing 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 standard applied in full or part of the reference of which have been published in the official journal and where those

quality system approval decision(s) issued or withdrawn, and shall periodically or upon request make available to it the list of approval decisions refused suspended or otherwise restricted.

7. The Inspectorate shall inform the Standard Organisation of Nigeria (SON) of quality system approval decision which it has refused suspended or withdrawn and upon request of approval decision which it has issued.

On request the Inspectorate shall provide the Standard Organisation of Nigeria(SON) with a copy of quality system approval decision(s) issued.

The Standard Organisation of Nigeria (SON) shall keep a copy of the approval decision issued schedules and addition as well as the technical documentation for 15 years from the date of their issue.

Authorized representative

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

SCHEDULE IV

INSPECTORATE EXAMINATION FOR LIFTS AND SAFETY COMPONENTS FOR LIFTS

A. Examination of safety components for lifts:

1. Inspectorate examination is the part of a conformity assessment procedure in which the inspectorate examines the technical design of a safety component for lifts and verifies and attest that the technical design of the safety component for lifts satisfies the applicable essential health and safety requirement of schedule I and will enable a lift in which it is correctly incorporate to satisfy those requirements.

2. The application for Inspectorate examination shall be lodge by the manufacturer, or his authorized representative.

The application shall include:

(a) The name and address of the manufacturer and, if the application is

full quality such as inspection reports and test data calibration data reports on the qualification of the personnel concerned.

1. The Inspectorate shall periodically carry out audit to ensure that the manufacturer maintain and applies the quality system and shall provide the manufacturer with an audit report.

2. Additionally, the Inspectorate may pay unexpected visit to the manufacturer. At the times of such visits the Inspectorate may, where necessary, carry out test or have them carried in order to check the proper functioning of the quality system. It shall provide the, manufacturer, with a visit report if a test has been carried out, with a test report.

Declaration of conformity

5.-(1) The manufacturer shall affix the standard marking and under the responsibility of the inspectorate body referred to in point 3.1 the latter's identification number to each individual safety component for lift that meets the condition referred to in point 4.1.

(2) The manufacturer shall draw up a written declaration of conformity for each safety component for lifts and keep a copy of it at the disposal of the Inspectorate for 10 years after the safety component for lifts has been placed on the market. The 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 Inspectorate:

(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 decision and reports from the inspectorate referred to in the third paragraph of point 3.5 and in points 4.3 and 4.4.

The Inspectorate shall inform Standard Organisation of Nigeria(SON) of

point 3.1 (d) to verify the manufacture's ability to identify the applicable essential health and safety requirement set out in Schedule I and carry out the necessary with a view to ensuring compliance of the safety component for lift with those requirements.

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

(4) The manufacturer shall undertake to fulfill the obligations arising from the quality system as approved and maintain it so that remains adequate and efficient.

(5) The manufacturer shall keep the inspectorate which has approved the system informed of any intended change to the quality system.

The inspectorate shall assess the modification proposed and decide whether the 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.

Surveillance under the responsibility of the Inspectorate

4.-(1) The purpose of surveillance is to make sure that the manufacturer duly fulfills the obligations arising out of the approved quality system.

(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 will 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 analyses, calculations, tests;

(c) The technical documentation for the safety component for lifts manufactured;

(d) The quality records provided for in the manufacturing part of the

responsibilities and power of the management with regard to the design and product quality;

(b) The technical design specification including standard that will be applied and where the relevant harmonized standard that will not be applied or not applied in full, the means including other relevant technical specifications that will be used to ensure that the condition referred to in point 1 will be met;

(c) The design control and design verification techniques processes and systematic action that will be used when designing the safety component for lifts;

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

(e) The examination and test 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 report on the qualification of the personnel concerned;

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

(3) The inspectorate shall assess the quality system to determine whether satisfies the requirement referred to in point 3.2. It shall presume conformity with that requirement in respect of the element of the quality systems that comply with the corresponding specifications of the relevant harmonized standard.

In addition to experience in quality management system 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 requirement set out in schedule I. The audit shall include an assessment visit to the manufacture's premises.

The auditing team shall review the technical documentation referred to in

in order to satisfy the applicable requirement of schedule I and to enable lift to which they are correctly incorporated to satisfy those requirements

Obligations of the manufacturer

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

Quality system

3.-(1) The manufacturer shall lodge an application for assessment of his quality system with the Inspectorate. The application shall include:

(a) The name and address of the manufacturer and if application is lodge by the authorized representative, his name and address as well

(b) The address of the premises where the safety component for lift are designed, manufactured, inspected and tested;

(c) All relevant information on safety component for lifts to be manufactured;

(d) The technical documentation described in point 3 of schedule 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 been lodge with any other notified body.

(2) The quality system shall ensure compliance of the safety component for lifts with the condition referred to in point 1. All the element requirement and provision adopted by the manufacture shall be documented in a systematic and orderly manner in the form of written policies procedure and instructions. This quality system documentation shall permit consistent interpretation of the quality programmers plans, manuals and records.

It shall contain in particular an adequate description of:

(a) The quality objectives and the organizational structure,

(6) The Inspectorate shall fill in the corresponding pages in the logbook referred to in Schedule I, point 6.2.

