

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2021/1220

of 26 July 2021

amending Implementing Decision (EU) 2021/76 as regards harmonised standards on safety rules for the construction and installation of firefighters lifts and behaviour of lifts in the event of fire

(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 CEN for the drafting and revision of 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 of Annex I to Directive 2014/33/EU and, where relevant, with the essential health and safety requirements of Annex I to Directive 2006/42/EC of the European Parliament and of the Council ⁽⁴⁾ 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 Implementing Decision C(2016) 5884, CEN revised harmonised standards EN 81-72:2015 and EN 81-73:2016, the references of which are published in Commission Implementing Decision (EU) 2021/76 ⁽⁵⁾. The revision was carried out in order to adapt those standards to the legal framework of Directive 2014/33/EU and to increase legal certainty and clarity, including by drafting a more precise Annex ZA and by introducing dated normative references. This resulted in the adoption of harmonised standard EN 81-72:2020 on safety rules for the construction and installation of firefighter lifts, and harmonised standard EN 81-73:2020 on behaviour of lifts in the event of fire. No substantive technical changes were made to harmonised standards EN 81-72:2015 and EN 81-73:2016 as a result of the revision.
- (4) The Commission, together with CEN, has assessed whether harmonised standards EN 81-72:2020 and EN 81-73:2020 comply with the request set out in Implementing Decision C(2016) 5884.

⁽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 standards EN 81-72:2020 and EN 81-73:2020 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) Harmonised standards EN 81-72:2020 and EN 81-73:2020 replace harmonised standards EN 81-72:2015 and EN 81-73:2016. It is therefore necessary to withdraw the references of harmonised standards EN 81-72:2015 and EN 81-73:2016 from the *Official Journal of the European Union*.
- (7) In order to give manufacturers sufficient time to prepare for application of harmonised standards EN 81-72:2020 and EN 81-73:2020, it is necessary to defer the withdrawal of the references of harmonised standards EN 81-72:2015 and EN 81-73:2016.
- (8) Implementing Decision (EU) 2021/76 therefore should be amended accordingly.
- (9) 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 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) and (3) of the Annex shall apply from 27 January 2023.

Done at Brussels, 26 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

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

- (1) entry 9 is deleted;
- (2) the following entry 9a is inserted:

'9a.	EN 81-72:2020 Safety rules for the construction and installation of lifts – Particular applications for passenger and goods passenger lifts – Part 72: Firefighters lifts'
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- (3) entry 10 is deleted;
- (4) the following entry 10a is inserted:

'10a.	EN 81-73:2020 Safety rules for the construction and installation of lifts – Particular applications for passenger and goods passenger lifts – Part 73: Behaviour of lifts in the event of fire'
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