



Occupational
Health & Safety
Authority



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Press Release: The new “Inspection of Lifts Regulations” – Legal Notice 231 of 2007

All vehicle owners know that their car is to have regular servicing, having its vital fluids checked or changed and other electronic and mechanical functions reviewed or adjusted. Today, it is also a known fact that a correctly serviced and tuned engine will have a longer, more economical service life than one that is run into the ground with minimal or inappropriate attention; it can also pre-warn of potentially major problems with the engine and transmission. Whilst from a technical point-of-view, this concept of appropriate “servicing” applies in general to all “machines” and not only to vehicles, the Malta Standards Authority has for long studied and discussed with lift installers/owners and other stake holders the way forward in order to instil the same “regular servicing” mentality in the case of lifts, which are becoming more and more frequently found not only in offices and other places of work but also in our homes.

Lifts today provide an essential means of comfortable and safe access to both old and modern buildings. The provision of lifts in new buildings and the installation of lifts in many existing buildings have an increasingly important role to play in an ageing society giving growing priority to the social integration of people with special needs. The harmonised European legislation governing the design, manufacturer and installation of NEW lifts has been fully in force across the EU since the 1st of July 1999: it has the double aim of permitting the free circulation of lifts within the internal EU market and ensuring a high level of safety for lift users and maintenance staff. While the provisions of the **Lifts Directive 95/16/EC** are mainly addressed to lift installers and components manufacturers, they also have important implications for the owners and users of lifts. In Malta, the Lifts Regulations, 2002 (L.N. 370 of 2002), transposed the Lifts Directive 95/16/EC which thus apply to the placing on the market of new lifts and do not cover the **“in-use”** aspect of lift installations. Periodic inspection of lifts is a non-harmonised area and is therefore subject to national legislation.

After intensive consultations and technical preparations, the Malta Standards Authority in close collaboration with the Occupational Health and Safety Authority, is pleased to notify that the *Inspection of Lifts Regulations*, under the Product Safety Act and Occupational Health and Safety Act, have been published as LN 231 of 2007. These regulations apply

to all existing and new lifts¹ installed in workplaces, condominiums or domestic residences, and have the aim of ensuring that lifts are inspected and maintained to an adequate level of safety.

The Inspection of Lifts Regulations introduces a “one-stop-shop” principle for this emerging sector by obliging the registration of ALL Lifts with the Malta Standards Authority, irrespective of their location. Depending on whether the lift has been put into service before or after 1st July 2002 (i.e. before or after the introduction of the CE marking requirements), the registration is to be performed by the responsible person or installer, respectively. The registration of lifts put into service after 1st July 2002 is required as from 1st January 2008. On the other hand, the registration of lifts put into service before 1st July 2002, is required as from 1st January 2009.

Once that a lift is successfully registered, the responsible person will be given a list of Authorised Conformity Assessment Bodies (ACABs), which have been designated to carry out thorough examinations and preventive inspections on lifts. The responsible person will be required to choose one of these ACABs, which will be responsible in assessing, inspecting and reporting the registered lift. This assessment will be carried out by means of periodic preventive inspections and thorough examinations.

The thorough examination of lifts will be performed as from 1st January 2009 and will consist of detailed examinations with the intent of improving lift safety. These thorough examinations have to be performed every 6 years for lifts located at workplaces and every 10 years for lifts not located at workplaces. Alternatively, thorough examinations are to be performed when an accident or important modification to the lift occurs.

Conversely, preventive inspection will ascertain that the safety features of the lift are in working order and that any defect is detected and resolved. For this reason, preventive inspections have to be performed every 6 months on lifts installed in workplaces, while for lifts not installed at workplaces, the preventive inspection shall be performed every 12 months.

The following table summarises the main provisions prescribed in these regulations:

¹ “lift” means a lifting appliance serving specific levels, having a carrier moving along guides which are rigid and inclined at an angle of more than 15 degrees to the horizontal, intended for the transport of:

- persons,
- persons and goods,
- goods alone if the carrier is accessible, that is to say a person may enter it without difficulty, and fitted with controls situated inside the carrier or within reach of a person inside the carrier.

Lifting appliances moving along a fixed course even where they do not move along guides which are rigid shall be considered as lifts falling within the scope of these regulations.

Registration of Lifts	
<i>New Lifts</i>	From 1 st January 2008
<i>Existing Lifts</i>	From 1 st January 2009
First Thorough Examination	
<i>For new Lifts</i>	
Deemed to have performed thorough examination as at date of installation	
<i>For existing Lifts</i>	
<i>Put into service</i>	<i>Execution of thorough examination</i>
Up to 31 st December, 1969	At the latest until 31 st December, 2009
From 1 st January, 1970 up to 31 st December, 1979	At the latest until 31 st December, 2010
From 1 st January, 1980 up to 31 st December, 1999	At the latest until 31 st December, 2012
From 1 st January, 2000 up to 1 st July, 2002	At the latest until 31 st December, 2013
Interval between Thorough Examinations	
<i>Lifts installed at workplaces</i>	Every 6 years
<i>Lifts not installed at workplaces</i>	Every 10 years
First Periodic Inspection	
<i>New Lifts</i>	From 1 st January 2008
<i>Existing Lifts</i>	From 1 st January 2009
Interval between Periodic Inspections	
<i>Lifts installed at workplaces</i>	Every 6 months
<i>Lifts not installed at workplaces</i>	Every 12 months

In the coming weeks, both the MSA and OHSa will be holding specific training sessions for lift inspectors/installers whereby both the technical and operational aspects of this new legislation will be explained accordingly. Excluding operational expenses inherent for safely running and maintaining any functional lift, it is important to emphasise at this stage that these regulations are envisaged to have a very low financial impact (mainly due to the introduction of a yearly third party routine inspection fee to be charged by an ACAB on privately owned lifts) since lifts found at places of work have ever since 1964 been subjected to third party routine inspections under the provisions of the "Factories (Hoists and Lifts) Regulations. The main drive behind these regulations remains enhanced SAFETY. Through specific provisions in LN 231 of 2007, the present number of lift installations in Malta, both those installed before the Lifts Regulations, 2002, and those installed as from 1st July, 2002, shall be identified and quantified. The regulations are also introducing requirements for upgrading existing lifts (i.e. lifts installed prior to 1st July, 2002) to ensure their continued safe use. For the first time in Malta, it will be a legal requirement

for lifts installed in domestic premises to be subjected to periodic inspections. By establishing a regulatory framework within which lift inspectors will be operating, the OHSa and the MSA are thus creating a transparent and traceable system based on European/International “accreditation” tools.

Any queries on this matter are to be referred to the Malta Standards Authority (by phone: 2124 2420, fax: 2124 2406, e-mail: franklin.balzan@msa.org.mt) and/or the Occupational Health and Safety Authority (by phone: 2124 7677/2124 7678, fax: 2123 2909, e-mail: vincent.attard@gov.mt).