(7) If the Inspectorate refuses to issue the final inspection Standard 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 Inspectorate.

Standard marking and declaration of conformity

4.-(1) The installer shall affix the Standard marking in the car of each lift which satisfies the essential health and safety requirements of this Act, and under the responsibility of the Inspectorate referred to in point 3.3, the latter's identification number adjacent to the Standard marking in the car of each lift.

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

(3) The Inspectorate and the Standard Organisation of Nigeria (SON) may obtain a copy of the final inspection certificate on request.

Authorised representative

5.-(1) The installer's obligation set out in point 3.1 and 5 may be fulfilled by his authorized representative on his behalf and his responsibility provided that they are specified in their mandate.

SCHEDULE III

CONFORMITY BASED ON FULL QUALITY ASSURANCE FOR SAFETY COMPONENTS FOR LIFTS

1. Conformity based on full quality assurance for safety component lifts is the conformity assessment procedure whereby the Inspectorate assess the quality system of a manufacturer to ensure that the safety component for lifts are designed, manufactured inspected and tested

The Inspectorate may not require detailed plan or precise information not necessary for verifying the conformity of the lift.

The appropriate examination and test set out in the relevant harmonized 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 requirement set out in schedule I.

(3) The examinations shall include at least one of the following:

(a) Examination of documents referred to point 3.1 to check that the lift conforms with the approved type described in Standard certificate pursuant to schedule IV, part B;

(b) Examination of the documents referred to in point 3.2 to check that the lift conforms to the lift designs and manufactured in accordance with an approval quality system pursuant to Schedule XI and if the design is not wholly in accordance with the harmonized standard certificate.

(4) The tests of the lift shall include at least the following:

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

(b) Operation of the lift at both maximum load and empty to ensure the correct functioning of the safety device 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 Schedule I, point 5. Standard marking and declaration of conformity after these tests, the Inspectorate shall check that no distortion or deterioration which could impair the use of the lift has occurred.

(5) If the lift satisfies the essential health and safety requirements set out in schedule I, the Inspectorate shall affix its identification number adjacent to the Standard marking in accordance with Article 18 and 19 and shall issue a final inspection certificate which mentions the examination and tests carried out.

SCHEDULE II

FINAL INSPECTION FOR LIFTS

1. Final inspection is the part of a conformity assessment procedure whereby the Inspectorate ascertains and certifies that a lift subject to an examination certificate or designed and manufactured according to an approved quality system satisfies the essential health and safety requirement set out in Schedule I.

Obligations of the installer

2.-(1) The installer shall take all measures necessary to ensure that the lift being installed complies with the applicable essential health and safety requirement set out in Schedule I and with one of the following:

(2) (a) an approved Inspectorate Examination Certificate;

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

Final inspection

3. The Inspectorate 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 Schedule I.

(2) The installer shall lodge an application for final inspection with the Inspectorate and shall provide to the Inspectorate 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 schedule I, point 6.2;

(d) A written declaration that the same application has not been lodge with the Inspectorate.

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.

(10) The control circuit of lifts which may be in 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 priory control of the lift by rescue teams

Marking

5.-(1) In addition to the minimum particulars required for any machine pursuant to point 1.7.3 of Schedule I, each car must bear an easily visibly plate clearly showing the rated load in kilograms and the maximum number of passengers which may be carried.

(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.

Instructions

6.-(1) The safety component for lifts referred to schedule 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.

(2) Each lift must be accompanied by instructions. The instruction must 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 rescue operations referred to in point 4.4;

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

In this case, the free space referred to 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 point 2.2 by reason of the design of the drive system.

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

Other risks

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

(2) Landing doors, where they have to contribute to 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).

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

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

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

(6) Lifts must be designed and constructed that in the event of the temperature in the lift machine exceeding the maximum set by the installer they can complete movement's progress but refuse new commands.

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

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

(9) The means of communication referred to in point 4.5 and the

impossible to fulfill, other appropriate means may be provided to avoid this risk.

The landings at the entrance and exit of the car must be equipped with landing doors of adequate mechanical resistance for the condition 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 does or when the car is still moving outside a prescribed landing zone. However, all landing movement with the door open shall be allowed in specified zone on condition that the leveling spared is controlled.

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 landing movement referred to in the third sub-paragraph of point 2.3, unless the doors are closed and comes to a halt if the doors are opened.

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

(2) In the event of power cut or failure of component the lift must have device to prevent free fall or uncontrolled movement of the car.

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

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

(3) Buffers must be installed between the bottom of the shaft and the floor of the car.

This requirement does not apply to lifts in which the counterweights are replaced by a second car.

(2) The installer must ensure that the lift machinery and associated device of a lift are not accessible except for maintenance and in emergencies.

Control

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

(2) The function of the controls must be clearly indicated.

(3) The call circuits of a group of lifts may be shared or interconnected.

(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) Movement of the lift are dependent on electrical safety device in a separate electrical safety circuit;

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

Risks for persons outside the car

2.-(1) The lift must be designed and constructed to ensure that the pace 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) 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 building where this solution is

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

(h) Test reports;

(i) a copy of the instrument referred to in point 6.2 of schedule 1.

