

THE LIFTS REGULATIONS 1997

**GUIDELINES ON THE APPOINTMENT OF
UK NOTIFIED BODIES TO UNDERTAKE
INSPECTION AND CERTIFICATION FOR
THE PURPOSES OF THE CONFORMITY
ASSESSMENT PROCEDURES IN THE UK
REGULATIONS**

FEBRUARY 2010

THE LIFTS REGULATIONS 1997 (as amended by SI 2008/1597)

GUIDELINES ON THE APPOINTMENT OF NOTIFIED BODIES ISSUED BY THE DEPARTMENT FOR BUSINESS, INNOVATION AND SKILLS (BIS) ON BEHALF OF THE SECRETARY OF STATE FOR BIS

1. INTRODUCTION

1.1 The European Community Directive on the approximation of the laws of the member States relating to lifts (which also applies to specified safety components for lifts) - Directive 95/16/EC (Official Journal No. L 213 Volume 38 of 7 September 1995) (LD) has been implemented in the United Kingdom by means of the Lifts Regulations, Statutory Instrument 1997 (S.I. 1997/831, as amended by SI 2008/1597), "the Regulations" made under the European Communities Act 1972 for entry into force on 1 July 1997. These guidelines describe the requirements applying in the United Kingdom for the assessment and appointment of Notified Bodies under the Lifts Regulations 1997 S.I.1997/831, as amended by SI 2008/1597 which implement the provisions of the EC Lifts Directive (95/16/EC) in UK law. Notified Bodies are appointed under and operate according to the law which transposes the provisions of the Directive. The text of the Directive was adopted by the European Parliament and the Council on 29 June 1995 and published in the Official Journal No. L.213, Volume 38 of 7 September 1995. The Directive applies in the European Economic Area (EEA).

Please note that the term 'lift' used in this guidance only applies to lifts whose speed is 0.15m/s or greater.

1.2 The Regulations require, among other things, type examination, inspection and verification testing of lifts (as defined in regulation 2) and separately of the safety components specified in Schedule 4 to the Regulations before they can be placed on the Community market and put into service. Provision is also made for conformity assessment of lifts and specified safety components based on a lift installer's or manufacturer of safety components' quality assurance system. (See in particular regulation 13 and Schedules 5 to 13 to the Regulations).

1.3 In the United Kingdom (UK), the Secretary of State for Business, Innovation & Skills (BIS) has responsibility for appointing Notified Bodies to carry out the functions referred to in 1.2 above and then notifying the appointments to the European Commission and other member States.

1.4 Organisations wishing to become Notified Bodies under the Regulations must meet in full the requirements of Annex VII of the LD (reproduced as Appendix I to these Guidelines). They should in the first instance apply to an assessment body - for the time being in the United Kingdom that body is the United Kingdom Accreditation Service (UKAS) - which will assess the applicant against the criteria set out in this document on behalf of the Secretary of State. UKAS will report its assessment to the BIS on the applicant's ability to carry out the functions for which it wishes to be appointed.

1.5 All applicants will be required to demonstrate that they have adequate public liability and professional indemnity insurance for the activities they wish to carry out. Evidence of this should be submitted to UKAS and to BIS at the point at which a body makes an application to be appointed as a Notified Body. Thereafter, the Notified Body should make available to UKAS evidence of insurance at each annual surveillance undertaken by UKAS. Such cover should extend to the whole of the Community, the European Economic Area (EEA), or, if the applicant intends to carry out work under the Machinery Directive outside these areas; world-wide. The Secretary of State will not in relation to any case or circumstance cover a Notified Body's liability.

1.6 Applicants should note that the European Union (EU) aims to reach Mutual Recognition Agreements (MRAs) with key trading partners. Under these, EU Notified Bodies may be eligible to perform conformity assessments as required by the latter's laws and, similarly, those trading partners' equivalents to notified bodies may be eligible for appointment to perform conformity assessments under EC Directives. If an applicant organisation wishes to be considered for appointment under MRAs, it should inform BIS.

