



# ***EU* DECLARATION OF CONFORMITY**

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

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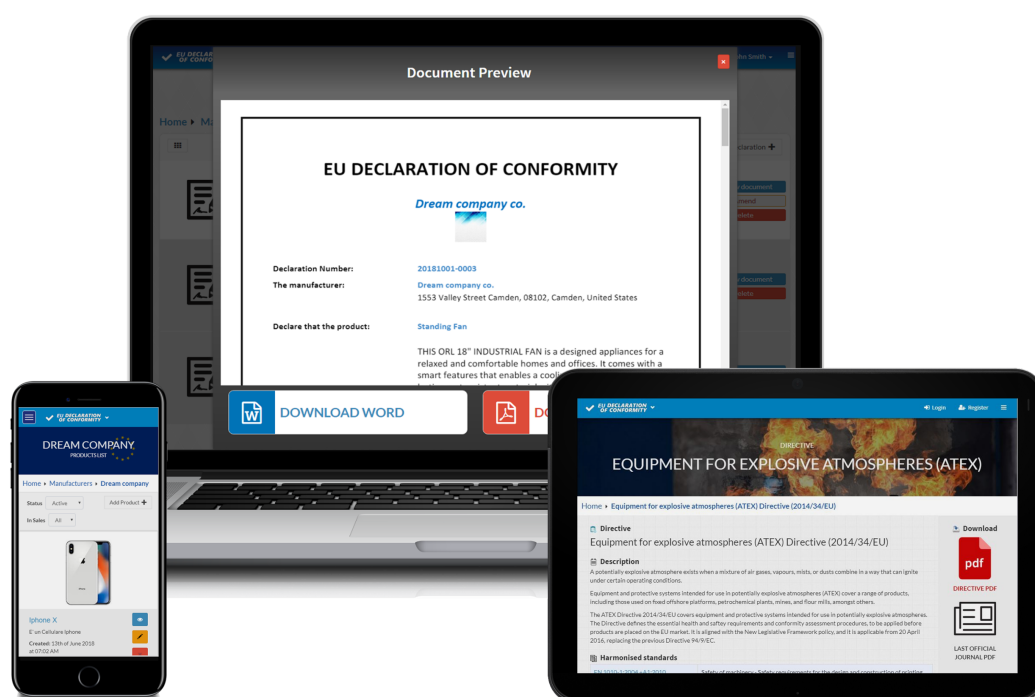
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# DECISIONS

## COMMISSION IMPLEMENTING DECISION (EU) 2023/1646

of 17 August 2023

**amending Implementing Decision (EU) 2021/76 as regards harmonised standards on safety rules for the construction and installation of lifts**

(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 <sup>(1)</sup>, 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 <sup>(2)</sup>, 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 of that Directive covered by those standards or parts thereof.
- (2) By Commission Implementing Decision C(2016) 5884 <sup>(3)</sup>, the Commission made a request to European Committee for Standardization (CEN) for the drafting of harmonised standards by revising existing harmonised standards in support of Directive 2014/33/EU 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, with the essential health and safety requirements set out in Annex I to Directive 2006/42/EC of the European Parliament and of the Council <sup>(4)</sup> as set out in point 1.1 of Annex I to Directive 2014/33/EU.
- (3) On the basis of the request set out in Commission Implementing Decision C(2016) 5884, CEN revised harmonised standards EN 81-21:2009 as amended by EN 81-21:2009+A1:2012, EN 81-28:2003, EN 81-58:2003, EN 81-70:2003 as amended by EN 81-70:2003/A1:2004 and harmonised standard EN 81-77:2013, the reference of which are published by Commission Implementing Decision (EU) 2021/76 <sup>(5)</sup>. The revision was carried out to adapt those standards to the legal framework of Directive 2014/33/EU and to increase legal certainty and clarity by providing more precise information in Annex ZA of those standards and by dating normative references. As a result, CEN adopted the standards EN 81-21:2022 on new passenger and goods passenger lifts in existing building,

<sup>(1)</sup> OJ L 316, 14.11.2012, p. 12.

<sup>(2)</sup> 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).

<sup>(3)</sup> 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.

<sup>(4)</sup> 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).

<sup>(5)</sup> 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).

EN 81-28:2022 on remote alarm on passenger and goods passenger lifts, EN 81-58:2022 on landing doors fire resistance test, EN 81-70:2021+A1:2022 on accessibility to lifts for persons including persons with disability, and harmonised standard EN 81-77:2022 on lifts subject to seismic conditions, but no substantive technical changes were made to these standards.

- (4) The Commission, together with CEN, has assessed whether harmonised standards EN 81-21:2022, EN 81-28:2022, EN 81-58:2022, EN 81-70:2021+A1:2022, and harmonised standard EN 81-77:2022 comply with the request set out in Implementing Decision C(2016) 5884.
- (5) Harmonised standards EN 81-21:2022, EN 81-28:2022, EN 81-58:2022, EN 81-70:2021+A1:2022, and EN 81-77:2022 satisfy the essential health and safety requirements which they aim to cover and which are set out in Directive 2014/33/EU. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*.
- (6) Implementing Decision (EU) 2021/76 provides in Annex I thereto the references of harmonised standards conferring a presumption of conformity with Directive 2014/33/EU. 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 standards EN 81-21:2022, EN 81-28:2022, EN 81-58:2022, EN 81-70:2021+A1:2022, and EN 81-77:2022 should be included in that Annex.
- (7) It is necessary to withdraw the references of harmonised standards EN 81-21:2009 as amended by EN 81-21:2009+A1:2012, EN 81-28:2003, EN 81-58:2003, EN 81-70:2003 as amended by EN 81-70:2003/A1:2004 and harmonised standard EN 81-77:2013 of the *Official Journal of the European Union*, given that those standards have been revised. It is therefore appropriate to delete those references from Annex I to Implementing Decision (EU) 2021/76.
- (8) Implementing Decision (EU) 2021/76 should therefore be amended accordingly.
- (9) In order to give manufacturers sufficient time to prepare for the application of the revised standards, it is necessary to defer the withdrawal of references of harmonised standards EN 81-21:2009 as amended by EN 81-21:2009+A1:2012, EN 81-28:2003, EN 81-58:2003, EN 81-70:2003 as amended by EN 81-70:2003/A1:2004 and harmonised standard EN 81-77:2013.
- (10) 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 enter into force on the day of its publication,

HAS ADOPTED THIS DECISION:

#### Article 1

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

#### Article 2

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

Points (1), (3), (5), (7) and (9) of the Annex shall apply from 21 February 2025.

Done at Brussels, 17 August 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX

Annex I is amended as follows:

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

‘2a.	EN 81-21:2022  Safety rules for the construction and installation of lifts – Lifts for the transport of persons and goods – Part 21: New passenger and goods passenger lifts in existing building’
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- (3) entry 4 is deleted;
- (4) the following entry 4a is inserted:

‘4a.	EN 81-28:2022  Safety rules for the construction and installation of lifts – Lifts for the transport of persons and goods – Part 28: Remote alarm on passenger and goods passenger lift’
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- (5) entry 6 is deleted;
- (6) the following entry 6a is inserted:

‘6a.	EN 81-58:2022  Safety rules for the construction and installation of lifts – Examination and tests – Part 58: Landing doors fire resistance test’
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- (7) entry 7 is deleted;
- (8) the following entry 7a is inserted:

‘7a.	EN 81-70:2021+A1:2022 Safety rules for the construction and installations of lifts – Particular applications for passenger and good passengers lifts – Part 70: Accessibility to lifts for persons including persons with disability’
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- (9) entry 11 is deleted;
- (10) the following entry 11a is inserted:

‘11a.	EN 81-77:2022  Safety rules for the construction and installations of lifts – Particular applications for passenger and goods passenger lifts – Part 77: Lifts subject to seismic conditions’
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