Verification

4. The inspectorate shall examine the technical documentation of lift and carry out the appropriate tests as set out in the relevant harmonized standard(s), or equivalent tests, to check its conformity with the applicable essential health and safety requirement set out in schedule 1.

The test shall include at least the test referred to in point 3.3 of schedule V.

If the lift meets the essential health and safety requirement set out in schedule I the inspectorate shall issue a certificate of conformity relating to test carried out.

The inspectorate shall fill in the corresponding pages of the logbook referred to in point 6 (2) of schedule I.

If the inspectorate refuses the certificate of conformity, 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 inspectorate.

On request, the inspectorate shall provide the Commission and the member states with a copy of the certificate of conformity.

Standard marking and declaration of conformity

5.-(1) The installer shall affix the Standard marking in the car of each lift which satisfies the essential health and safety requirements of these regulations, and under the responsibility of the inspectorate referred to in point 2.2; the latter's identification number adjacent to the Standard marking in the car of each lift.

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

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 requirement set out in Schedule I

2. The installer shall apply to the inspectorate unit verification. The application shall contain:

(a) The name and address of the installer, and if the application is lodge by the authorized 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 lodge with the inspectorate;

(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 requirement set out in Schedule 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 operation of the lift;

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

(e) a list of the harmonized standard applied in full or in part the reference of which have been published in the official journal and where those harmonized standard have not been applied description of the safety requirement of these regulation including a list of other relevant technical specification applied. In the event of partly applied harmonized standard the technical documentation shall specify the parts which have been applied;

(f) a copy of the examination certificate of the safety component for lifts incorporated in the lift;

5. 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 authorizes:

(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 decision and reports from the inspectorate referred to in the third paragraph of point 3.5. And in points 4.3 and 4.4.

6. The inspectorate shall inform SON of quality system approval decision(s) issued or withdrawn, and shall periodically or upon request make available to its SON the list of approval decisions refused suspended or otherwise restricted.

The inspectorate shall inform the other SON of quality system approval decision which it has refused suspended or withdrawn and upon request of approval decision which it has issued.

On request the inspectorate shall provide the SON or any other authority with a copy of quality system approval decision(s) issued.

The inspectorate shall keep a copy of the approval decision issued schedules and addition as well as the technical documentation for 15 years from the date of their issue.

Authorized representative

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

SCHEDULE VIII

CONFORMITY BASED ON UNIT VERIFICATION FOR LIFTS

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

(2) The manufacturer shall for assessment purposes allow the inspectorate access to the premises where final inspection, testing and storage are carried out and provide it will 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 analyses, calculations, tests;

(c) The technical documentation for the safety component for lifts manufactured;

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

(3) The inspectorate shall periodically carry out audit to ensure that the manufacturer maintain and applies the quality system and shall provide the manufacturer with an audit report.

(4) Additionally, the inspectorate may pay unexpected visit to the manufacturer. At the times of such visits the inspectorate may, where necessary, carry out test or have them carried in order to check the proper functioning of the quality system. It shall provide the, manufacturer, with a visit report if a test has been carried out, with a test report.

Standard marking and declaration of conformity

4.-(1) The manufacturer shall affix the standard marking and under the responsibility of the inspectorate referred to in point 3.1 the latter's identification number to each individual safety component for lift that meets the condition referred to in point 1.

(2) The manufacturer shall draw up a written 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 declaration of conformity shall identify the safety component for lifts for which it has been drawn up.

systems that comply with the corresponding specifications of the relevant harmonized standard.

(5) In addition to experience in quality management system 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 requirement set out in schedule I. The audit shall include an assessment visit to the manufacture's premises.

(6) The auditing team shall review the technical documentation referred to in point 3.1 (d) to verify the manufacture's ability to identify the applicable essential health and safety requirement set out in Schedule I and carry out the necessary examination with a view to ensuring compliance of the safety component for lift with those requirements.

(7) The decision shall be notified to the manufacturer and where appropriate to his authorized representative. The notification shall contain the conclusions of the audit and the reasoned assessment decision.

(8) The manufacturer shall undertake to fulfill the obligations arising from the quality system as approved and maintain it so that remains adequate and efficient.

(9) The manufacturer shall keep the inspectorate which has approved the system informed of any intended change to the quality system.

(10) The inspectorate shall assess the modification proposed and decide whether the quality system will continue to satisfy the requirement referred to in point 3.2 or whether a reassessment us necessary.

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

Surveillance under the responsibility of the inspectorate

3.-(1) The purpose of surveillance is to make sure that the manufacturer duly fulfills the obligations arising out of the approved quality system.

(g) the quality system shall ensure compliance of the safety component for lifts with the condition referred to in point 1.

All the element requirement and provision adopted by the manufacture shall be documented in a systematic and orderly manner in the form of written policies procedure and instructions. This quality system documentation shall permit consistence interpretation of the quality programmers plans, manuals and records.