1.7 It is important to note that the Regulations refer to two key groups of suppliers defined in regulation 2(2):

- i) the installer of a lift, meaning the person who takes responsibility for the design, manufacture, installation and placing on the market of the lift and who affixes the CE marking and draws up the EC declaration of conformity. Throughout these Guidelines "installer" is used in the same way except where the context requires the expression to be construed more narrowly
- ii) the manufacturer of the safety components meaning the person who takes responsibility for the design and manufacture of the specified safety components and who affixes the CE marking and draws up the EC declaration of conformity.

1.8 Duties are also imposed on persons responsible for work on buildings and constructions as well as installers of lifts to keep each other informed of the information necessary for, and to take the appropriate steps to ensure, the proper operation and safe use of lifts (see regulation 11).

1.9 In addition, a duty is imposed to ensure that shafts intended for lifts do not contain any piping or wiring or fittings other than that necessary for the operation and safety of the lift (see regulation 11).

1.10 The Regulations place the general duties, relating to the placing on the market and putting into service of lifts and the specified safety components, on "the responsible person". Such a person will be either in the groups mentioned in 1.7 above or, in the case of a safety component, the manufacturer's authorised representative in the Community or, in the case of a lift/safety component, the person who places the lift or safety component on the market (see regulation 14). Please also note regulation 2(3).

1.11 It will be important to note that the Secretary of State retains complete discretion as regards appointments of Notified Bodies. Therefore, attainment of the minimum criteria for appointment (as set out in Annex VII of the LD) will not automatically lead to appointment.

2. BACKGROUND

2.1 The minimum criteria to be met by bodies seeking appointment and notification are set out in Annex VII of the LD. Whether accreditation to one of the EN 17000 or EN 45000 standards is strictly applied is left to the individual member States, but there is a move throughout the Community towards the use generally of these standards for Notified Bodies, and the UK usually follows this principle. The EN 17000 or EN 45000 contains a number of standards setting out the criteria to be met by bodies issuing certificates, performing inspections or conducting tests.

2.2 In the context of the Regulations and the conformity assessment modules (see Schedules 5 to 13), the person proposing to comply with the relevant procedures has a wide range of choices, which are detailed below in section 4.

2.3 EN 17020 is to be the basic standard for assessing the suitability of Notified Bodies for the Regulations. Bodies which have accreditation to EN 45011 and EN 17021 will be eligible for appointment once their competence has been demonstrated where this is not covered by their accreditation scope.

2.4 Bodies accredited to one or other of those standards will be assessed as to their suitability for appointment under the relevant modules. In the event that they wish to be considered for appointment in respect of modes of conformity assessment other than those addressed by their scope of accreditation they should inform UKAS accordingly. They will not be required to seek formal accreditation to those additional standards but will be assessed against the relevant additional provisions of the standards.

2.5 Please note that for modules B, G and for the Final Inspection procedure, the Notified Body shall carry out the appropriate tests. For modules D, E and H installers of lifts, or, for modules E and H, manufacturers of safety components shall operate an approved quality system for, inter alia, testing; however the Notified Body may carry out tests for surveillance purposes. In all cases involving Notified Bodies, the testing they carry out must be performed by bodies which conform to the relevant requirements of EN 17025: see section 5 below for details.

2.6 Organisations seeking to become Notified Bodies will be assessed against requirements of the Lifts Regulations in relation to Notified Bodies. Other requirements over and above the minimum criteria include:

- the clearly demonstrated ability to undertake the conformity assessment requirements laid down in the Schedules to the Regulations in respect of which they seek appointment.
- and a thorough knowledge of the Regulations (as implemented).

Accreditation to the standards referred to (EN 17020, EN 45011 and EN 17021) is not a prerequisite. It is, however, (as stated above) strongly encouraged. (The position is the same as regards the relationship between EN 17025 and laboratories). All bodies, including those not accredited, will be assessed as to their suitability on the basis of these guidelines which are in large measure based on the standards. Unaccredited bodies will need to demonstrate equivalence to accredited ones in terms of competence, resources, organisational arrangements, policies and all other relevant matters. Applicants should state for which of the conformity assessment procedures they wish to be appointed. Applicants can also apply to UKAS for accreditation to the standards.

