



# Lift & Escalator Owner News

**Subject: Derogation from BEIS to the requirements of the Lifts regulations, Schedule 1, 3(2), 3(3) and 3(4) for lifts with refuge spaces not to BS EN 81-20**

## Summary

LEIA's Technical Guidance Note No. 25rev1 "*Lifts Directive Annex 1, Essential Health and Safety Requirement (EHSR) 2.2; Guidance on application and on applying to BEIS for derogation*" ("the guidance") was published in 2016 on behalf of BEIS and the UK Notified Bodies (now Approved Bodies) for Lifts, with whom the guidance was produced and agreed.

This guidance has now been withdrawn with the agreement of BEIS and the UK Approved Bodies for lifts.

BEIS is reviewing its process for handling applications for derogation. We understand that BEIS will want to publish revised guidance in due course. We will work with BEIS on this but in the meantime lift companies should proceed as follows.

BEIS has advised that it will require applications for derogation, for any installation where the requirement for refuge spaces defined in BS EN 81-20 cannot be met, irrespective of whether the requirements of EN 81-21 are met for a new lift in an existing building. BEIS has also indicated that it would work with us to amend the guidance.

**For both a new lift in a new building and for a new lift in an existing building**, lift companies should proceed as follows

- Where the refuge spaces in BS EN 81-20:2014/2020, 5.2.5.7.1/ 5.2.5.8.1 cannot be accommodated, derogation from BEIS must be obtained for all new projects.
- For new projects, we recommend that application is made at an early stage by the building owner/ designer to avoid delays and to establish feasibility prior to commencing work.
- Lift contractors should advise their Approved Body of the derogation and the technical measures they have used to create refuge spaces. BS EN 81-21:2018 could be applied as minimum requirements for new lifts in existing buildings. Derogation from BEIS is always required on new projects even when applying the measures in BS EN 81-21.

Proposals for BEIS' consideration should be addressed to:

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