(3) It shall contain in particular an adequate description of:

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

(b) The technical design specification including standard that will be applied and where the relevant harmonized standard that will not be applied or not applied in full, the means including other relevant technical specifications that will be used to ensure that the condition referred to in point 1 will be met;

(c) The design control and design verification techniques processes and systematic action that will be used when designing the safety component for lifts;

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

(e) The examination and test that will be carried out before during and after manufacture, and the frequency with which they will be carried out; The quality records, such as inspection reports and test data calibration data report on the qualification of the personnel concerned;

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

(4) The Inspectorate shall assess the quality system to determine whether satisfies the requirement referred to in point 3.2. It shall presume conformity with that requirement in respect of the element of the quality

SCHEDULE VII

CONFORMITY BASED ON FULL QUALITY ASSURANCE FOR SAFETY COMPONENTS FOR LIFTS

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

Obligations of the manufacturer

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

Quality system

2.-(1) The manufacturer shall lodge an application for assessment of his quality system with the Inspectorate.

(2) The application shall include:

(a) The name and address of the manufacturer and if application is lodge by the authorized representative, his name and address as well.

(b) The address of the premises where the safety component for lift are designed, manufactured, inspected and tested;

(c) All relevant information on safety component for lifts to be manufactured;

(d) The technical documentation described in point 3 of schedule 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 been lodge with any other notified body.

the condition referred to in point 1.

(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 authorizes 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.

5. The manufacturer shall for a period ending 10 years after the safety component for lifts has been plaStandard Marking on the market keep at the disposal of the national authories:

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

(b) The documentation referred to in point 3.1 (f);

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

(d) The decision and reports from the notified body which are referred to in the third paragraph of point 3.5 and in point 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 decision refused suspended or otherwise restricted.

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

Authorized representative

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

The Inspectorate shall assess the modification proposed and decide whether the modified quality system will continue to satisfy the requirement 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 conclusion of the examination and the reasoned assessment decision.

Surveillance under the responsibility of the Inspectorate

3.-(1) The purpose of surveillance is to make sure that the manufacturer duly fulfills the obligations arising out of the approved quality system.

(2) The manufacturer shall for assessment purposes allow the Inspectorate access to the premises where final inspection, testing and storage are carried out and provide it will all necessary information, in particular:

(a) The quality system documentation;

(b) The technical documentation;

(c) The quality records, such as inspection reports sand test data, calibration data reports on the qualification of the personnel concerned.

(3) The Inspectorate shall periodically carry out audit to ensure that the manufacturer maintain and applies the quality system and shall provide the manufacturer with an audit report.

(4) Additionally, the Inspectorate may pay unexpected visit to the manufacturer's premises where final inspection and testing of safety component for lifts carried out.

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

Standard marking and declaration of conformity

4.-(1) The manufacturer shall affix the Standard marking and under the responsibility of the Inspectorate referred to in point 3.1 the latter's identification number to each individual safety component for lift that meets

management with regard to product quality;

(c) The examination and test that will be carried out after manufacturer;

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

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

(2) The notified body shall assess the quality system to determine whether it satisfies the requirement referred to in point 3.2 it shall presume conformity with those requirement in respect of the element of the relevant harmonized standard.

In addition to experience in quality management system, 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 requirement set out in schedule 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 requirement of these regulations and carry out the necessary examinations with a view to ensuring compliance of the safety component 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) The manufacturer shall undertake to fulfill the obligation arising from the quality system as approved and to maintain it so that it remains adequate and efficient.

(4) The manufacturer or his authorized representative shall keep the Inspectorate which has approved the quality system informed of any intended changes of the quality system.

satisfy those requirements.

(a) Obligations of the manufacturer:

The manufacturer shall operate an approved quality system for final inspection and testing of the safety component for lifts as specified herein.

(b) Quality system:

(i) The manufacturer shall lodge an application for assessment of his quality system for the component for lifts concerned with the Inspectorate;

(c) The application shall include:

(i) The name and address of the manufacturer and, if the application is lodge by the authorised representative his name and address as well;

(ii) A written declaration that the same application has not been lodge with the Inspectorate;

(iii) The address of the premises where final inspection and testing of the safety component s for lifts carried out;

(iv) All relevant information on the safety component for lifts to be manufactured;

(v) The documentation concerning the quality system;

(vi) The technical documentation of the approved safety component for lifts and a copy of the examination certificate.

2.-(1) Under the quality system, each safety component for lift shall be inspected and appropriate test as set out in the relevant standard or equivalent test shall be carried out in order to ensure that it meet the condition referred to in point 1. All the elements, requirement and provision adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policy, procedure and instructions. This quality system documentation shall permit a consistent interpretation of the quality programmes plan, manuals and records.

It shall contain in particular an adequate description of:

(a) The quality objective;

(b) The organizational structure responsibilities and power of the

logbook referred to in Schedule I, point 6 (2).

If the Inspectorate 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.

Standard marking and declaration of conformity

6.-(1) The installer shall affix the Standard marking in the car of each lift which satisfies the essential health and safety requirements of these regulations, and under the responsibility of the Inspectorate referred to in point 3.3; the latter's identification number adjacent to the Standard marking in the car of each lift.

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

7. Any person or authority may obtain a copy of the final inspection certificate on request.

8. Authorizes representative:

The installer's obligation set out in point 3.1 and 5 may be fulfilled by his authorized representative on his behalf and his responsibility provided that they are specified in the mandate.

