

Il Decreto Ministeriale 23 luglio 2009 e la sicurezza degli ascensori in Europa

Gelsomino Volpe

Coordinatore Delegazione
Anacam-Anica, ANIE-AssoAscensori,
Confartigianato Ascensoristi, CNA
Unione Installazione e Impianti

AssoAscensori



Associazione Nazionale
Imprese di Costruzione
e Manutenzione Ascensori



ANICA

Confartigianato
Ascensoristi



Adeguamento sicurezza ascensori pre direttiva 95/16/CE

Situazione in Europa

	This color / gnd means that the standard EN 81-80 has been implemented through a National law, including a defined position for the SNEL filtering (= defining the SNEL risks to be covered, including a time-schedule)
	This color / gnd means that the EN 81-80 implementation is in progress
	This color / gnd means: a rather slow progress or nothing has been undertaken so far or no information received/available for the EN 81-80 implementation



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Situazione in Europa

1	GERMANIA	legge del	2002
2	BELGIO	"	2003
3	FRANCIA	"	2003
4	AUSTRIA	"	2005
5	SPAGNA	"	2005
6	GRECIA	"	2005
7	MALTA	"	2006
8	LITUANIA	"	2006
9	SVEZIA	"	2006
10	SLOVENIA	"	2007
11	MONACO	"	2007
12	NORVEGIA	"	2008
13	ITALIA	"	2009

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Situazione in Europa

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			as a:			
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Austria	ASV1996 (lift directive)	ÖNORM B2454	Yes	- Yes - Verordnung 442, 23 rd of December 2005	- 74 SNEL risks - Date before risk assessment must be performed : <u>Construction year:</u> <u>Risk Analysis latest before:</u> - till 1966 31 st December 2007 - 1967 - 1976 31 st December 2008 - 1977 - 1983 31 st December 2009 - 1984 - 1990 31 st December 2010 - 1991 - 1995 31 st December 2011 - 1996 – 1999 31 st December 2012 - Already modernised 31 st December 2012 (according ÖNORM B 2454:1998 or ÖNORM B 2454:1994) - Execution date of modernisation works according dates mentioned in the audit report from the third party inspection body	
Belgium			Yes	- Yes - Royal Decree (9 March 2003, published 3 April 2003) modified by Royal Decree (17 th of March 2005)	- 74 SNEL risks, including a "variant" for missing car door. - Schedule: - Very high risks: to solve immediate - High risks → 2013 - Medium risks and low risks → 2018	
Bulgaria						
Cyprus						Starting with drafting law for implementing SNEL

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Czech Republic			Yes	No	-According to National filtering # 74 SNEL risks +11 specific national ones = # 85 risks -Scheduling: -Group of 10 risks to be fixed within 5 years -Group of 3 risks to be fixed within 7 years, -Other (= 72) risks between 10 and 15 years	
Denmark	existing law since 16 th of December 1997 regarding: doors, alarms and locks		Yes	No	-Almost all requirements in SNEL have already been implemented, but EFA has identified new areas for improvements and has decided to make a plan for requirements put in 2 different orders (lift companies offers for the customers and new legislation)	
Estonia			Yes			No information available
Finland			Yes	No Modernisation guide is published	- # 52 risks - If lift modernization takes place it should be in accordance with SNEL # 52	A guide including instructions about modernisation of lifts, based on EN 81-80, and related to building maintenance instructions is published.

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France	French decree (95-826)	modernisation standard (NF P 82-212).	Yes	- Yes The law has been published 3 July 2003. A general application decree and 3 spécifique arrêtés have been foreseen and are today published: - Décret n° 2004-964, 9 Sept. 2004, publication 10 Sept. 2004 - Arrêté, 18 Nov. 2004, publication 28 Nov. 2004 - Arrêté, 18 Nov. 2004, publication 28 Nov. 2004 - Arrêté, 18 Nov. 2004, publication 28 Nov. 2004	- 17 SAE (= Sécurité Ascenseurs Existants) items which are representing 44 SNEL risks - Scheduling (5-10-15 years): - High risks : before 3 July 2010 - Medium risk : before 3 July 2013 - Low risk : before 3 July 2018	<u>Notes:</u> related to scheduling dates; a new law has extended the total lead time from 15 to 18 years - The previous date of 2008 was revised to 2010 by Décret 2008-291. - The date of 2013 is confirmed by government up to now. - the new date of 2018 is still under discussion and will have to be changed by a new Décret if necessary.
Germany	- A regulation was published, 2 nd of October 2002, that covers lifts as work equipment (UWVED, Use of Work Equipment Directive (Betriebssicherheitsverordnung).		Yes	Yes, partial see note	- #30 SNEL risks defined for TRA lifts (12 risks → high) - #74 risks used for audits applied by TÜV on demand of the lift owner	Note: EN 81-80 has been introduced as a guideline to support the UWVED (Betriebssicherheitsverordnung).

