

No. R. 829

17 September 2010

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993**INCORPORATION OF SAFETY STANDARDS**

I, M M S Mdladlana, Minister of Labour, after consultation with the Advisory Council for Occupational Health and Safety, hereby, under section 44(1) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), incorporate into the Lift, Escalator and Passenger Conveyor Regulations, 2010, the safety specifications specified in the Schedule hereto.

MMS MDLADLANA, MP**Minister of Labour**

Date:

SCHEDULE

"SANS 1543": the specification for escalators and passenger conveyors, published by the South African Bureau of Standards;

"SANS 1545-1": the specification for lifts: Safety rules for the construction and installation of lifts: Part 1: Electric lifts, published by the South African Bureau of Standards;

"SANS 1545-2": the specification for lifts: Safety rules for the construction and installation of lifts: Part 2: Hydraulic lifts, published by the South African Bureau of Standards;

"SANS 1545-3": the specification for lifts: Safety rules for the construction and installation of lifts: Part 3: Lifts for persons with physical disabilities (stair-lifting platforms), published by the South African Bureau of Standards;

"SANS 1545-4": the specification for lifts: Safety rules for the construction and installation of lifts: Part 4: Lifts for persons with physical disabilities (vertical platforms), published by the South African Bureau of Standards;

"SANS 1545-5": the specification for lifts: Safety rules for the construction and installation of lifts, Part 5: Electric and hydraulic access, goods only lifts, published by the South African Bureau of Standards;

"SANS 1545-6": the specification for lifts: Safety rules for the construction and installation of lifts: Part 6: Rack and pinion lifts, published by the South African Bureau of Standards;

"SANS 1545-9": the specification for lifts: Safety rules for the construction and installation of lifts: Part 9: Lift landing doors fire resistance testing, published by the South African Bureau of Standards;

"SANS 50280": standard for the design, safe use and maintenance of scissors lifts, published by the South African Bureau of Standards;

"SANS 10360": the standard for the maintenance and repair of electric and hydraulic powered lifts, escalators and passenger conveyors, published by the South African Bureau of Standards;

"SANS 21": the specification for escalators, safety rules for the construction and installation of escalator and passenger conveyors;

"SANS 50081-1": the specification for electric lifts, safety rules for the construction and installation of lifts, published by the South African Bureau of Standards;

"SANS 50081-2": the specification for hydraulic lifts, safety rules for the construction and installation of hydraulic lifts, published by the South African Bureau of Standards.

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. R. 828

17 September 2010

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

LIFT, ESCALATOR AND PASSENGER CONVEYOR REGULATIONS, 2009

The Minister of Labour has under section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), after consultation with the Advisory Council for Occupational Health and Safety, made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates-

“access goods only lift” means a lift in which persons are never transported or allowed by the user to be transported and where the conveyance is accessed by persons only for the purposes of loading and unloading at landings or for maintenance purposes, but does not include a temporarily installed material hoist;

“accredited authority” means the South African National Accreditation System established by section 3 of the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, 2006 (Act No. 19 of 2006);

“competent lift mechanic” means a person who-

(a) has completed a learnership or an apprenticeship in the trade of lift mechanic;

(b) has completed an electrical or mechanical trade qualification and has had at least one year post qualification general practical experience on lifts; or

(c) has obtained a minimum of a NQF level five electrical or mechanical engineering qualification and has had at least one year post qualification general practical experience on lifts;

“competent operator” means a person who has obtained a minimum of a NQF level 2 in the maintenance or installation of lift, escalators and passenger conveyor;

“competent lift service provider” means a person that employs competent lift mechanics and a competent operator, or a competent lift mechanic who is self-employed and who undertakes to contract with the user of a lift, escalator, passenger conveyor to perform maintenance, examinations and tests in terms of regulation 7;

“comprehensive report” means a certificate as contemplated in the relevant health and safety standard incorporated into these Regulations;

“escalator” means a power-driven inclined stairway with moving steps and handrails, which is intended for the transportation of persons from one level to another;

“failure” means the malfunctioning of any part of a lift, escalator or passenger conveyor, whereby the safety of a person has been or may have been endangered;

“inspection service provider” means a person that employs a registered lift inspector who undertakes to contract with the user of a lift, escalator or passenger conveyor to perform inspections and is accredited by the accredited authority;

“landing” means any floor or platform that is designed to give access to a lift or escalator or passenger conveyor;

