



Notification of technical rules

The Swedish National Board of Housing,
Building and Planning's draft regulations on
the carrying out of inspections and
accreditation of inspection bodies for
motorised devices

Title: Notification of technical rules – the Swedish National Board of Housing, Building and Planning's draft regulations on the carrying out of inspections and accreditation of inspection bodies for motorised devices

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Summary

The National Board of Housing, Building and Planning's proposal for new regulations on motorised devices divides the provisions of the National Board of Housing, Building and Planning's regulations and general advice (2011:12) on lifts and certain other motorised devices (the letter H in H-föreskrifterna stands for hiss, which is the Swedish word for a lift. These regulations will be referred to as "the Lift Regulations") into three separate basic statutes:

- The Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.
- The Swedish National Board of Housing, Building and Planning's draft regulations on the carrying out of inspections and accreditation of inspection bodies for motorised devices, and
- The Swedish National Board of Housing, Building and Planning's draft regulations on lifts for compliance with the Lifts Directive 2014/33/EU.

The purpose of the division into three regulations is to clarify the purpose of the rules and to facilitate understanding, and thus also the application of the rules. The new statutes are proposed to enter into force on 1 December 2025. At the same time, the current Lift Regulations are repealed.

This impact assessment relates to the statute with the Lift Regulations on the carrying out of inspections and the accreditation of inspection bodies for motorised devices. The legislative proposal ties together the regulations that relate to inspection bodies. The draft regulation sets out qualification requirements for accreditation of inspection bodies, as well as provisions on the scope of initial, periodic and audit inspections. The proposal also specifies the types of defects which pose an immediate risk to safety and health and which entail a ban on the use of the motorised device in accordance with Chapter 5, Section 14 of the Planning and Building Ordinance (PBF). Furthermore, the proposal contains, among other things, requirements for the inspection protocol to be issued by the inspection body and reporting and information to be provided by the inspection body to the Swedish National Board of Housing, Building and Planning.

According to the principles for the general revision of the Swedish National Board of Housing, Building and Planning's building regulations, which include the Lift Regulations, the new regulations shall specify the requirements laid down in Act and Ordinance, while the construction sector is expected to develop solutions that meet the requirements. The starting point is that the new

regulations shall not contain general advice, only statutes, that is to say, binding rules.

The legislative proposal consists of three chapters:

- Chapter 1 General provisions
- Chapter 2 Accreditation of inspection bodies
- Chapter 3 Conduct of inspection

The provisions of the legislative proposal on qualification requirements for inspection bodies remain unchanged in relation to the corresponding provisions of the Lift Regulations.

The proposal mainly involves the following changes compared to the Lift Regulations.

- A new provision is proposed for inspection bodies to participate in meetings for the exchange of experience organised by Swedac or the National Board of Housing, Building and Planning. Corresponding requirements have previously been set out in Swedac's regulations.

Detailed general advice with examples and recommendations on initial and periodic inspections for different types of devices is not transferred to the legislative proposal. However, the requirements for the scope of the inspection are in principle unchanged compared to the Lift Regulations.

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1 Draft Legislation

Draft regulations on the carrying out of inspections and the accreditation of inspection bodies for motorised devices.

By virtue of Chapter 10, Section 19, first paragraph, points 1-3) and Section 20 of the Planning and Building Ordinance (2011:338), the Swedish National Board of Housing, Building and Planning hereby lays down¹ the following.

Chapter 1 General provisions

General

§ 1 This Statute contains regulations relating to Chapter 5, Sections 8 and 11 of the Planning and Building Ordinance (2011:338) on carrying out inspections on motorised devices. The Statute also contains regulations on the competence requirements for accreditation of inspection bodies pursuant to Chapter 5, Section 10 of the same Ordinance, as well as other requirements concerning reporting and information for such bodies.

