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Brussels, 21.9.2016
C(2016) 5884 final

COMMISSION IMPLEMENTING DECISION

of 21.9.2016

on a standardisation request to the European Committee for Standardisation as regards lifts and safety components for lifts in support of Directive 2014/33/EU of the European Parliament and of the Council

(Text with EEA relevance)

only English, French and German texts are authentic

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council¹, and in particular Article 10(1) thereof,

Whereas:

- (1) In accordance with Article 14 of Directive 2014/33/EU of the European Parliament and of the Council², lifts and safety components for lifts which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* shall be presumed to be in conformity with the requirements set out in Article 5 and Annex I to Directive 2014/33/EU, which includes conformity with the relevant health and safety requirements set in Annex I to Directive 2006/42/EC of the European Parliament and of the Council³.
- (2) The intention to request harmonised standards in support of Directive 2014/33/EU is stated in point 3.3 of the annual Union work programme for European standardisation⁴.
- (3) The Commission has established guidelines⁵ for the execution of standardisation requests and the European standardisation organisations have agreed to apply those guidelines.

¹ OJ L 316, 14.11.2012, p. 12.

² Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (OJ L 96, 29.3.2014, p. 251).

³ Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24).

⁴ COM(2015) 686 final, 08.01.2016.

⁵ SWD(2015)205 final of 27.10.2015, Vademecum on European Standardisation in support of Union Legislation and policies.

- (4) Considering that the Commission request of 1992 for standardisation work concerning harmonised standards for lifts and safety components for lifts, based on a combined standardisation request and order voucher, was adopted, it is appropriate to update the request to ensure that all relevant parties have access to the terms of the Commission request, are aware of the latest legal framework and the scope under which harmonised standards for lifts and safety components should be developed. In order to ensure that there are coherent terms of reference for developing and revising harmonised standards for lifts and safety components for lifts covered by the Directive 2014/33/EU it is appropriate to consolidate the existing standardisation request and order voucher M/BC/CEN/92/3⁶, which is not publicly available, under a new standardisation request.
- (5) The requested harmonised standards, while ensuring a high level of protection of health and safety of persons, should also support fair competition providing a level playing field on the Union market by effectively implementing those essential health and safety requirements.
- (6) The European Committee for Standardisation (CEN), the European stakeholders' organisations receiving Union financing and the Lifts Committee have been consulted.
- (7) The European Standardisation organisations have indicated that the work covered by the request falls entirely within CEN's area of competence.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 22 of Regulation (EU) No 1025/2012

HAS ADOPTED THIS DECISION:

Article 1
Requested standardisation activities

The European Committee for Standardisation (CEN) is requested to draft harmonised standards in support of the implementation of essential health and safety requirements laid down in Annex I to Directive 2014/33/EU, in particular by revising existing harmonised standards in order to make them fully compatible with that Directive. The requested harmonised standards listed in the Table in Annex II to this Decision shall meet the requirements set out in Annex I.

Article 2
Establishment of the work programme

CEN shall prepare the work programme indicating all requested deliverables, responsible technical bodies and a timetable for the execution of the work in line with the deadlines set out in Annex II. CEN shall submit the work programme to the Commission within four months from the receipt of this request and shall provide the Commission with access to an overall project plan.

CEN may decide how many harmonised standards are needed in order to execute the request referred to in Article 1.

The work programme shall contain a complete list of harmonised standards that have been developed on the basis of the standardisation request M/BC/CEN/92/3 including those harmonised standards still under development, in line with the Table in Annex II.

⁶ M/BC/CEN/92/3 – Standardisation mandate assigned to CEN/CENELEC concerning lifts.

Article 3
Agreement on the work programme

In its work programme CEN shall follow the priorities identified by the Commission for the execution of the request referred to in Article 1.

CEN shall inform the Commission on any amendments to the work programme.

New subjects for harmonised standards may be added to the work programme where Annex I includes requirements for such subjects and where the Commission has been consulted and agrees to such addition, after having informed the Committee established by Article 22 of Regulation (EU) No 1025/2012.

Article 4
Reporting

CEN shall report annually to the Commission on the execution of the request referred to in Article 1. It shall submit the first annual report to the Commission by 1 October 2017. Subsequent annual reports shall be submitted by end of March each year.