“lift” means any permanent or temporary lifting installation used for the conveyance of persons or of persons and goods, or as an access goods only lift, that operates by means of a conveyance or platform running on a fixed guide or guides and serving landings, but does not include a hoist worked by hand power or a material hoist;

“machine compartment” means the room, well or pit where the main driving machinery or controls of the lift, escalator or passenger conveyor are situated;

“main landing” means a landing situated at the same level as the main entrance of a building;

“material hoist” means a hoist used to lower or raise material and equipment, and includes cantilevered platform hoists, mobile hoists, friction drive hoists, scaffold hoists, rack and pinion hoists and combination hoists;

“modification” means any alteration to a lift, escalator or passenger conveyor affecting the control, load, travel or safety thereof;

“National Building Regulations” means the regulations published under the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977), and promulgated by Government Notice No. R. 2378 of 12 October 1990 as amended by Government Notices No. R. 432 of 8 March 1991, No. R. 919 of 30 July 1999 and No. R. 547 of 30 May 2008;

“official number” means the number allocated by the provincial executive manager, which is unique to a specific lift, escalator or passenger conveyor on specific premises;

“passenger conveyor” means a power-driven installation with a continuous moving walkway, incorporating a moving belt or pallets and handrails, intended for the conveyance of persons either on the same level or between different levels;

“provincial director” means the provincial director as defined in regulation 1 of the General Administration Regulations promulgated by Government Notice No. R. 929 of 25 June 2003;

“registered lift inspector” means a person registered with the Engineering Council of South Africa in terms of the Engineering Profession of South Africa Act, 2000 (Act No. 46 of 2000);

“the Act” means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);

“well” means any vertical or inclined way in which a lift is operated.

Scope of application

2. (1) These Regulations shall apply to employers or self employed persons who carry out work on lifts, escalators or passenger conveyors.

(2) These Regulations shall apply to persons who have on their premises either permanently lifts, escalators or passenger conveyors.

Permission to install and use

3._(1) No person shall install or permit the installation of a new or used lift, escalator or passenger conveyer unless—

- (a) that person has submitted a completed form in the form of Annexure 1 to the relevant provincial director who shall allocate an official number to the lift, escalator or passenger conveyer;
- (b) that person has been allocated an official number contemplated in paragraph (a); and
- (c) such installation meets the requirements of these Regulations and complies with the relevant standards and specifications incorporated into these Regulations under section 44 of the Act.

(2) No person shall put into use or require or permit the use of a lift, escalator or passenger conveyer unless that person is in possession of a valid comprehensive report issued in terms of regulation 6(4): Provided that such report shall be completed by an inspection service provider.

(3) The user of a lift that does not operate automatically shall appoint the operator of such a lift in writing and instruct that operator as to the dangers of its operation.

Design and construction

4._(1) Subject to regulation 3(2), no person shall use, install or modify, or permit the use, installation or modification, of any lift, escalator or passenger conveyer unless—

- (a) such lift, escalator or passenger conveyer has been designed and constructed or modified in accordance with the relevant standard incorporated for this purpose into these Regulations under section 44 of the Act;_and
- (b) the requirements of the National Building Regulations, if applicable, have been complied with.

(2) The user shall ensure that all the electrical components of a lift, escalator or passenger conveyer which is installed in a location where there is a danger of fire or explosion due to the presence, occurrence or development of explosive or flammable atmospheres or where explosive articles are manufactured, handled or stored, comply with regulation 8 of the Electrical Machinery Regulations, 1988, promulgated by Government Notice No. R. 1593 of 12 August 1988, as well as the Explosives Regulations, promulgated by Government Notice No. R. 109 of 17 January 2003.

Particulars of lifts, escalators and passenger conveyors

5._(1) The user shall ensure that every lift, escalator and passenger conveyer is marked, in the machine compartment, in a conspicuous place, within a holder, with the following particulars:

- (a) The name of the manufacturer;
- (b) the year of installation;
- (c) the year of modification;
- (d) the official number contemplated in regulation 3(1) (a);
- (e) the rated speed in metres per second; and
- (f) the rated load in kilograms.

(2) Where the machinery of more than one lift, escalator or passenger conveyor is installed in a compartment, the user shall ensure that all the machinery and switch-gear of each unit are distinctly and permanently marked with the same distinguishing mark, which shall differ from the distinguishing mark of the machinery and switch-gear of any other unit in that compartment.