2.7 UKAS will submit its assessment to the BIS for consideration by the Secretary of State who will then make a decision on the basis of all the evidence available including the insurance requirements referred to in 1.4. When the Secretary of State issues a letter of appointment the BIS will notify the European Commission on receipt of a copy of that letter which has been signed by a duly authorised representative of the applicant. Applicants should note that the Department reserves the right to follow the advice in the “European Commission Guide to the implementation of Community harmonisation directives based on the new approach and the global approach” that, if there is a risk of overcapacity in the Single European Market, the number of appointments of Notified Bodies should be limited accordingly.

2.8 The precise terms of appointment will be set out in the letter of appointment but it will be a condition of appointment that the applicant agrees:

- to take part in Notified Body co-ordination activities at both UK and European level
- to monitoring and reappraisal by the Secretary of State, the assessment body (UKAS) or anyone else nominated by the Secretary of State at regular intervals.

2.9 Only organisations with a legal personality and which have a presence and remain (if appointed) in the jurisdiction of the United Kingdom will be appointed by the Secretary of State as a Notified Body in the UK for the purposes of the Regulations.

3.0 CRITERIA

3.1 The following criteria should be regarded as satisfying the minimum requirements specified for the assessment, appointment and notification as a Notified Body under the Lifts Regulations.

3.2 Assessment of a body will be conducted against a specified range of activities to be known as the scope of approval. The scope will have regard to the following:

- a) whether the applicant is seeking appointment to undertake conformity assessment in relation to:

- lifts. There is no sub-categorisation and applicants will be expected to be competent to deal with all types of lift within the scope of the Regulations.
 - safety components for lifts, and if so, which of the categories listed in Schedule 4;
- b) which of the type examination, product certification and Quality Assurance System (QAS) procedures referred to above and in relation to which of the Schedules to the Regulations the applicant wishes to be appointed. No applicant can be appointed for part of an assessment module only.

3.3 For the purposes of the Regulations, the criteria against which conformity assessment is to be made are the essential health and safety requirements (EHSRs), relating to the design and construction of lifts and safety components listed in Schedule 1 together with the other relevant provisions of the Regulations.

3.4 The Regulations also defines the role of harmonised standards (see regulation 2(2)). These are to be produced in response to a mandate from the European Commission to the European standards organisation, the Comite European de Normalisation (CEN) and CENELEC the federation of Europe's national standards institutions. Lifts and safety components produced in accordance with such standards enjoy a presumption of conformity with the relevant EHSRs (see Regulations 8(2)(a)(i) and 9(2)(a)).

3.5 In the absence of harmonised standards, member States may bring to the attention of the parties concerned the existing national technical standards and specifications which they regard as important or relevant to the proper implementation of the EHSRs in Schedule 1 to the Regulations. These national standards and specifications do not, however, give a presumption of conformity with the EHSRs.

3.6 Under the appropriate conformity assessment procedures, applicants must be able to examine or inspect against the EHSRs and other relevant provisions of the Regulations direct. They must also be able to inspect against the CEN standards. In the absence of CEN standards, should the UK authorities decide to bring national standards and specifications to the attention of the parties concerned, the Notified Bodies must demonstrate the professional ability and the understanding of the Regulations necessary to judge the extent to which fulfilment of these standards and specifications can satisfy the EHSRs and the other relevant provisions of the Regulations.

3.7 All installers of lifts and manufacturers of safety components shall have access to the services of a Notified Body. There shall not be undue financial or other conditions imposed on them. The procedures under which the notified body operates shall be administered in a non-discriminatory manner.

4. CONFORMITY ASSESSMENT

4.1.1 Under the appropriate conformity assessments procedures, it shall be the duty of a Notified Body accurately to assess the conformity of lifts and safety components with the provisions of the Regulations in accordance with the conformity assessment procedures laid down.

4.1.2 Under other conformity assessment procedures it shall be the duty of the Notified Body accurately to assess whether the installer of a lift has a QAS in place that allows him to demonstrate that the product is fully in compliance with the provisions of the Regulations and, in the appropriate cases, the Notified Body must assess the conformity of the lift design with the requirements of the Regulations.

4.1.3 Having accurately concluded that the product, or QAS (and, if necessary, the design) is in conformity, a Notified Body shall issue the appropriate conformity assessment documentation as specified in the Schedule to the Regulations which lays down the relevant procedure.