Scope of the regulations

§ 2 The regulations apply to motorised devices as referred to in Chapter 1, Section 5 of the Planning and Building Ordinance (2011:338), with the clarifications set out in the Swedish National Board of Housing, Building and Planning's regulations (20xx:xx) on requirements for the use of motorised devices.

The regulations in Chapter 1 include general provisions.

The regulations in Chapter 2 include provisions on the accreditation of inspection bodies.

The regulations in Chapter 3 include provisions on the carrying out of inspections.

Definitions

§ 3 Terms and expressions in this statute have the same meaning as in the Swedish Planning and Building Act (2010:900), the Planning and Building Ordinance (2011:338) and the Swedish National Board of Housing, Building and Planning's regulations (20xx:xx) on requirements for the use of motorised devices.

Inspection reports

§ 4 In inspection reports pursuant to Chapter 5, Section 11, first paragraph of the Planning and Building Ordinance (2011:338), the following shall be stated:

1. during the first inspection, whether the motorised device complies with the relevant safety and health protection requirements;
2. during periodic inspections, if the parts of the device that are important for safety and health protection are kept in a safe state;
3. during an audit inspection if, after the modification, the device complies with the applicable safety and health protection requirements.

¹ See Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

If the device has defects, this shall be stated in the report, as well as the significance of the defects for safety and health. For deficiencies which, taken individually, are not of immediate relevance in the light of safety and health protection requirements, the total importance of the deficiencies for safety and health shall be indicated.

The inspection report shall also include information on:

1. the device and its unique identification (serial number, place of manufacture or other indication for simple identification);
 2. the inspection body's name;
 3. accreditation number;
 4. accreditation label;
 5. the date of inspection and the date of issue of the protocol;
 6. the name or identification code of the person who carried out the inspection;
- and
7. the maximum permissible load (if it is a load-bearing device).

In the case of a device which, at the end of the inspection, does not have deficiencies which are of immediate significance for safety and health in accordance with Chapter 3, Sections 6 or 12-13, the month and year in which a new inspection is to be carried out shall also be indicated in the case of an initial or periodic inspection.

Inspection plate

§ 5 If, after completion of the initial or periodic inspection, the motorised device has been assessed as not to have deficiencies that constitute immediate significance to safety and health in accordance with Chapter 3, Sections 6 or 12-13, the inspection body shall issue or update an inspection plate. The requirement to update the inspection plate also applies after the audit inspection if any information on the plate has changed.

The plate shall indicate clear and easy-to-understand information on:

1. the identity of the device;
2. the month and year in which a new inspection is to be carried out;
3. the inspection body's name;
4. accreditation number;
5. accreditation mark; and
6. the maximum permissible load (if it is a load-bearing device).

Miscellaneous provisions

§ 6 The inspection body shall send a copy of the accreditation certificate to the Swedish National Board of Housing, Building and Planning.

§ 7 The inspection body shall annually compile and report to the Swedish National Board of Housing, Building and Planning such deficiencies that have been noted during inspections and which may be of importance for assessing the safety of a certain type of object.

If, during the inspection, the inspection body observes serious deficiencies that are likely to be found in similar devices in other installations, the National Board of Housing, Building and Planning shall be informed as soon as possible.

§ 8 The inspection body shall, where appropriate, participate in meetings for the exchange of experience organised or designated by the accreditation body or the National Board of Housing, Building and Planning.

Chapter 2 Accreditation of inspection bodies

§ 1 An inspection body accredited to perform inspections of motorised devices in construction works shall be of Type A in accordance with SS-EN ISO/IEC 17020:2012 and comply with the requirements set out in Sections 2–6.

§ 2 Inspection bodies may be accredited for various types of equipment.

§ 3 Inspection bodies may be accredited for either competence areas B and K or only competence area B. Competence area B covers installation inspections in accordance with Chapter 3, Section 4 and such inspections as are included in periodic inspections pursuant to Chapter 3, Section 9. Competence area K includes design examination in accordance with Chapter 3, Section 3.

