

DECLARATION OF CONFORMITY

OFFICIAL JOURNAL OF LIFTS
DIRECTIVE (2014/33/EU)

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DECLARATION OF CONFORMITY

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COMMISSION IMPLEMENTING DECISION (EU) 2022/1199**of 11 July 2022****amending Implementing Decision (EU) 2021/76 as regards harmonised standards for lifts with inclined travel path and correcting that Decision as regards harmonised standards for steel wire ropes****(Text with EEA relevance)**

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 Council ⁽¹⁾, and in particular Article 10(6) thereof,

Whereas:

- (1) In accordance with Article 14 of Directive 2014/33/EU of the European Parliament and of the Council ⁽²⁾, 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* are to be presumed to be in conformity with the essential health and safety requirements set out in Annex I to that Directive covered by those standards or parts thereof.
- (2) By Commission Implementing Decision C(2016) 5884 ⁽³⁾, the Commission made a request to the European Committee for Standardisation (CEN) ('the request') for the drafting and revision of harmonised standards in support of Directive 2014/33/EU. In particular, CEN was requested to revise existing harmonised standards to ensure that they continue to reflect the generally acknowledged state of the art in order to meet the essential health and safety requirements set out in Annex I to Directive 2014/33/EU and, where relevant, the essential health and safety requirements set out in Annex I to Directive 2006/42/EC of the European Parliament and of the Council ⁽⁴⁾, referred to in point 1.1 of Annex I to Directive 2014/33/EU.
- (3) On the basis of the request, CEN revised harmonised standard EN 81-22:2014, the reference of which is published in Commission Implementing Decision (EU) 2021/76 ⁽⁵⁾. The revision was carried out in order to adapt that standard to the legal framework of Directive 2014/33/EU and to increase legal certainty and clarity by providing more precise information in Annex ZA and by introducing dated normative references. This resulted in the adoption of harmonised standard EN 81-22:2021 on safety rules for the construction and installation of lifts with an inclined travel path for the transport of persons and goods. No substantive technical changes were made to harmonised standard EN 81-22:2014 as a result of this revision.
- (4) The Commission, together with CEN, has assessed whether harmonised standard EN 81-22:2021 complies with the request.

⁽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⁾ Commission Implementing Decision C(2016) 5884 of 21 September 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.

⁽⁴⁾ 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).

⁽⁵⁾ Commission Implementing Decision (EU) 2021/76 of 26 January 2021 on harmonised standards for lifts and safety components for lifts drafted in support of Directive 2014/33/EU of the European Parliament and of the Council (OJ L 27, 27.1.2021, p. 20).

- (5) Harmonised standard EN 81-22:2021 satisfies the essential health and safety requirements which it aims to cover and which are set out in Directive 2014/33/EU. It is therefore appropriate to publish the reference of that harmonised standard in the *Official Journal of the European Union*.
- (6) Annex I to Implementing Decision (EU) 2021/76 lists the references of harmonised standards drafted in support of Directive 2014/33/EU.
- (7) In order to ensure that the references of harmonised standards drafted in support of Directive 2014/33/EU are listed in one act, the references of harmonised standard EN 81-22:2021 should be included in Implementing Decision (EU) 2021/76.
- (8) Harmonised standard EN 81-22:2021 replaces harmonised standard EN 81-22:2014. It is therefore necessary to withdraw the reference of harmonised standard EN 81-22:2014 from the *Official Journal of the European Union*. Harmonised standard EN 81-22:2014 should thus be deleted from Annex I to Implementing Decision (EU) 2021/76.
- (9) References to harmonised standards EN 12385-3:2004+A1:2008, EN 12385-5:2002 and EN 13411-7:2006 +A1:2008 on steel wire ropes are currently published in Implementing Decision (EU) 2021/76. However, steel wire ropes are not safety components for lifts as referred to in Article 1(1), second subparagraph, of Directive 2014/33/EU and therefore, those harmonised standards cannot create a presumption of conformity with essential health and safety requirements set out in that Directive. It is therefore necessary to correct Implementing Decision (EU) 2021/76 by deleting those references from Annex I to that Decision.
- (10) Implementing Decision (EU) 2021/76 should therefore be amended and corrected accordingly.
- (11) In order to give manufacturers sufficient time to prepare for the application of harmonised standard EN 81-22:2021, it is necessary to defer the withdrawal of the reference of harmonised standard EN 81-22:2014.
- (12) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2021/76 is amended in accordance with Annex I to this Decision.

Article 2

Annex I to Implementing Decision (EU) 2021/76 is corrected in accordance with Annex II to this Decision.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Point (1) of Annex I shall apply from 12 January 2024.

Done at Brussels, 11 July 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I to Implementing Decision (EU) 2021/76 is amended as follows:

- (1) entry 3 is deleted;
- (2) the following entry 3a is inserted:

'3a.	EN 81-22:2021 Safety rules for the construction and installation of lifts – Lifts for the transport of persons and goods – Part 22: Passenger and goods passenger lifts with inclined travel path'.
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ANNEX II

In Annex I to Implementing Decision (EU) 2021/76, entries 13, 14 and 16 are deleted.