(3) The user shall keep an up-to-date, legible and schematic electrical wiring diagram in respect of every lift, escalator or passenger conveyor in a safe place in the machine compartment, as the case may be.

(4) The user shall affix or cause to be affixed in a conspicuous place at the main landing of every group of lifts and in each car and at every group of escalators and passenger conveyors, the name and telephone number of the competent lift service provider designated in terms of regulation 7(1).

Inspections and tests

6. (1) The user shall ensure that every lift, escalator or passenger conveyor is inspected and tested in accordance with the relevant health and safety standards incorporated into these Regulations under section 44 of the Act—

- (a) before such lift, escalator or passenger conveyor is put into use for the first time; or
- (b) after any modification has been effected; or
- (c) after any failure has occurred; or
- (d) whenever there has been a change in the competent lift service provider; and
- (e) at intervals not exceeding 24 months thereafter, or at shorter intervals according to in-house risk assessment, by an inspection service provider who shall complete a comprehensive report separately for each lift, escalator or passenger conveyor so inspected and tested, and such inspection service provider shall date and sign such report and submit it within 30 days to the user, who shall keep the report in a safe place and a copy of the report in the machine compartment.

(2) If an inspection or test carried out by an inspection service provider on a lift, escalator or passenger conveyor shows that any defect or weakness exists whereby persons are endangered, the inspection service provider shall report such defect or weakness forthwith to the user, the competent lift service provider and the provincial director, and no person shall be conveyed or allowed to be conveyed in or on such lift, escalator or passenger conveyor until such defect has been rectified to the satisfaction of the inspection service provider.

(3) If a comprehensive report in accordance with a health and safety standard incorporated into these Regulations under section 44 of the Act shows a defect or weakness not considered under sub regulation (2) the user shall rectify such defect or weakness.

(4) A comprehensive report for a lift, escalator or passenger conveyor shall be completed when—

- (a) the lift, escalator or conveyor is put into use for the first time;
- (b) any modification to the lift, escalator or conveyor has been effected;
- (c) a reportable incident in terms of section 24 of the Act occurs;
- (d) there is a change in the designated competent lift service provider; and
- (e) at intervals not exceeding 24 months thereafter.

(5) When an inspection or a test is conducted by an inspection service provider the inspection service provider shall ensure that all the documents and records required in terms of regulation 8 are kept in good order and are up to date.

(6) An inspector may at any reasonable time inspect any lift, escalator or passenger conveyor, and the user shall place, free of charge, at the disposal of the inspector any workmen and equipment that may be reasonably required by the inspector for the purpose of carrying out such inspection.

(7) An inspection service provider who wishes to avail himself or herself of designation as such by the user of a lift, escalator or passenger conveyor in order to carry out an inspection in terms of this regulation shall register with the accreditation authority.

Maintenance

7. (1) The user shall designate a competent lift service provider to examine and maintain a lift, escalator or passenger conveyor at least once a month or at such longer intervals as may be prescribed by the manufacturer of such lift, escalator or passenger conveyor: Provided that an inspector may prescribe such examining intervals as he or she may deem necessary.

(2) At an examination contemplated in sub regulation (1), the competent lift service provider shall examine the parts of a lift, escalator or passenger conveyor as prescribed by the relevant manufacturer or by an inspector: Provided that in the case of a lift, he or she shall test all the gates and door locks at each examination: Provided further that the suspension ropes of a lift shall be examined at six-monthly intervals and that the lift safety gear, over speed governor and buffers shall be tested at intervals not exceeding 12 months.

(3) If maintenance or an examination carried out in terms of sub regulation (1) or a test carried out in terms of sub regulation (2) shows that a weakness or defect exists whereby persons are endangered, the competent lift service provider shall report the weakness or defect immediately to the user and the provincial director, and no person shall be conveyed in or allowed to be conveyed in or on such lift, escalator or passenger conveyor or to enter such access goods only lift until such defect has been rectified to the satisfaction of an inspection service provider.

(4) The user of a lift, escalator or passenger conveyor shall immediately take steps to stop the working thereof and to prevent the starting thereof if its use is or is likely to be dangerous to persons.

(5) The user of a lift, escalator or passenger conveyor and the competent lift service provider responsible for the examinations contemplated in sub regulation (1) or test contemplated in sub regulation (2) shall immediately notify the provincial director in writing of the name and address of the competent lift service provider carrying out such examinations or tests.