4.2 Applicants should thoroughly familiarise themselves with the provisions of the Regulations including Schedule 1 to the Regulations and the conformity assessment procedures in respect of which they seek appointment. Note should also be taken of preliminary remark 4 in Schedule 1. The Construction Products Directive (89/106/EEC) has been implemented in the UK by S.I. 1991/1620 and the essential requirements laid down in that Directive are set out in Schedule 2 to those Regulations. Regarding paragraph 1.1 of Schedule 1 of the Lifts Regulations, the provisions of Annex 1 to the Machinery Directive (2006/42/EC) have been implemented in the UK by S.I. 2008/1597 and the essential health and safety requirements of Annex I to that Directive are set out in Schedule 2 to those Regulations.

4.3 The conformity assessment system under the Regulations is based on the modular approach (with certain modifications necessary to take account of the nature of the product) but as indicated in paragraph 2.2 there are a number of choices from which a selection can be made. These are as referred to above and as detailed in the Regulations. For the purpose of understanding the conformity assessment modules and procedures referred to above, applicants for Notified Body status should refer to Schedules 5 to 13 to the Regulations together with all the other relevant provisions of the Regulations but with particular reference to regulation 13. In summary the procedures are:

FOR LIFTS

Under regulation 13 before being placed on the market and put into service, a lift must have undergone one of the following procedures:

- (i) either if it was designed in accordance with a lift having undergone an EC type-examination Schedule 5 it shall be constructed, installed and tested by implementing:

- either Final Inspection (Schedule 6)
 - or Product Quality Assurance for Lifts (Schedule 11)
 - or Production Quality Assurance for Lifts (Schedule 13).
- (ii) or if it was designed in accordance with a model lift, having undergone an EC type examination (Schedule 5), it shall be constructed, installed and tested by implementing:
- either Final Inspection (Schedule 6)
 - or Product Quality Assurance for Lifts (Schedule 11)
 - or Production Quality Assurance for Lifts (Schedule 13)
- (iii) or it was designed in accordance with a lift for which a QAS pursuant to Schedule 12 was implemented, supplemented by an examination of the design if the latter is not wholly in accordance with harmonised standards, it shall be installed and constructed and tested by implementing, in addition:
- the final inspection referred to in Schedule 6, or
 - the QAS in accordance with Schedule 11, or
 - the QAS in accordance with Schedule 13;
- (iv) or, having undergone the unit verification procedure, referred to in Schedule 9, by a Notified Body
- (v) or, having been subject to the QAS in accordance with Schedule 12, supplemented by an examination of the design if the latter is not wholly in accordance with the harmonised standards

FOR SAFETY COMPONENTS (as listed in Schedule 4 to the Regulations)

Under regulation 13 before being placed on the market and put into service, a specified safety component must:

- (i) either be submitted as a model of the safety component for EC type-examination in accordance with Schedule 5 and for production checks by a Notified Body in accordance with Schedule 10;
- (ii) or be submitted as the model of the safety component for EC type-examination in accordance with Schedule 5 and a QAS be operated in accordance with Schedule 7 for checking production;
- (iii) or be subject to a full QAS in accordance with Schedule 8.

4.4 The Notified Body is required to have documented procedures and instructions covering type examination, product certification or QAS as specified in the relevant Schedules on conformity assessment modules. Part of the

assessment undertaken by the assessment body (UKAS) for the Secretary of State will concern the adequacy of the internal organisation and the procedures adopted to give confidence in the quality of the applicant's services.

4.5 The basis of conformity assessment certification given should be clearly defined in the scope quoted on each certificate (see paragraph 3.2 above). Where judgements or interpretation of a standard or requirement are implicit or explicit in a decision to grant or withhold certification, the Notified Body is required to have procedures for achieving consistency in such matters in its own operations. Guidance for achieving wider national and European agreement on interpretation and application of the Regulations will be provided by the BIS

4.6 In the case of EC type-examination procedures (see Schedule 5), the manufacturer of the safety component or his authorised representative established in the Community or the installer of the lift are required to inform the Notified Body of any modifications made, or planned to be made, to safety components or lifts. The Notified Body will then be required to examine those modifications to ascertain whether the certificate remains valid or if further inspection or testing is required followed by the issue of a new EC type examination certificate.