§ 4 Accredited inspection bodies shall have staff with qualifications in the competence area or areas covered by the accreditation. The staff shall be employed either on a permanent basis or under contract with the inspection body. The staff shall have practical experience of the type(s) of device(s) to which the accreditation relates.

At least one employee must have a low voltage (AL) authorisation in accordance with Chapter 2, Section 1 of the National Electrical Safety Board's Regulations on authorisation as an electrician, ELSÄK-FS 2017: 4.

The technical management of an inspection body accredited for competence area K shall include at least one person with a relevant degree in civil engineering or equivalent knowledge.

§ 5 An inspection body accredited for competence area B shall have responsible inspection staff who meet the following requirements:

1. the inspection staff shall have at least three years of secondary education with the relevant specialisation or equivalent knowledge; they shall also have completed additional theoretical training within the areas and for the type of devices to which their personal competence relates.

The additional training shall include, depending on the device in question:

- a) regulations and standards in the field;
- b) inspection, scope of inspection and inspection philosophy;
- c) carrying out inspections;
- d) basic knowledge of design examination;
- e) schedule review;
- f) knowledge of objects in the area;
- g) knowledge equivalent to that required to obtain a limited authorisation (B) under Chapter 2, Section 1 of the National Electrical Safety Board's regulations (ELSÄK-FS 2017:4) on authorisation as an electrician; and
- h) knowledge of the expected types of damage.

2. Inspection staff shall have completed a period of practical training under the supervision of the competent inspection engineer. The training must have given the trainee the opportunity to carry out and report on inspection assignments under experienced technical guidance and supervision.

One year of experience in periodic inspections is required in order to carry out installation inspections.

§ 6 In an inspection body accredited for competence area K, there shall be responsible inspection staff who meet the following requirements:

1. the inspection staff shall have at least three years of secondary education with the relevant specialisation or equivalent knowledge; they shall also have completed additional theoretical training within the areas and for the type of devices to which their personal competence relates.

The additional training shall include, depending on the device in question:

- a) regulations and standards in the field;
- b) materials and welding technology;
- c) schedule review;
- d) manufacturing and installation methods;
- e) scope of inspection;
- f) calculation models;
- g) knowledge of objects and systems in the field; and
- h) knowledge equivalent to that required to obtain a limited authorisation (B) under Chapter 2, Section 1 of the National Electrical Safety Board's regulations on authorisation as an electrician, ELSÄK-FS 2017:4.

2. Inspection staff shall have completed a practical training course under the supervision of a competent calculation or control engineer. The training must have given the trainee the opportunity to carry out and report design examination assignments himself under experienced technical guidance and supervision.

Chapter 3 Conduct of inspection

General

§ 1 This chapter specifies the tasks that inspection bodies shall perform in the inspection of motorised devices in accordance with the inspection requirements laid down in the Swedish National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motorised devices.

First inspection

§ 2 During the first inspection, the inspection body shall examine whether the motorised device meets the requirements for protection set out in the regulations on inspection issued pursuant to Chapter 16, Section 11 of the Swedish Planning and Building Act (2010:900).

The first inspection shall include both design and installation inspections, unless the motorised device is covered by an exemption under Chapter 1, Section 20 of the National Board of Housing, Building and Planning's Regulations (20xx: xx) on requirements for the use of motorised devices.

Design inspection

§ 3 Design inspection shall include the following:

1. inspecting the suitability of the device for its intended purpose and its location in the building or on the property, taking into account safety and health considerations;
2. examination of drawings, wiring diagrams, details of loads, materials and surface treatment;
3. verification that the ability to safely carry out maintenance and on-going inspections has been taken into account;
4. verification of calculations, safety analyses and reports, to the extent necessary to assess the strength, stability and safety in general;
5. inspecting instructions for use, operation, rescue, ongoing supervision and maintenance,

Installation inspection

§ 4 Installation inspections shall include inspections of:

1. that the correct device has been installed for the purpose, with the load and speed for which it is intended, and that it has been correctly placed in the building or on the property, taking into account safety and health considerations;
2. that the device is installed in accordance with the associated documentation;

3. attachments of the device to load-bearing parts of the building;
4. the spaces and equipment belonging to the device;
5. that building parts, installations or other objects do not affect the device in such a way that it may adversely affect the safety of the device;
6. the operation of the safety and protective devices;
7. the function of the device in general; and
8. the availability of instructions for use, operation, rescue, ongoing supervision and maintenance.