SCHEDULE VI

Conformity on Product Quality Assurance For Safety Components For Lifts

Conformity on product quality assurance for safety component for lifts is the part of the conformity assessment procedure whereby the Inspectorate assess the quality system of manufacturer in order to ensure that the safety components for lift are manufactured and monitored in conformity with the type described in examination certificate, satisfy the applicable requirement of schedule I and will enable a lift to which they are correctly incorporated to

(3) The appropriate examination and test set out in the relevant harmonized 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 requirement set out in schedule 1.

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

(a) Examination of documents referred to point 3.1 to check that the lift conforms with the approved examination certificate pursuant to schedule IV, part B;

(b) Examination of the documents referred to in point 3.2 to check that the lift conforms to the lift designs and manufactured in accordance with an approval quality system pursuant to Schedule XI and if the design is not wholly in accordance with the harmonized standards, with the design examination certificate.

(2) The tests of the lift shall include at least the following:

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

(b) operation of the lift at both maxim urn load and empty to ensure the correct functioning of the safety device 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 Schedule I, point

Standard marking and declaration of conformity

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

(2) If the lift satisfies the essential health and safety requirements set out in schedule 1, the Inspectorate shall affix its identification number adjacent to the Standard marking in accordance with Article 18 and 19 and shall have a final inspection certificate which mentions the examination and tests carried out.

(3) The Inspectorate shall fill in the corresponding pages in the

SCHEDULE V

FINAL INSPECTION FOR LIFTS

1. Final inspection is the part of a conformity assessment procedure whereby the inspectorate ascertains and certifies that a lift subject to an examination certificate or designed and manufactured according to an approved quality system satisfies the essential health and safety requirement set out in Schedule I.

Obligations of the installer

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

(a) An approved type describe in an examination certificate;

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

Final inspection

3.-(1) The Inspectorate 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 Schedule I.

(a) The installer shall lodge an application for final inspection with Inspectorate and shall provide the following documents:

(b) The plan of the complete lift;

(c) The plans and diagrams necessary for final inspection, in particular control circuit diagrams;

(d) A copy of the instructions referred to in schedule I, point 6.2;

(e) A written declaration that the same application has not been lodge with the inspectorate.

(2) The Inspectorate may not require detailed plan or precise information not necessary for verifying the conformity of the lift.

to the approved type including variation not specified in the original technical documentation that may affect the conformity of the lift with the essential health and safety requirement set out in Schedule I or the condition of validity of the examination certificate.

The Inspectorate shall examine the modification and inform the installer whether the examination certificate remains valid or whether further examination verification or tests are needed. As appropriate the Inspectorate shall issue an addition to the original examination certificate or ask for a new application for an examination to be submitted.

9. The Inspectorate shall inform its notifying authority concerning the examination certificate 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 certificate and any addition thereto refused suspended or otherwise restricted.

The Inspectorate shall inform SON concerning the examination certificates and any addition thereto which it has refused, withdrawn, suspended or otherwise restricted and upon request concerning such certificates and addition there to which it has issued.

10. The SON may, on request obtain a copy of the examination certificates and addition thereto. On request, the SON may obtain a copy of the technical documentation and of the report on the examinations, verification and tests carried out by the inspectorate.

11. The installer shall keep with the technical documentation a copy of the examination certificate including its Schedule and additions at the disposal of the national authorizes for 10 years after the lifts has been placed on the market.

Authorized representative

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

standard have not been applied the solution adopted by the installer applying other relevant technical specification meet the corresponding essential health and safety requirements of these regulations.

5. The Inspectorate shall draw up an evaluation report that records the examination verification and test carried out and their outcome.

Without prejudice to its obligation vis-a-vis the notifying authorities the Inspectorate 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 Schedule I applicable to the lift concerned, the Inspectorate shall issue an examination certificate to the installer. That certificate shall contain the name and address of the installer the installer the conclusions of the examination any condition of validity of the certificate and the particulars necessary to identify the approved type.

The examination certificate may have one or more schedules attached.

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

Where the type does not comply with the essential health and safety requirement set out in schedule I, the Inspectorate shall refuse to issue an examination certificate and shall inform the installer accordingly, giving detailed reasons for its refusal.

The Inspectorate shall keep a copy of the examination certificate, schedules and addition as well as the technical issue of that certificate.

7. The Inspectorate shall keep itself appraised of any changes in the generally acknowledged state of the art which indicates that the approved type may no longer comply with the essential health and safety requirement set out in schedule I, and shall determine whether such inform the installer accordingly.

8. The installer shall inform the inspectorate of any modification

the relevant authorizes upon request.

6. The installer shall keep the technical documentation a copy of the certification 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. Authorizes representative

The installer's obligation set out in point 2.2 and 6 may be fulfilled by his authorized representative on his behalf and his responsibility provided that they are specified in the mandate.

