

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 763

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**Guidelines for Lift, Escalator and Passenger
Conveyor Regulations, 2009**

Department of Labour

Occupational Health and Safety Act, Act 85 of 1993

Rev 0

FOREWORD

This document consists of explanatory notes on the application of the more important regulations concerning lift, escalator and passenger conveyor. The notes are meant to help and guide suppliers, contractors, maintenance providers, users, inspection service providers and inspectors. They explain the purpose of the regulations, their meaning and suggested administration.

INTRODUCTION

The Lift, Escalator and Passenger Conveyor Regulations were published on 17 September 2010 in Government No. R828 with the aim of protecting employees and users against the dangers associated with lifts, escalators and passenger conveyors.

AIM

The aim of these guidance notes is to explain in simple language the provisions of the Lift, Escalator and Passenger Conveyor Regulations and to stress the principle of self-regulation. The guidelines do not substitute the regulations.

REGULATION 1 -DEFINITIONS

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;

Notes:

- (a) These were commonly known as goods hoists and were previously regulated by the Driven Machinery Regulations 17 which has now been repealed.
- (b) All new installations shall comply with SANS1545-5.

“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;

Notes:

- (a) None

“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;

Notes:

- (a) NQF level 2 is defined as a minimum education level of grade 9 and the relevant training and certification within the lift industry issued by MERSETA.
- (b) Competent operator is also known as an operative or a category worker who can do limited work.

“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;

Notes:

- (a) This is commonly known as the maintenance service provider.

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

Notes:

- (a) It is an annexure in terms of the relevant SANS document for lift, escalator or passenger conveyor.

“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;

Notes

- (a) None

“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;

Notes:

- (a) Refer to Section 24 of the Occupational Health and Safety Act.

“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;

Notes:

- (a) The inspection service provider can also be a self-employed person.
- (b) South African National Accreditation System is the national body mandated to accredit inspection service providers.

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

Notes

- (a) None

“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;

Notes

- (a) None

“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;

Notes:

- (a) This definition is for information only and is defined in the Construction Regulations. Material hoist must not be confused with ‘Access Goods only lifts’ referred to in definition 1.

REGULATION 2 -SCOPE OF APPLICATION

- (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.

Notes:

- (a) Lifts that are installed temporarily are also covered under this regulation.
- (b) This scope also applies to lifts installed in private residence.

REGULATION 3 –PERMISSION TO INSTALL AND USE

- (1) No person shall install or permit the installation of a new or used lift, escalator or passenger conveyor 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 conveyor;
- (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 conveyor 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.

Notes:

- (a) Annexure 1 must be submitted to a Provincial Office situated in the Province where the lift is going to be installed.
- (b) Official number is a unique number issued by the relevant Provincial Office which would be reflected on the registration certificate.
- (c) A person who intends to install a lift, escalator or passenger conveyor that does not meet requirements of these Regulations must apply for an exemption to the Chief Inspector.
- (d) A comprehensive report is an annexure in terms of the relevant SANS document for lift, escalator or passenger conveyor.

- (e) This report is completed by an inspection service provider.
- (f) A comprehensive report is issued by an inspection service provider who employs a registered lift inspector.
- (g) These are normally Freight elevators and are registered to be operated with "attendants".
- (h) The car and landing doors do not operate automatically.
- (i) The user is the owner of the lift, escalator or passenger conveyor.
- (j) The operator must be provided with the user instruction/manual for that particular lift and he or she must clearly understand the instructions.

REGULATION 4 –DESIGN AND CONSTRUCTION

- (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 conveyor unless—
 - (a) such lift, escalator or passenger conveyor 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 conveyor 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.

Notes:

- (a) Any modification carried out on a lift, escalator or passenger conveyor must comply with the latest published standards.
- (b) The installation must be designed and constructed such that it adheres to requirements stipulated in the National Building Regulations.
- (c) Access goods only lifts were previously regulated by the Driven Machinery Regulations 17 which has now been repealed
- (d) All new "access goods only lift" installations shall comply with SANS1545-5
- (e) All existing installations shall be upgraded to comply with Lift, Escalator and Passenger Conveyor Regulations(LEPCR) within 5 years from the date of promulgation of Driven Machinery Regulations of 2015
- (f) A user of existing goods hoist shall register the installation with department of Labour.

REGULATION 5 –PARTICULARS OF LIFTS, ESCALATORS AND PASSENGER CONVEYORS

- (1) The user shall ensure that every lift, escalator and passenger conveyor 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).

Notes:

- (a) Department of Labour generates a certificate with particulars of a lift, escalator or passenger conveyor.
- (b) Information displayed on the front of the Comprehensive report is acceptable in instances where a certificate is not available. Provided, that the comprehensive report is displayed in a holder in the machine compartment.
- (c) The schematic electrical wiring diagram here means principle electrical diagram showing electrical analogue/digital connections. The electrical wiring diagram is there for commissioning and troubleshooting.
- (d) The notice must reflect the details of the current competent lift service provider appointed to service the lift, escalator or passenger conveyor.

REGULATION 6-INSPECTION AND TESTS

- (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.