4.7 In the case of QAS for lifts as stated in regulation 13 (2)(c) and (e) and Schedule 12, when the design is not entirely in accordance with harmonised standards, the Notified Body must ascertain whether the design conforms to the provisions of the Regulations and, if it does, issue an "EC 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. (Applicants should also note that the expression "the limits of the certificate's validity" refers only to limits of design not to time limits.) The design examination would in essence be a modified version of a module B type examination and applicants will not be appointed unless they can demonstrate the ability to assess the conformity of the design with the provisions of the Regulations. It is important to note that applicants will therefore be assessed against the relevant criteria in EN 17020 as well as those in EN 17021.

4.8 The Notified Body must assess the QAS to determine whether it satisfies the requirements referred to in Section 3.2 of Schedule 12 to the Regulations. It must presume compliance with these requirements in respect of QAS that implement the relevant harmonised standard. (BS EN ISO 9001 supplemented, where necessary, to take account of the specific features of the lifts).

4.9 Schedule 8 to the Regulations lays down the procedure for QAS for safety components including the rights and responsibilities of Notified Bodies. (This, similarly, includes the duty to presume that a QAS complies with the requirements referred to Section 3.2 of Schedule 8 if it implements ISO 9001).

4.10 The composition, experience and qualifications of QAS auditing teams, the work to be undertaken (including its location) and the reporting duties shall be as specified in the relevant Schedule to the Regulations for procedures in relation to which the applicant is seeking appointment.

5. TESTING & INSPECTION FACILITIES, AND SUBCONTRACTING

5.1 If the Notified Body operates its own testing facilities these, and the associated activities, shall conform to the relevant requirements of the European Standard EN 17025 (General criteria for the operation of testing laboratories). Where testing is performed on its behalf by external bodies, the Notified Body shall ensure that these bodies conform to the relevant requirements of EN 17025. When the Notified Body uses the services of an external body for testing, a properly documented agreement covering the arrangements, including confidentiality, shall be drawn up. There can be equivalence, see 2.6 above

5.2 Where the notified body operates its own inspection activity, this shall conform to the relevant requirements of the European Standard EN 17020. Where inspection is carried out on its behalf by external bodies, the Notified Body shall ensure that these bodies conform to the same requirements. When the Notified Body uses the services of an external body for inspection, a properly documented agreement covering the arrangements, including confidentiality, shall be drawn up.

5.3 To meet the requirements of EN 17025, the quality manual referred to in EN 17020 should address the requirements of EN 17025 which are not covered in EN 17020.

5.4 Where testing is performed by an external body, the quality manual should describe the procedures adopted by the Notified Body to comply with the requirements specified in paragraph 5.3. A list of examination facilities used by the external body in order to undertake its activities should be included, showing as far as possible, those which are required for each element of the Notified Body's scope

5.5 Whenever an external body is used to perform any function, the Notified Body should possess documented evidence to demonstrate that the external body is competent to do so. Without prejudice to the generality of the foregoing, competence includes the ability fully to conform to all the requirements that are placed on the Notified Body itself in respect of the function to be performed on its behalf. Documented procedures for assessing and monitoring an external body's competence should be kept for reference. The quality manual may include them or should state where they are to be found.

5.6 The Notified Body should have properly documented agreements with all external bodies. A register of all external bodies employed by the Notified Body should be maintained; the quality manual may include it or should state where it is to be found. The register should include:

- a) the name of the external body;
- b) its legal status and details of any relationship with a parent company, group of companies or any other organisation of which the external body is a part;
- c) names and qualifications of all staff engaged in relevant technical work;

- d) functions performed by the external body.
- e) results of any assessments performed to check compliance with the requirements of EN 17025 or EN 17020.

The agreements and the register should be available for scrutiny at any time on request by the Secretary of State or such other person as may be appointed by the Secretary of State.

5.7 Where the Notified Body sub-contracts activities, it shall use a qualified and experienced person who is able to form an independent assessment of the results of these activities.

5.8 The responsibility for undertaking the conformity assessment in accordance with the requirements of the Regulations, including the necessary analytical technical judgements, and liability for failure to do so always rests with the Notified Body itself, irrespective of whether it makes use of the services of consultants, external test or inspection bodies or anyone else.