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Greece			Yes	- Yes - Decree N°F9.2/29362/1957 dated 21 st of December 2005	- #19 SNEL risks + 1 = 20 - Scheduling: - immediate evaluation → 7 SNEL risks - later (8 years) evaluation → 12 SNEL + 1	
Hungary			Yes	Not yet , is ongoing	- 105 risk identified, including all #75 SNEL risks - Scheduling: - 1 year for individual SNEL inspection of all lift (inspection by Notified Bodies) - 0 year tolerance for 7 risk (e.g.. no safety device installed) - 5 year tolerance for 25 risk - 10 year tolerance for 41 risk - 15 year tolerance for 32 risk	
Iceland						No information available
Ireland						No information available, see also UK



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Italy			Yes	<u>Decreto Ministeriale</u> signed on 23.07.2009 and confirmed in the <u>Gazzetta Ufficiale</u> of 17.08.2009. <u>References:</u> - Decree DM 26.10.2005 "Improvement of the safety of existing lifts" - Decree DM 16.01.2006 "Rules for improvement of safety of existing lifts: <u>UNI EN 81-80</u>". - D.L. 6.09.2005 n. 206: Consumer Code (safety of consumer)	- # 74 risks. See also table A, B and C in the <u>Decreto Ministeriale</u> 23.07.2009. All priority levels of risks have been classified by UNI, the Italian Standards Authority. Taking into account the Italian technical and normative state of the art. These priority levels are set into the addendum NA of UNI 81-80:2004. A new version of this standard has been approved in 2008. - Date before risk assessment (RA) must be performed: <table><thead><tr><th><u>Construction year</u></th><th><u>Risk Analysis (RA) latest before:</u></th></tr></thead><tbody><tr><td>- till 1964</td><td>August 2011</td></tr><tr><td>- 1964 - 1979</td><td>August 2012</td></tr><tr><td>- 1979 - 1991</td><td>August 2013</td></tr><tr><td>- 1991 - 1999</td><td>August 2014</td></tr></tbody></table> - Execution date of <u>modernisation works</u>, schedule: - Table A (high risks) → RA date + max. 5 years - Table B (medium) → RA date + max. 10 years - Table C (remaining risks) → to be eliminated during subsequent large scale modernization activities	<u>Construction year</u>	<u>Risk Analysis (RA) latest before:</u>	- till 1964	August 2011	- 1964 - 1979	August 2012	- 1979 - 1991	August 2013	- 1991 - 1999	August 2014	The regulation applying the decree 20.10.2005 had not been published yet. SNEL was not officially applied in Italy, until the new <u>Decreto Ministeriale</u> was signed on 23.07.2009 and confirmed in the <u>Gazzetta Ufficiale</u> of Monday 17.08.2009 Until now the EN 81-80 standard was sometimes applied on a voluntary basis, mostly by local inspection authorities.
<u>Construction year</u>	<u>Risk Analysis (RA) latest before:</u>															
- till 1964	August 2011															
- 1964 - 1979	August 2012															
- 1979 - 1991	August 2013															
- 1991 - 1999	August 2014															
Latvia						No information available										
Lichtenstein						No information available										