SCHEDULE IX

CONFORMITY TO TYPE WITH RANDOM CHECKING FOR SAFETY COMPONENTS FOR LIFTS

1. Conformity to type with random checking is the part of the conformity assessment procedure whereby the Inspectorate carries out check on safety component for lifts to ensure that they are in conformity with the approved type as described in the examination certificate and satisfy the application requirements schedule I and will enable a lift in which they are correctly incorporated to satisfy those requirements.

2. Manufacturer:

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

3. The manufacturer shall lodge an application for random checking with the inspectorate.

The application shall include:

(a) The name and address of the manufacturer and, if the application is lodge by the authorized representative his name and address as well;

(b) A written declaration that the same application has not been lodge with any other inspectorate;

(c) All relevant information on the safety component for lifts to be

manufactured;

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

4.-(1). The inspectorate shall carry out or have carried out checks on safety component for lifts at random intervals An adequate sample of the final safety component for lifts taken on site by the inspectorate shall be examined and appropriate tests set out in the relevant harmonized standards, and/or equivalent technical specification shall be carried out to check whether the safety component for lifts meets the condition referred to in point 1. In cases where one or more of the safety component for lifts checked do not con form, the inspectorate shall take appropriate measures.

(2) The points to be taken in account when checking the safety component for lifts will be defined by joint agreement between all the notified rer4sponsible for this procedures taking into consideration the essential characteristics of the safety components for lifts.

(3) The inspectorate shall issue a certificate of conformity to type with respect to the examination and test carried out.

(4) On request, the inspectorate shall provide the Commission and the Member States with a copy of the certificate of conformity to type.

Standard marking and declaration of conformity

5.-(1) The manufacturer shall affix the CE marking and under the responsibility of the inspectorate referred to in point 3.1 the latter's identification number to each individual safety component for lift that meets the condition referred to in point 1.

(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 authorizes 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.

Authorized representative

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

SCHEDULE X

CONFORMITY WITH PRODUCT QUALITY ASSURANCE FOR LIFTS

1. Conformity to type based on product quality assurance is the p[art of the conformity assessment procedure whereby a inspectorate assess the product system of an installer to ensure that the lifts are in conformity with the approved type as describe in the examination certificate or with a lift designed and manufactured under a full quality system approved in accordance with Schedule XI, and satisfy the applicable essential health and safety requirement set out in Schedule 1.

Obligations of the installer.

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

Quality system

3.-(1) The manufacturer shall lodge an application for assessment of his quality system with a single inspectorate of his choice.

The application shall include:

(a) the name and address of the installer and if application is lodge by the authorized 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 lodge with any other inspectorate.

(2) Under the quality system, each lifts shall examined and appropriate tests set out in the relevant harmonized standard or equivalent test shall be carried out in order to ensure its conformity with the applicable essential health and safety requirement set out in schedule 1.

All the elements, requirement and provision adopted by the installer shall be documented in systematic and orderly manner in the form of written policies, procedure and instruction. This quality system documentation shall permit a consistence interpretation of the quality programmers, plan, manuals and quality 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 examination and test that will be carried out before placing on the market including at least the tests laid down in point 3.3 of Schedule V;

(d) The mean 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) The inspectorate shall assess the quality system to determine whether it satisfies the requirement referred to in point 3.2. It shall presume conformity with those requirements in respect of the element of the quality system that comply with the corresponding specification of the relevant harmonized standard.

The auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essentials health and safety requirement set out in Schedule 1. 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

conclusion of the audit and the reasoned assessment decision.

(4) The installer shall undertake to fulfill the obligation arising from the quality system as approved and to maintain it so that it remains it so adequate and efficient:

(1) The installer shall keep with the inspectorate which has approved the quality system informed of any intended change to the system.

(2) The inspectorate shall assess the modified quality system will contain the safety requirement referred to in point 3.2 or whether a reassessment is necessary.

(5) The inspectorate shall notify its decision to the installer or, where appropriate to his authorized representative. The notification shall contain the conclusion of the assessment and the reasoned assessment decision.

(6) The inspectorate shall affix, or cause to be affixed, its identification number adjacent to the Standard marking in accordance with Regulation 19.

Surveillance under the responsibility of the inspectorate

4.-(1) The purpose of surveillance is to make sure that the manufacturer duly fulfills the obligations arising out of the approved quality system.

(2) The manufacturer shall for assessment purposes allow the inspectorate access to the premises where [mal inspection, testing and storage are carried out and provide it will all necessary information, in particular:

(a) The quality system documentation;

(b) The technical documentation;

(c) The quality records provided for in the manufacturing part of the full quality such as inspection reports and test data calibration data reports on the qualification of the personnel concerned.

(3) The inspectorate shall periodically carry out audit to ensure that

the manufacturer maintain and applies the quality system and shall provide the manufacturer with an audit report.

(4) Additionally, the inspectorate may pay unexpected visit to the installation sites. At the times of such visits the inspectorate may, where necessary, carry out test or have them carried in order to check the proper functioning of the quality system. It shall provide the manufacturer, with a visit report if a test has been carried out.

5. The installer shall, for 10 years after the last lifts has been placed on the market, keep at the disposal of the Inspectorate:

(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 change referred to in point 3.4.1;

(d) The decision and reports from the inspectorate referred to in the second paragraph of point 3.4.2 And in points 4.3 and 4.4.