6. QUALITY MANUAL

6.1 The Notified Body should have a quality manual and associated documented operational procedures, appropriate to the conformity assessment modules and category of product (i.e. lifts or safety components) which it wishes to certify. The quality system set out in the documentation shall ensure that all the requirements of the relevant standard(s) in the EN 17000 or EN 45000 series are met plus any further requirements for accreditation and criteria for appointment and operation as a Notified Body. The quality documentation shall contain policies and procedures to include:

- a) a statement on the training of staff engaged in the conformity assessment process;
- b) details of the documented procedures for assessing initial and audit product testing;
- c) a general statement on the range of testing and inspection facilities appropriate to its activities;
- d) details of documented procedures for the surveillance of a manufacturer's quality system
- e) a list of sub-contractors and details of the documented procedures for assessing and monitoring their competence;
- f) details of appeals procedures and the procedure for ensuring that complaints to the Notified Body are investigated to ensure that any shortcomings of the certification activities are revealed;

g) a list of staff members responsible for investigating complaints and those having the authority to take remedial action;

h) a copy of instructions to staff on confidentiality;

i) a copy of the written undertaking by staff not to divulge any information gained about the client to a third party;

j) a copy of the provisions in all sub-contracts to maintain confidentiality;

6.2 The Notified Body will be required to inform the assessment body (UKAS) (and the Secretary of State) immediately of any changes relating to its application or scope. This includes any change in its status as an organisation.

7. DOCUMENTATION TO BE RETAINED BY THE NOTIFIED BODY

7.1 The Notified Body is required to produce and update as necessary lists of lifts and safety components for which it has issued type examination, final inspection, unit verification, quality assurance and EC design examination certificates. It is also required to name the companies to which such certificates have been issued. The list shall be available on request by the Secretary of State or such other person as may be specified by the Secretary of State and a description of the certification system shall also be available in published form whilst maintaining commercial confidentiality and professional secrecy.

8. INTERNAL AUDIT AND PERIODIC REVIEW

8.1 The Notified Body shall undertake internal audits and management reviews as required by the particular EN 45000 and EN 17000 standards to which it is working. Audits and reviews shall include checking compliance with the criteria for appointment as a Notified Body and checking that the certification process is correctly and effectively implemented.

9. MISUSE OF CERTIFICATES AND CONFORMITY NUMBERS

9.1 The quality manual should state the notified body's policy and procedure for controlling the use of its certificates and conformity numbers. Incorrect references to the certification system or misleading use of information found in advertisements, catalogues etc. must be dealt with by suitable means including corrective action, publication of the transgression and, if necessary, legal action.

9.2 The Notified Body should have documented procedures covering the control and use of its conformity number and any associated mark(s) with guidelines on action to be taken in cases of misuse. These should be described briefly in the quality manual and the reference numbers of the documentation listed. The Notified Body should not allow its mark(s) to be used without its express permission on any form of documentation issued by the installer of a lift

or manufacturer of a safety component unless, in addition to satisfying other regulations governing the use of the mark(s), either:

a) each product has been inspected or tested by the Notified Body (100% testing) and found to be in compliance with the relevant standard; or

b) products of the same type have been tested initially and subsequent manufacture is subjected to periodic surveillance and in each case been found to be in compliance with the standard. In this case it is a further condition that each marked lift or safety component should be produced under the same quality system for producing the tested or inspected items, the quality system concerned having been certificated by a body accredited for that function.

9.3 If, for example, an irregularity or oversight is discovered it might be necessary to withdraw the EC type examination certificate. The BIS must be informed immediately in such cases.