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Lithuania			Yes,	Yes, partially through "Rules for Use of Lifts" has been approved by Order Nr. A1-61 of 24 February, 2006, of Minister of Social security and Labour	Every lift is inspected by an authorized lift inspection body at least one time per year. If it is necessary, the decision of the appropriate improvement of the lift is taken.	
Luxemburg	Old law from 1992 is already covering the topics from SNEL, only 7 SNEL points are still open today.		Yes	Yes (law 1992)	- Safety improvements already done, except for SNEL risks N°3,18,49,52, 53,68 and 72	
Malta			Yes	Yes Product Safety Act (CAP 427), Occupational Health and Safety Authority Act (CAP 424): "Inspection of lifts Regulation, 2006" This law is in force since 1 st of May 2006	- All #74 SNEL risks will be covered - Proposed time-schedule to carry out thorough examination of existing lift: - Lifts before 31 st of Dec.1969 → latest until 31 st of December 2008 - Lifts from 1 st Jan.1970 till 31 st Dec.1979 → latest until 31 st of December 2009 - Lifts from 1 st Jan.1980 till 31 st Dec.1999 → latest until 31 st of December 2011 - Lifts from 1 st Jan.2000 till 1 st July 2002 → latest until 31 st of December 2008 - Execution of the needed modernisation work is according the report of the <u>Authorised Conformity Assessment Body</u> (= ACAB)	

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Monaco	no		Yes	Yes <u>Arrêté Ministériel</u> 28 November 2007	-17 SNEL risks -Scheduling (5-10-15 years): -11 High risks : before November 2012 -5 Medium risk : before November 2017 -1 Low risk : before November 2022	similar , based upon French approach legislation

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Netherlands	<u>Warenwetbesluit liften</u> , 01.09.2003 <u>Warenwetbesluit liften</u> , 01.04.2006 (<u>WwBL</u>)		Yes	No, In 2003 a soft link was inserted in the <u>WwBL</u> . This soft link was removed in 2006. Practice showed that it was too soft for a legal obligation of improving the safety of the lift.	<u>Warenwetbesluit liften</u> , 01.09.2003 (article 19.3) could lead to conformity check on 38 checkpoints by inspection body during periodical inspection (each 18 months) In practice not so well implemented, and too soft for any legal obligation for the lift owner. Therefore article 19.3 was removed from the <u>WwBL</u> in 2006.	- Note 1: A SNEL table was made by industry which is making the link between the #74 SNEL risks and the outcome from the " <u>Warenwetbesluit</u> ". Covered SNEL risks were (not anymore!) n°: 11,15,16,17,19,20,21,22,23, 42,43,47,66,68,70 The SNEL risks N°1+13 are already solved by earlier actions. From the remaining #57 at least #27 are already covered by existing national regulations. - Note 2: The Dutch Ministry informed the Dutch Lift Association VLR by letter (dated 15.04.2005) about their point of view. → no need to go ahead with National SNEL filtering approach and implementation. (This letter was BEFORE the removal of 19.3 from the <u>WwBL</u> ; In the new situation the discussion could be made again)

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Norway	National law from 1985, related to requirements for buildings, asks for all installations in a building to be to today's state of the art of safety.		Yes	Yes, since March 1 st 2008.	Is dealing with the 27 highest risks defined in SNEL. Periodical inspections, every 2 years, will be based on the new SNEL-based legislation in the building law. Inspectors have been duly informed. They are independent but government controlled.	New Law launched officially 30 th of May 2008 by the Norwegian Office of Building Technology The Norwegian lift association will soon start courses for lift companies, while remaining closely in contact with the lift owners
Poland			Yes	No, ongoing Decree under preparation and consultancy	-58 SNEL hazards included + 8 Polish typical hazards -The safety of use of the lifts is defined by 15 points related to the Table B.2 EN 81-80 – Safety check-list for existing lifts -4 periods for the first risk analysis from the date of entry into force of this Ordinance – obligation of the lift owners -2 periods for elimination of hazards (15 and 20 years) High risks: 2023 Medium risks: 2028	-UDT (Polish Inspection Body) started the filtering process based/referring to a representative group of lifts and available accident statistics. -A proposition of decree within the framework of the KFKD task Group (order of PLA placed at the Government Juristic Centre) is drafted and has been presented