(6) The competent lift service provider shall notify the provincial director and the user immediately in writing if a lift, escalator or passenger conveyor is found to be in operation without a valid comprehensive report issued in terms of regulation 6 that is kept in the machine compartment in terms of regulation 8.

Record keeping

8. (1) The user of a lift, escalator or passenger conveyor shall keep in a safe place in the machine compartment of every such lift, escalator or passenger conveyor a record in which he or she shall enter or cause to be entered—

- (a) his or her name, address and telephone number;

- (b) the name, address and telephone number of the competent lift service provider designated by him or her to carry out the maintenance and examinations contemplated in regulation 7(1) and the tests contemplated in regulation 7(2);
 - (c) a report on the results of every examination contemplated in regulation 7(1), and the test contemplated in regulation 7(2) including any modifications, repairs, adjustments and tests carried out;
 - (d) a copy of the latest comprehensive report contemplated in regulation 6(4);
 - (e) a copy of all suspension rope certificates and the results of the examination contemplated in regulation 7(2) on the condition of the suspension ropes;
 - (f) the registers or files and the technical dossiers required in terms of the relevant SANS specifications;
 - (g) the commissioning acceptance report or copy thereof required in terms of the relevant SANS specification; and
 - (h) a copy of each comprehensive report made in respect of incidents in terms of section 24(1) (c) (iii) and (iv) of the Act.
- (2) The user shall keep the records contemplated in sub regulation (1) in the relevant machine compartment for a period of at least 10 years.

Approved inspection authority

9. (1) An inspection service provider who wishes to avail himself or herself of designation as such by the user of a lift, escalator or passenger conveyor in order to carry out an inspection in terms of regulation 6, shall register with the accreditation authority.

(2) The Chief Inspector may at any time withdraw any approval of an approved inspection authority, subject to section 35 of the Act.

Offences and penalties

10. Any person who contravenes or fails to comply with any provision of regulation 3(1), 3(2), 3(3), 4(1), 4(2), 5(1), 5(2), 5(3), 5(4), 6(1), 6(2), 6(3), 6(4), 6(5), 6(6), 6(7), 7(1), 7(2), 7(3), 7(4), 7(5), 7(6), 8(1), 8(2) or 9(1) shall be guilty of an offence and liable upon conviction to a fine or to imprisonment for a maximum of 12 months and, in the case of a continuous offence, to an additional fine of R200,00 for each day on which the offence continues or to additional imprisonment of one day for each day on which the offence continues: Provided that the period of such additional imprisonment shall not exceed 90 days.

Repeal of regulations and savings

11. (1) The Lift, Escalator and Passenger Conveyor Regulations promulgated by Government Notice No. R. 797 of 29 April 1994 are hereby repealed.

(2) Lifts installed or modified prior to 1 May 1994 shall be considered to comply with regulation 4(1)

Short title and commencement

12. These regulations shall be called the Lift, Escalator and Passenger Conveyor Regulations, 2010, and shall come into effect on 30 November 2010. Provided that regulation 6(7) shall come into effect on 1 December 2012.

ANNEXURE 1

LIFT, ESCALATOR AND PASSENGER CONVEYOR REGULATIONS

**NOTICE OF INSTALLATION OF A
LIFT/ESCALATOR/PASSENGER CONVEYOR**

TO: The Provincial Executive Manager
Department of Labour

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.....

I/We

.....
Hereby give notice of my/our intention to install a lift/escalator/passenger conveyor
(Insert the official, name and address of company or person (legal person) giving notice of the
installation. Use a separate form for each installation)

- 1. Name of building
- 2. Address of building (physical).....
- 3. Lift type
- 4. Name of manufacture
- 5. Country of origin.....
- 6. Design standard
- 7. Manufacture's serial number
- 8. Year of manufacture.....
- 9. Register person.....
- 10. Location of lift (machinery).....
- 11. Year of installation.....
- 12. Inclination angle (Esc).....
- 13. Balustrades width (Esc).....
- 14. Flight length (Esc).....
- 15. Maximum number of persons
- 16. Rated load in kg
- 17. Number of landings
- 18. Total travel distance
- 19. Rated speed

.....
Signature of owner/user

.....
Date

(*Delete whichever is not applicable)

FOR OFFICIAL USE ONLY

Date received

Official number allocated Date

Inspector Office