ANNEX VII

**MINIMUM CRITERIA TO BE TAKEN INTO ACCOUNT BY MEMBER STATES
FOR THE NOTIFICATION OF BODIES**

1. The body, its director and the staff responsible for carrying out verification operations may not be the designer, builder, supplier or manufacturer of safety components or installer of the lifts which they inspect, nor the authorized representative of any of these parties. Similarly, the body, its director and the staff responsible for supervising the quality assurance systems referred to in Article 8 of the Directive may not be the designer, builder, supplier or manufacturer of safety components or installer of the lifts which they inspect, nor the authorized representative of any of these parties. They may not become involved either directly or as authorized representatives in the design, construction, marketing or maintenance of the safety components or in the installation of lifts. This does not preclude the possibility of exchanges of technical information between the manufacturer of the safety components or the installer of the lift and the body.
2. The body and its staff must carry out the inspection or supervision operations with the highest degree of professional integrity and technical competence and must be free from all pressures and inducements, particularly financial, which might influence their judgment or the results of the inspection, especially from persons or groups of persons with an interest in the result of inspection or supervision.
3. The body must have at its disposal the necessary staff and possess the necessary facilities to enable it to perform properly the technical and administrative tasks connected with inspection or supervision; it must also have access to the equipment required for special verification.
4. The staff responsible for inspection must have:
 - sound technical and professional training,
 - satisfactory knowledge of the requirements for the tests they carry out and adequate experience of such tests,
 - the ability to draw up the certificates, records and reports required to authenticate the performance of the tests.
5. The impartiality of the inspection staff must be guaranteed. Their remuneration must not depend on the number of tests carried out or on the results of such tests.

6. The body must take out liability insurance unless its liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for the tests.
7. The staff of the body must observe professional secrecy with regard to all information gained in carrying out its tasks (except vis-à-vis the competent administrative authorities of the State in which its activities are carried out) under this Directive or any provision of national law giving effect to it.

The Lifts Directive is also extended by the European Economic Agreement which came into force on 1 January 1994. Under the Agreement the provisions of the Directive additionally apply to the four states of the European Free Trade Association (EFTA): Iceland, Liechtenstein, Norway and Switzerland. Therefore, in this overview of the Regulations, the term EU encompasses both EU Member States and their EFTA counterparts.

Please note that with from 29 December 2009 all lifting appliances (including) lifts whose speed is not greater than 0.15m/s will be covered by the UK Supply of Machinery (Safety) Regulations 2008 SI. 2008/1597 not the UK Lifts Regulations 1997/831. Therefore those seeking UK Notified Body appointment under the Lifts Directive will need to consider whether to apply also for appointment under the EC Machinery Directive to cover the majority of lifts installed in the passenger and goods lifts markets. Please see the [UK Machinery Regulation Guidelines on the appointment for UK Notified Bodies](#) for further information.

Therefore the use of the term lifts in this guidance only applies to lifts whose speed is 0.15m/s or greater

Sources of Reference

Availability of the Regulations

The text of the Lifts Regulations 1997 (SI 1997/831) is available on the OPSI website.

The text of the EC Lifts Directive 95/16/EC is available from the European Commission's EUR-LEX website

The text of the Supply of Machinery (Safety) Regulations 2008 (SI 2008/1597) is available from the OPSI website.

EC Lifts Guidelines 95/16/EC

Notified Bodies are appointed to carry out special conformity procedures required for machinery listed under Part III General Requirements Section 15 of The Lifts Regulations 1997. They can also offer wide-ranging advice on the Regulations.

The European Commission publishes an EU-wide list of such bodies on its NANDO database .

Copies of the EC Lifts and EC Machinery Directives, the Lifts Regulations 1997 (SI 831/1997) and Supply of Machinery (Safety) Regulations 2008 (SI1597/2008) may be obtained from:

The Stationery Office Ltd
PO Box 29
Norwich, NR3 1GN

Tel: 0870 600 5522
Fax: 0870 600 5533
Email: customer.services@tso.co.uk
Textphone 0870 240 3701

or from Euro Info Centres

Information on the EN 17000 and EN 45000 series of standards and the harmonised standards is available from:

BSI British Standards
389 Chiswick High Road
London, W4 4AL

Tel: 0208-996 9001
Fax: 0208-996 7001
Web: <http://www.bsi.group.com>

United Kingdom Accreditation Service (UKAS) are charged with the responsibility of assessing companies seeking appointment under the UK Lifts Regulations. Enquiries to:

UKAS
21-47 High Street,
Feltham
Middlesex.
TW13 4UN

Tel: +44 (0) 208 917 8400
Email: info@ukas.com

CONTACT POINTS

Contact addresses are:

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Tel: 0207-215 1339 / 0207-215 0923
Fax: 0207-215 2635 / 0207-215 2635

Lorraine Turner (or your usual accreditation manager)
United Kingdom Accreditation Service
21 - 47 High Street
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