Article 5
Harmonised standards

CEN shall include in each harmonised standard a clear and precise description of the relationship between its content and the corresponding essential health and safety requirements laid down in Annex I to Directive 2014/33/EU, and as relevant in Annex I to Directive 2006/42/EC, that it aims to cover. Each harmonised standard developed on the basis of the request referred to in Article 1 shall refer to this Decision.

CEN shall include in each revised or amended harmonised standard information concerning significant changes that were introduced by it.

CEN shall provide the Commission with the titles of the requested harmonised standards in all the official languages of the Union.

Article 6
Validity and repeal

If the request referred to in Article 1 is not accepted by CEN within one month of receiving it, the request shall not constitute a basis for the drafting of harmonised standards.

If the request referred to in Article 1 is accepted by CEN within one month of receiving it, the standardisation request M/BC/CEN/92/3⁷ is repealed.

The second paragraph is without prejudice to the draft harmonised standards which are under development on the adoption date of this Decision, to be provided according to deadlines set in the relevant standardisation request.

⁷ M/BC/CEN/92/3 – Standardisation mandate assigned to CEN/CENELEC concerning lifts.

Article 7
Addressees

This Decision is addressed to the European Committee for Standardisation.

Done at Brussels, 21.9.2016

For the Commission
Elżbieta BIEŃKOWSKA
Member of the Commission





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ANNEXES 1 to 2

ANNEXES

to the

Commission Implementing Decision

on a standardisation request to the European Committee for Standardisation as regards lifts and safety components for lifts in support of Directive 2014/33/EU of the European Parliament and of the Council

Annex I

Requirements for the harmonised standards

1 Objectives

The requested harmonised standards shall be established in particular by revising existing harmonised standards on lifts and safety components for lifts making them fit for purpose in the context of construction and installation of the lifts, design rules, calculations, examinations and tests of lift components, presented risks, markings and instructions.

The requested harmonised standards for lifts and safety components for lifts, while ensuring a high level of protection of health and safety of persons, shall be elaborated and consulted in an inclusive process.

Requested harmonised standard shall take into account usability and accessibility in line with the United Nations Convention on the Rights of Persons with Disabilities¹.

The requested harmonised standards shall not unduly inhibit fair internal market and fair competition on the internal market especially with respect to the implementation of those essential health and safety requirements necessitating technical specifications dealing with maintainability and serviceability of lifts and safety components. The requested harmonised standards shall not unduly restrict access to relevant maintenance and diagnostic data, related interfaces and tools needed during use phase of lifts.

The prospective standards have to include the necessary definitions of the product types and of the parameters that are to be measured or calculated and should be adapted to new technologies, market developments and taking account of accidents with lifts. If possible standards should boost innovation and competition by providing the option of a stable and accepted technical basis on which further progress can be based.

Specific attention shall be paid to the clarity of harmonised standards in terms of essential requirements covered by each standard in order to allow straightforward application of the standards by all relevant economic operators, especially by SMEs, in relation to their respective roles in the supply chain in ensuring health and safety of persons.

2 Description of the requirements for the requested harmonised standards

CEN is requested to maintain the existing harmonised standards referred to in Table 1 of Annex II and originating from the standardisation work programme under the repealed standardisation request, by ensuring that they continue to reflect the generally acknowledged state of the art in order to meet the essential health and safety requirements of Annex I of Directive 2014/33/EU and as relevant with the essential health and safety requirements of Annex I of Directive 2006/42/EC as set out in point 1.1 in Annex I of the new Lifts Directive .

Work undertaken under this standardisation request shall cover all categories of products falling within the scope of Directive 2014/33/EU.

¹ Approved by Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (OJ L 23, 27.1.2010, p. 35).

Annex II

Harmonised standards and deadlines for adoption

Table - Existing harmonised standards covered by this request

Reference information	Deadline for adoption ²
Harmonised standards contained in the list of references of the harmonised standards under Directive 95/16/EC, as amended by Directive 2006/42/EC, published in the <i>Official Journal of the European Union</i> C 412 of 11 December 2015.	Within 18 months after the notification of this Decision by the Commission.

² 'Adoption' refers to the relevant European standardisation organisation making a standard available to its members or the public.