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Portugal	A law was already published on 28 th of December 2002, considering maintenance and periodic inspections. This also including some safety items: namely car doors obligatory in non-residential buildings with-in maximum 5 years and load control with- in maximum of 3 years (all lifts).		Yes	No	- focused on # 20 SNEL risks	The preparation of a new law with a clear link to SNEL is not yet started.
Romania						
Slovakia			Yes	No	-focused all # 74 SNEL risks	
Slovenia	"Pravilnik o varnosti dvigal (83/2007) From October 2007: 22 SNEL risks included for all lifts in stalled prior to 2004		Yes	Yes	22 risk : - high risk before October 2008 - others risks: 2008 + 3, 5 and 10 years	
Spain	Some SNEL risks have already been included previously via a Ministry Order in 1981.		Yes	Yes Royal Decree : Ministerio de Industria , Turismo y Comercio, Real Decreto 57/2005, 21 de enero, Publisher 4th of February 2005 Applicable since the 4th of August.	- # 16 SNEL risks: -Scheduling: 1)improvements nr. 1 to 11: One year from the next official periodic inspection of each apparatus. 2)improvements nr. 12 to 16 must be made when the measures of big modifications / improvements are carried out.	Note : periodic inspections by third parties are carried out at intervals of 2, 4 or 6 years, according to the building in which the lift is installed.

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Sweden	new Law "BFS 2006:26 H 10" This text was passed in the EU process during the Autumn 2006. The Background is the so called Ten Point programme		Yes	No	Already before the recommendation was published, Sweden fulfilled 3 points of the recommendation. Today Sweden requires that lifts serving mainly working premises, must have a car door before the end of year 2012. Lifts serving living premises are excluded from this requirement. When doing some specified modernizing on a lift, some harder requirements also have been introduced, since otherwise some of the 10 points in the recommendation never would have been fulfilled.	
Switzerland	Still no national legislation on SNEL in Switzerland. However, in the Cantons of Geneva and Zürich SNEL-initiatives were taken		Yes	Yes, for Canton Geneva and Zürich	Canton Geneva: - In a first period - as a consequence of several heavy accidents where in particular children were involved - between 1996 and 2000 all existing lifts without car doors must have been refitted with car doors. - In April 2004 the Canton of Geneva has launched a second safety initiative for existing lifts comprising 8 SNEL risks. In this context 3200 installations have to be modernized and improved in safety. Canton Zürich: - Since September 2008 the "Richtlinie über die Erhöhung der Sicherheit an bestehenden Aufzügen (ESBA-Richtlinie, 2008)" is into force. Based on a filtering system, Zürich focuses in the ESBA-Guideline on 7 risks according to SNEL, which have to be eliminated within 5 years after the decision of the inspection or directly if a major repair or modernization of a lift is planned.	

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Turkey			Yes	New draft law: "Regulation on putting into service ,operation and maintenance of lifts" In particular chapter 6 mentions the "improvement of safety of existing lifts."	Extract from the draft law , chapter 6, article 13 : (1) Those existing lifts covered by this law, with a car not equipped with a car door shall be equipped with a car door until 31/12/2012. (2) In addition, other necessary actions should be taken to improve safety of existing lifts, taking into account the differences in their design and degrees of safety.	The draft of the new law has been sent to European Commission to get approval, by the Notification Number 2007/8001/TR and end of standstill period is 22-Nov-2007. Expected is that this new law will be put in force at the end of 2007.
United Kingdom			Yes	No		In UK there is no legislation that directly drives you to use EN 81-80. There is however general legislation used by the industry since 1974 and as a result everything has been done except for item 71 a medium risk item and 52b a high risk item. We have been selling to address these risks by using the UK Health and Safety at Work Act, legislation that requires lifts to be safe. The UK government does not draft legislation in a prescriptive form therefore documents like EN81-80 will not become a law at any time in the foreseeable future.

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(1) As this regards not a harmonized standard (with ref. to 95/16/EC) the answer could be YES or NO, but respecting common sense the answer should be (come) a Yes as EN 81-80 (SNEL) is a CEN document describing the "state of the art safety" of existing lifts in Europe, and must be linked to the EU recommendation 95/216/EC.

(1) See also the EU-webpage: http://ec.europa.eu/enterprise/mechan_equipment/lifts/stand81.htm

For more information please contact:

ELA
Boulevard Du Souverain 207
B-1160 Brussels
BELGIUM
Tel.: +32 2 779 50 82
Fax: +32 2 772 16 85
<http://www.ela-aisbl.org>

EFESME
Jacques de Lalain 4
B-1040 Brussels
Tel.: +32 2 230 74 14
Fax: +32 2 2310 475
E-mail: efesme@efesme.org

ELCA
Avenue Jules Bordet 142
B-1140 Brussels
BELGIUM
Tel.: +32 2 761 16 17
FAX: +32 2 761 16 99
E-mail: elca@kelleneurope.com

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