ELA CONFERENCE

Impact of the new legal framework on NBL’S

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WHAT IS NB-L?

NB-L COMPOSITION

THE NEW LEGAL FRAMEWORK AND ITS IMPACT ON NB-L’S

SOMES ISSUES AND QUESTIONS FOR NOTIFIED BODIES
MAIN ROLES

- To apply the rules of the lift Directive 95/16/CE
- To achieve a harmonization of practices of notified bodies
- To ensure a common interpretation of the essential safety requirements and quality management system requirements of the lift directive
- To retain the high level of safety in Europe which is described by harmonized standards

MAIN MISSIONS

- Co-ordination between notified bodies
- Developing common documents and placing them at the disposal of notified bodies
- Gathering, distribution and updating information to enable the NB’S to carry out their certification activity
- Setting up working groups and providing the necessary means for the work of a WG
- Submitting to the European commission and/or CEN/CENELEC questions related to the provisions within their domain of competence with suggestion if need be of proposals for answering the problems raised
- Making proposals for the development or review of harmonized standard
The horizontal committee is composed of delegates representing NB-L’S from member states of European union

- 198 organizations are notified at the moment

Other notified bodies operating in non EU member states may also be included

Representatives of different organizations are also invited to attend and participate to the meetings as permanent observers

- European commission – DG enterprise & industry
- European manufacturers association (ELA, ELCA, EFESME, …)
- ADCO
- CEN / CENELEC
Modernization of the New Approach policy for marketing of products published in the OJEU on 13 August 2008

**OBJECTIVES**

- To consolidate the key concepts of the New Approach policy
- To improve the evaluation and monitoring of CABs including the increased use of accreditation
- To strengthen market surveillance
- To enhance the credibility of the CE marking
REGULATION (EC) No 765/2008 of the European parliament and of the council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EC) No 339193

DECISION No 768/2008/EC of the European parliament and of the council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EC

REGULATION (EC) No 764/2008 of the European parliament and of the council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another MS and repealing Decision No 3052/95/EC
Alignment of existing legislation with the model provisions of Decision 768/2008/EC

To accelerate the process of bringing product harmonization legislation into line with the reference provisions of Decision 768, the Commission adopted an "Alignment Package" consisting of the following nine directives (which would not otherwise have been revised in the near future)

- Low Voltage Directive 2006/95/EC
- ATEX Directive 94/9/EC
- Lifts Directive 95/16/EC
- …
- …

>> Major impact for NB-L’S <<
Recast of the lift directive approved by the European parliament on the 5th February 2014
This recast will have a new number 2014/…/EC
TO IMPROVE THE EVALUATION AND MONITORING OF CONFORMITY ASSESSMENT BODIES

Increased use of accreditation

European accreditation infrastructure EA (European co-operation for accreditation)

One national accreditation body per member state

Definition of a specific and strict referential of accreditation for notified bodies: EA 2/17
- Management and impartiality
- Ability and financing
- Cooperation with other bodies and authorities
- Personnel, equipments, confidentiality, skills
- Methodologies and report
- Complaints and appeal
- …

>> Major impact for NB-L’S <<
- Obligation for the notified bodies to be accredited according the referential EA 2/17 to be notified
- One assessment per year
- Very strong rules to follow and demonstrate to the accreditation body
TO STRENGTHEN MARKET SURVEILLANCE

- Creation of a forum for exchanging experiences between member states
- ADCO to report to the lift working group of the European Commission
- ADCO to build a project for cross border market surveillance
- ADCO to encourage common market surveillance campaign

FOR NOTIFIED BODIES

- Necessity and obligation to communicate any information asked by the member states authorities
- Necessity and obligation to communicate any withdrawal of a certificate (on line or a dedicated web site)
- Participation of a NB-L representative to the ADCO meeting
- Necessity and obligation to communicate any information asked by the European Commission
- Necessity and obligation to communicate any important information between notified bodies
- Participation of a ADCO representative to the NBL meeting
The CE marking shall be followed by the identification number of the notified body where such body is involved in the production control phase.

The identification number of the notified body shall be affixed by the body itself or under its instructions, by the manufacturer or his authorized representative.

Necessity and obligation for the notified body to have a policy governing the protection and use of its identification number.

Take effective measures to ensure that the identification number is not used in a misleading manner.

Take suitable action to deal with misleading use of the identification number to prevent further misuse.
SOME ISSUES AND QUESTIONS FOR THE NOTIFIED BODIES

- What about the transitional period?
- When will it be possible or necessary to issue a new EC type examination certificate (what about the existing certificates)?
- Does uncontrolled movement protection (UCMP) become a safety component according to the lift directive recast?
- If yes, what happens with the acceptance of UCMP systems which are based on existing non EC type examination certificates?
- How to deal with the “required” (accepted) languages in each member state?
- How to deal with the total change of the numbering of the annex (what about the existing certificates)?
- How to deal with the change of the numbering of the lift directive recast?
- …
CONSIDERING:

- The recast of the lift directive
- The new standards to come EN 81-20 & 81-50

We all have a lot to do yet
THANK YOU FOR YOUR ATTENTION