6. The inspectorate shall inform the SON 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 inspectorate shall inform the SON or any other authority 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 inspectorate shall provide the commission and the Member States with a copy of quality system approval decision(s) issued.

Standard marking and declaration of conformity

7.-(1) The installer shall affix the standard marking in the car of each lift which satisfies the essential health and safety requirements of these regulations, and under the responsibility of the inspectorate referred to in point 3.1; the latter's identification number adjacent to the standard marking in the car of each lift.

(2) The installer shall draw up a written declaration of conformity for

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

Authorized representative

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

SCHEDULE XI

CONFORMITY BASED ON FULL QUALITY ASSURANCE PLUS DESIGN EXAMINATION FOR LIFTS

1. Conformity based on full quality assurance plus design examination for lifts is the conformity assessment procedures whereby a inspectorate assess the quality system of an installer and, where appropriate the design of the lifts satisfy the applicable essential health and safety requirement set out in schedule 1.

Obligations of the installer

2. The installer shall operate an quality system for design manufacturer, assembly, final inspection and testing of the lifts as specific in point 3, and shall be subject to surveillance as specific in point 4, The adequacy of the technical design of the lifts shall have be examined in accordance with point 3.3.

Quality system

3.-(1) The installer shall lodge an application for assessment of his quality system the inspectorate. The application shall include:

(a) The name and address of the installer and if application is lodge by the authorized 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 designs and operation of the lifts;

(c) the documentation on the quality system;

(d) the technical documentation described in point 3 of schedule IV, part B;

(e) a written declaration that the same application has not been lodge with any other inspectorate.

The quality system shall ensure compliance of the lift with the applicable essential health and safety requirement set out in schedule

1. All elements, requirement and provision adopted by the installer shall be documented in a systematic and orderly manner in the form of written policies, procedures and installation this quality system documentation shall permit a consistence 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 organizational structure, responsibility and powers of the management with regard to design and product quality;

(b) The technical design specification including g standard that will be applied and, in full the means including other relevant technical specification that will be used to ensure that the applicable essential health and safety requirement set out in schedule I will be met;

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

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

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

(f) The examination and test that will be carried before (inspection of installation conditions; shaft, housing of machinery, etc.), during and after installation (including at least the test laid down in point 3.3 of schedule V);

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

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

Design examination

3.-(1) When the design is not entirely in accordance with harmonized standard the inspectorate shall ascertain whether the design conforms to the essential health and safety requirement set out in schedule I and if it does, issue a 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.

(2) Where the design does not satisfy the applicable essential health and safety requirement set out in schedule I, the Inspectorate shall refuse to issue a design examination certificate and shall inform the installer accordingly giving detailed reasons for its refusal.

The inspectorate shall keep itself appraised of any changes in the generally acknowledge state of the art which indicates that the approved design may no longer comply with the essential health and safety requirement set out in schedule I, and shall determine whether such changes require further investigation. If so, the inspectorate shall inform the installer accordingly.

(3) The installer shall keep the inspectorate that has issued the design examination certificate informed of any modification to the approved design that may affect the conformity with the essential health and safety requirement set out in schedule I or the condition for validity of the certificate. Such modification shall require additional approval from the inspectorate that issued the design examination certificate in the form of an addition to the original design examination certificate.

(4) The Inspectorate shall inform the SON of the design examination certificate and/or any addition thereto which it has issued or withdrawn, and shall, periodically or upon request make available to the

SON the list of design examination certificate and/or any additions thereto refused, suspended or otherwise restricted.

The SON or any authority or agency may, on request, obtain a copy of the design examination certificates and/or addition thereto, and may obtain a copy of the technical documentation of the result of the examination carried out by inspectorate.

(5) The installer shall keep a copy of the design examination certificate, its schedules and addition together with the technical documentation at the disposal of the inspectorate for 10 years after the lifts has been placed on the market.

Assessment of the quality system

(6) The inspectorate shall assess the quality system to determine whether it satisfies the requirement referred to in point 3.2. It shall presume conformity with those requirements in respect of the element of the quality systems that comply with the corresponding specification of the relevant harmonized standard.

The auditing team shall have at least one member with experience of assessment in the lifts technology concerned and knowledge of the essential health and safety requirement b set out in schedule 1. 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 requirement set out in schedule I and to carry out the necessary examination 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 authorized representative. The notification shall contain the conclusions of the assessment and the reasoned assessment decision.

(7) The installer shall undertake to fulfill the obligations arising from

the quality system as approved and to maintain it so that remains adequate and efficient.

The installer shall keep the inspectorate that has approved the quality system informed of any intended change to the system. The inspectorate shall assess the modification proposed and decide whether the modified quality system will continue to satisfy the requirements referred to in point 3.3 or whether a reassessment is necessary.

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

The inspectorate shall affix, or cause to be affixed, its identification number adjacent to the Standard marking in accordance with Regulation 19.

Surveillance under the responsibility of the inspectorate

4.-(1) The purpose of surveillance is to make sure that the installer duly fulfills the obligations arising out of the approved quality system.

(2) The installer shall, for assessment purposes allow the inspectorate access to the design, manufacture, assembly, installation, inspection, testing and storage location, and shall provide it with all necessary information, in particular:

The quality system documentation:

(a) The quality records provided for in design part of the quality system such as result of analyses, calculations, tests;

(b) 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 qualification of the personnel concerned.

(3) The inspectorate shall periodically carry out audit to make sure that the installer maintain and applies the quality system and shall provide the installer with an audit report.

(4) Additionally, the inspectorate may pay unexpected visit to the

installer or to the installation sites of a lift. At the times of such visits the inspectorate may, where necessary, carry out test or have them carried in order to check the proper functioning of the quality system. It shall provide the installer with a visit report if a test has been carried out, with a test report.

5. The installer shall, keep at the disposal of the national authorizes for a period ending 10 years after the lifts 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.l(d);

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

(d) the decision and reports from the inspectorate referred to in the fourth paragraph of point 3.5 and in points 4.3 and 4.4.

6. The inspectorate shall inform SON 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.

The inspectorate shall inform the SON of quality system approval decision(s) which it has refused suspended or withdrawn and upon request of approval decisions which it has issued.

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

On request the inspectorate shall provide the SON with a copy of quality system approval decision(s) issued.

Standard marking and declaration of conformity

7.-(1) The installer shall affix the Standard marking in the car of each lift which satisfies the essential health and safety requirements of these regulations, and under the responsibility of the inspectorate referred to in point 3.1; the latter's identification number adjacent to the Standard marking in the car of each lift.

(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 final at the disposal of the national authorizes 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 authorizes upon request.

Authorized representative

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

SCHEDULE XII

CONFORMITY WITH PRODUCTION QUALITY ASSURANCE FOR LIFTS

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

Obligations of the installer

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

Quality system

3.-(1) The installer shall lodge an application for assessment of his quality system with a single inspectorate of his choice.

The application shall include:

(a) The name and address of the installer and if application is lodge by the authorized 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 lodge with any other inspectorate.

(2) The quality system shall ensure compliance of the lifts with the applicable essential health and safety requirement set out in schedule I.

All the elements, requirement and provision adopted by the installer shall be documented in systematic and orderly manner in the form of written policies, procedure and instruction. This quality system documentation shall permit a consistence interpretation of the quality programmers, plan, 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 examination and test 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 qualifications of the personnel concerned;

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

(3) The inspectorate shall assess the quality system to determine whether it satisfies the requirement referred to in point 3.2. It shall presume conformity with those requirements in respect of the element of the quality system that comply with the corresponding specification of the relevant harmonized standard.

The auditing team shall have at least one member with experience of assessment in the lift technology concerned and knowledge of the essentials health and safety requirement set out in Schedule 1.

The audit shall include an assessment visit to the premises of the installer's and

a visit to the installation site.

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

(4) The installer shall undertake to fulfill the obligation arising from the quality system as approved and to maintain it so that it remains it so adequate and efficient.

(5) The installer shall keep the inspectorate which has approved the quality system informed of any intended change to the system.

(6) The inspectorate shall assess the modification proposed and decide whether the modified quality system will continue to safety the requirement 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 authorized representative. The notification shall contain the conclusion of the assessment and the reasoned assessment decision.

The inspectorate shall affix, or cause to be affixed, its identification number adjacent to the Standard marking In accordance with Regulation 19.

Surveillance under the responsibility of the inspectorate

4.-(1) The purpose of surveillance is to make sure that the installer duly fulfills the obligations arising out of the approved quality system.

(2) The installer shall, for assessment purposes allow the inspectorate access to the design, manufacture, assembly, installation, inspection, testing and storage location, 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 qualification of the personnel concerned.

(3) The inspectorate 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) Additionally, the inspectorate may pay unexpected visit to the installer. During such visits the inspectorate may, where necessary, carry out test or have them carried in order to verify that the quality system is functioning correctly. The inspectorate shall provide the installer with a visit report if a test has been carried out, with a test report.

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

(e) The documentation referred to in point 3.1(c);

(f) The technical documentation referred to in point 3.1(d);

(g) The information relating to the change referred to in point 3.4.1;

(h) The decision and reports from the inspectorate referred to in the second paragraph of point 3.4.2, And in points 4.3 and 4.4.

6. The inspectorate shall inform SON of quality system approval decision(s) issued or withdrawn, and shall periodically or upon request make available to the SON the list of approval decisions refused suspended or otherwise restricted.

The inspectorate shall inform the SON 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 inspectorate shall provide the SON, any authority or agency with a copy of quality system approval decision(s) issued.

Standard marking and declaration of conformity

7.-(1) The installer shall affix the standard marking in the car of each lift which satisfies the essential health and safety requirements of these regulations, and under the responsibility of the inspectorate referred to in point 3.1; the latter's identification number adjacent to the Standard marking in the car of each lift.

(4) The installer shall draw up a written declaration of conformity for each lift and keep a copy of the declaration of conformity at the disposal of the inspectorate for 10 years after the placing on the market of the lift. A copy of the

declaration of conformity shall be made available to the SON any other relevant authority upon request.

Authorized representative

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

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the regulation of manufacture, sale, installation and general use of elevators.