Notes:

- (a) Annexure formats have been developed for different types of lifts and are available in the relevant standards published by SABS.
- (b) The installation must however comply with the standard which was applicable at the time of installation or modification.
- (c) Refer to Section 24 of the OHS Act with regards to failures
- (d) The owner is under obligation to ensure an in-house risk assessment is conducted.
- (e) The 24 month interval for the inspection and test may be reduced as a result of risk assessment conducted by the owner/user.
- (f) SANS 14798:2009 can be used as a guide on how to conduct risk assessment.
- (g) Use the guidance template developed for reporting of defects. This template does not replace the comprehensive report. See attached template A
- (h) The intention of the requirement of reporting of defects or weaknesses is to inform DoL that the person's life can be endangered.
- (i) Provincial director is the most senior official of the department in the province and is based at the provincial office.
- (j) It is the owner's obligation with regards to the safety of the equipment.
- (k) Inspection service providers do not have the same power as inspectors.
- (l) Inspection service providers must ensure that the equipment is switched off.
- (m) Situations where customers/owners fail to attend to the non compliances, reflected on the comprehensive report, must be reported to the relevant DoL,

Weakness or defect

Below is a list of critical (life threatening) items that must be reported to DoL,

Key components of a lift that may endanger persons: Existing lifts

- a. Door locks
- b. Door fastenings/hanger/slippers
- c. Door detectors/door protection
- d. Vision panel
- e. Intercom/alarms
- f. Floor levels
- g. Brake linings
- h. Overspeed governor/ Safety gear
- i. Limited headroom
- j. Ropes/traction sheave
- k. Machine room door
- l. Illumination in the car and landing
- m. Excessive thrust or gear/ drive shaft wear
- n. Shaft end protection
- o. Water leakages

Escalators

- a. Broken steps
- b. Broken comb plates
- c. Brake
- d. Landing balustrades
- e. Hand rail entry switches
- f. Water leakages
- g. No emergency stop

- (n) Inspector means an inspector from Department of Labour.
- (o) An inspector could inspect a lift as a result of a complaint reported to DoL or as part of routine inspections. An inspector can inspect a lift to ensure compliance. An inspector can also inspect a lift especially a new installation to verify that commissioning has been done and all the necessary documentations including annexure are in place.
- (p) South African National Accreditation System is the national body mandated to accredit inspection service providers.
This accreditation ensures that inspection service providers are competent to carry out inspections and tests on lift, escalators or passenger conveyors.
- (q) This requirement became mandatory on 1 December 2012. Refer to Regulation 12.

REGULATION 7-MAINTENANCE

- (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.

Notes:

- (a) Manufacturer in this case refers to the original equipment manufacturer.
- (b) Maintenance requirements apply to all lifts (access goods only lifts, lifts, escalators, stair lifting platforms etc).
- (c) Inspector here refers to a DoL inspector who may override certain of the manufacturer's operating instructions under specific conditions which will be based on the latest risk assessment or inspection/ examination or test.
- (d) The tests and examinations referred to above must be carried out by a competent lift mechanic or a person with a higher qualification who is employed by a competent lift service provider. These tests are carried out to ensure that the lift, escalator or passenger conveyor is safe for usage
- (e) Use the guidance template developed for reporting of defects. See attached template A
- (f) Reports are submitted to enable the DoL to enforce compliance of the regulation and measure equipment performances.
- (g) the user can use guidance template developed for reporting of defects. See attached template A
- (h) Use the guidance template developed for appointing a competent lift service provider. See attached template B

REGULATION 8-RECORD KEEPING

- (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 subregulation (1) in the relevant machine compartment for a period of at least 10 years.

Notes:
None

REGULATION 9-APPROVED INSPECTION AUTHORITY

- (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.

Notes:
(a) South African National Accreditation Authority is the national body mandated to accredit inspection service providers.

REGULATION 10-OFFENCES AND PENALTIES

- (1) 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.

Notes:
None

REGULATION 11-REPEAL OF REGULATIONS AND SAVINGS

- (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)

Notes:

- (a) Repeal of the regulations means that replacing regulations published in 29 April 1994.
- (b) This means that lifts installed after 30 November 2010 shall comply with LEPCR of 30 November 2010.
- (c) Lifts installed prior to 30 November 2010 shall comply with standards that were applicable at the time of installation.

Template A

OCCUPATIONAL HEALTH AND SAFETY ACT, ACT 85 OF 1993

REGULATION 6(2) 7(3) 7(5) AND 7(6) OF THE LIFT, ESCALATOR AND PASSENGER CONVEYOR REGULATIONS

REPORT OF A DEFECTIVE LIFT, ESCALATOR, PASSENGER CONVEYOR

Official Number: _____

Building Name: _____

User/Owner Name: _____

Contact Nu: _____

Address: _____

Address: _____

During an inspection or maintenance conducted on the: _____

Lift _____ Escalator _____ Passenger Conveyor _____

the following defects which effect the safety of persons using this installation were noted.

-
-

In terms of subject regulation 6.(2) the lift/escalator/passenger conveyor has been removed from service until such times as the defects noted have been rectified to the satisfaction of the inspection service provider.

Report completed by name:

Contact details:

Address:

Signature:

Date:

Template B

OCCUPATIONAL HEALTH AND SAFETY ACT, ACT 85 OF 1993

REGULATION 7(5) OF THE LIFT, ESCALATOR AND PASSENGER CONVEYOR REGULATIONS

APPOINTMENT OF COMPETENT LIFT SERVICE PROVIDER

Official Number: _____

Building Name: _____

User/Owner Name:

Tel No.:

Address: _____

..... has been appointed to maintain lifts/escalators/passenger conveyors at the above mentioned address.

Compiled by

Name:

Contact details:

Address:

Signature:

Date: