

THE OCCUPATIONAL SAFETY AND HEALTH ACT

Regulations made by the Minister under section 100(1) of the Occupational Safety and Health Act

1. These regulations may be cited as the Occupational Safety and Health (Safety of Lifts at Work) Regulations 2012.

2. In these regulations –

“Act” means the Occupational Safety and Health Act;

“cage”, in relation to a lift, means that part of the lift which –

(a) carries persons, goods, or persons and goods, only; and

(b) has a platform with walls and a roof;

“competent person” –

(a) has the same meaning as in the Act; and

(b) in relation to a lift, includes –

(i) a person who holds a competency certificate relating to the maintenance of lifts, issued by the Mauritius Institute of Training and Development, or any other equivalent certificate recognised by the Mauritius Qualifications Authority; or

(ii) a person who, by reason of his qualifications and training, or having at least 5 years’ experience in the maintenance of lifts, is competent to undertake the maintenance of lifts;

“conformity certificate” means a document issued under the rules of a certification system, which is acceptable to the Mauritius Standards Bureau and certifies that a lift conforms to standards specified in the document;

“essential safety requirements” means the essential safety requirements specified in the First Schedule;

“lift installer” means any person who is in charge of the installation and testing of a lift;

“lift owner” means –

(a) in relation to a multi-tenant building, the person who owns the lift;

(b) in any other case, the person who owns the lift or who has the custody (“*la garde*”) of the lift;

“safety components”, in relation to a lift, means the safety devices referred to in section 53 of the Act and the safety components specified in the Second Schedule.

3. Subject to regulation 13, these regulations shall apply to every lift installed and used at a place of work.

4. Every lift owner shall ensure that the lift –

- (a) is of good mechanical construction, sound material and adequate strength;
- (b) complies with the essential safety requirements and any relevant standards acceptable to the Mauritius Standards Bureau; and
- (c) is fitted with safety components.

5. Every lift installer shall –

- (a) make available to the lift owner, in connection with the design, construction, installation, use, maintenance, examination and testing of every lift installed by him, adequate information and relevant documents and reports relating to the lift, including the information, documents and reports specified in the Third Schedule;
- (b) be responsible for ensuring that every lift installed by him is fitted with safety components;
- (c) cause the lift installed by him to be tested in accordance with the tests recommended by the manufacturer;
- (d) ensure that, before the lift is put into use for the first time, the lift has satisfactorily passed the tests referred to in paragraph (c); and
- (e) submit to the lift owner a copy of the report of the results of the tests referred to in paragraph (c).

6. Every lift owner, and where a lift is in use at a place of work, every employer, shall –

- (a) be responsible for ensuring that the lift is at all times safe for use;
- (b) cause the lift to be thoroughly examined by a registered machinery inspector at least once every 6 months;
- (c) send a report, in the form set out in the Fifth Schedule to the Act, of an examination carried out under paragraph (b), to the Director, Occupational Safety and Health, within 28 days of the completion of the examination;

- (d) cause to be affixed, in the cage of the lift, contact details of the relevant person which may be used in cases of emergency;
- (e) ensure that a competent person carries out the maintenance of the lift at least once every month or at such other intervals as may be specified by the manufacturer of the lift;
- (f) ensure that a competent person carries out the maintenance of the lift before putting the lift back into use after stoppage for a period exceeding 3 months.

7. Every lift owner shall establish and give effect to appropriate procedures, or give effect to appropriate procedures laid down in relevant manuals or provided by the lift installer, as the case may be, to be followed in the event persons are trapped in the lift.

8. Every lift owner shall post up in a safe and conspicuous place in the lift a notice –

- (a) specifying his name, address and telephone number, as well as contact details of the relevant person which may be used in cases of emergency;
- (b) specifying the name, address, telephone number and the contact details of the competent person responsible for the maintenance of the lift;
- (c) containing the report of the latest examinations carried out under regulations 5 and 6 ; and
- (d) containing details of the maintenance carried out under regulation 6(e) and (f).

9. (1) The Permanent Secretary may, where he considers it appropriate, request in writing a lift owner to cause a lift to be thoroughly examined by a registered machinery inspector before the expiry of the delay referred to in regulation 6(b).

(2) The lift owner shall, within 15 days of receipt of a request under paragraph (1), comply with the request.

10. (1) No lift shall be put into use for the first time unless the lift has been examined and favourably reported upon by a registered machinery inspector.

(2) The report of an examination referred to in paragraph (1) or carried out following a request under regulation 9 shall –

- (a) be in the form set out in the Fifth Schedule to the Act; and

- (b) be sent by the lift owner, within 28 days of the completion of the examination, to the Director, Occupational Safety and Health.

11. Where a report relating to the examination of a lift recommends measures for securing the safe working of the lift, the lift shall not be used except in accordance with such recommendations.

12. Where a registered machinery inspector carries out an examination of a lift under these regulations and finds that the lift is not safe for use, he shall, upon completion of the examination, inform the lift owner, in writing, of the defects and make such recommendations as he considers appropriate, and the lift owner shall comply with those recommendations.

13. These regulations shall apply –

- (a) to every lift which is installed after the commencement of these regulations;
- (b) to every lift which is already in operation at the commencement of these regulations, within a period of 12 months of the commencement of these regulations.

14. These regulations shall come into operation on 09 May 2013

Made by the Minister on 09 May 2012

FIRST SCHEDULE
[Regulations 2 and 4]

ESSENTIAL SAFETY REQUIREMENTS

1. (1) The cage shall be designed and constructed so as to offer the space and strength corresponding to the maximum number of persons who may use the lift and the rated load of the lift set by the installer.

(2) Where a lift is intended for the transport of persons, and where dimensions permit, the cage shall be designed and constructed so as not to obstruct or impede access and use by disabled persons.

2. (1) The means of suspension and support of the cage, except for a positive drive lift designed to be used with a single rope or chain, its attachments and any terminal parts thereof shall be selected and designed so as to ensure an adequate level of overall safety and to minimize the risk of the cage falling.

(2) Where ropes or chains are used to suspend the cage, there shall be at least 2 independent ropes or chains separately connected to the cage, and each rope or chain shall be capable of carrying the whole weight of the cage, together with its maximum working load.

(3) In the event of breakage or failure of the ropes or chains or any of their attachment, efficient devices shall be provided and maintained to support the cage, together with its maximum working load.

3. (1) Lifts shall be designed, constructed and installed so as to prevent normal starting, if the rated load is exceeded.

(2) Lifts, except those in which the design of the drive system prevents over-speed, shall be equipped with an over-speed limitation device.

4. The function of the controls of every lift shall be clearly indicated.

5. The lift shall be designed and constructed to ensure that the liftway in which the cage travels is inaccessible and is efficiently protected by a substantial enclosure except for maintenance, inspection, examination or in emergencies.

6. (1) The landings at the entrance and exit of the cage shall be equipped with landing doors of adequate mechanical resistance for the conditions of use envisaged.

(2) The doors shall be fitted with an efficient interlocking or other similar device so as to prevent, during the normal operation, the starting movement of the cage, unless the doors are shut and locked.

7. The cage shall be fitted with full-length doors which shall be designed and installed in such manner that the cage –

- (a) cannot move when persons or goods are inside, unless the doors are closed; and
- (b) comes to a halt if the doors are open.

8. In the event of a power cut or failure of components, the lift shall have devices to prevent free fall or uncontrolled movements of the cage.

9. Buffers shall be installed between the bottom of the shaft and the floor of the cage.

10. The landing door and cage door or the 2 doors together, where motorised, shall be fitted with a device to prevent the risk of crushing passengers or goods when they are moving.

11. (1) Lifts shall be equipped with the means of enabling people trapped in the cage to be released and evacuated.

(2) (a) The cage shall be fitted with a two-way means of communication allowing permanent contact with a rescue service.

(b) The means of communication shall be designed and constructed so as to function even without the normal power supply.

12. The cage shall be designed and constructed so as to ensure adequate ventilation for persons, even in the event of a prolonged stoppage.

13. (1) The cage shall be adequately lit whenever in use or whenever a door is open.

(2) There shall also be emergency lighting, which shall be designed and installed so as to function even without the normal power supply.

14. Every cage shall bear an easily visible plate clearly showing the maximum working load in kilograms and, where applicable, the maximum number of persons who may be carried.

15. The cage shall be fitted with efficient automatic devices, which shall be regularly maintained to prevent overrunning.

16. In this Schedule, "positive drive", in relation to a lift, means a lift in which the cage is suspended by ropes or chains and driven by means other than friction.

SECOND SCHEDULE

[Regulation 2]

SAFETY COMPONENTS

1. Devices for locking landing doors
 2. Devices to prevent the cage from falling or uncontrolled movements
 3. Overspeed limitation devices
 4. Energy-accumulating buffers
 5. Safety devices fitted to jacks of hydraulic power circuits where these are used as devices to prevent falls
 6. Electric safety devices in the form of safety switches
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THIRD SCHEDULE

[Regulation 5]

1. List of safety components of the lift
 2. Conformity certificate (applicable to lifts installed after the commencement of these regulations)
 3. Name and address of the manufacturer
 4. Make, description and year of manufacture of the lift
 5. Safe working load, in kilogrammes, of the lift
 6. Number of persons the lift can carry
 7. Name and address of lift installer
 8. Exact location of installation of the lift
 9. Rated speed of the lift in metres per second
 10. Rated load, in kilogrammes, of the lift when it was put into use for the first time
 11. Copy of the report drawn up under regulation 6 or 10
 12. Copy of the maintenance report, if any, of the lift
 13. Manual pertaining to the lift, including the instructions for use
 14. Logbook in which incidents, and details of repair and periodic checks, shall be recorded
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