The verification of load-dependent safety and security devices referred to in point 6 of the first paragraph shall be carried out both with and without the necessary load. All values measured during tests that are of importance for future inspections shall be recorded in the register in accordance with Chapter 1, Section 26 of the National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motor-powered devices.

When inspecting the load bearing equipment referred to in point 7 of the first paragraph, the inspection shall be carried out with the necessary load.

Opinion of the inspection body

§ 5 If the inspection reveals that the motorised device has defects, the inspection body shall, based on its inspection, consider whether the defects present an immediate risk to health and safety in accordance with Section 6.

Defects of immediate importance for safety and health

§ 6 Defects that remain after completed inspection in accordance with Section 3 or Section 4, points 1, 2, 3, 5 or 6 individually pose an immediate risk to health and safety.

Defects remaining after completion of controls under Section 4(4), (7) or (8) may also be assessed by the control body as interacting and therefore posing an immediate risk to safety and health.

Defects that are not of immediate importance to health and safety

§ 7 Defects other than those referred to in Section 6 shall not be considered to be of immediate importance for safety and health.

Periodic inspection

§ 8 When carrying out periodic inspections, the inspection body shall check whether the motorised device meets the requirements for protection applicable to the device laid down in the Regulations on inspection (of motorised devices) issued pursuant to Chapter 16, Section 11 of the Planning and Building Act (2010:900).

§ 9 Periodic inspections shall include the following:

1. Performance test of the safety and protective devices.
2. Performance test of the device in general.
3. inspection of driving and load-bearing parts of the device, suspension of load-bearing baskets, chairs or the like, all with regard to changes that can reduce the safety of the device; ropes for cableway installations are subject to magnetic induction examination in accordance with Chapter 4, Section 9, of the National Board of Housing, Building and Planning's Regulations (20xx: xx) on requirements for the use of motorised devices;
4. inspection of the operating condition of the components that are not active during normal operation;
5. inspection that the device has not undergone any modifications or interventions that may affect the safety of the device;

6. inspection that in the device proximity there have not been any measures taken that could adversely affect device safety or bring about a risk of accidents in general;
7. inspection that instructions and signs regarding use, operation, rescue, continuing oversight, upkeep, and maintenance are accessible;
8. inspection of the records referred to in Chapter 1, Section 26 of the Swedish National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motorised devices means that the device is continuously monitored, operated and maintained.
9. inspection that the shortcomings identified in the previous inspection, but not considered to be of immediate significance to health and safety, have been rectified. If the most recent inspection concerns an audit inspection, the minutes of the most recent initial or periodic inspection shall also be inspected.

§ 10 The more comprehensive periodic inspection of cableways and funicular railways pursuant to Chapter 4, Section 8 of the Swedish National Board of Housing, Building and Planning's regulations (20xx:xx) on requirements for the use of motorised devices shall, in addition to a periodic inspection pursuant to Section 9, also cover the following:

1. inspection that the instructions and equipment for operation, management, maintenance and own monitoring provide a satisfactory level of safety as long as the instructions are complied with;
2. inspection that operation instructions and equipment provide conditions for the safe evacuation of passengers;
3. inspection that instructions and equipment are available which provide conditions for both preventive fire protection and protection in the event of fire;
4. inspection that machinery and service spaces contain only devices and materials for cableway installation in accordance with Chapter 4, Section 1 of the National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motorised devices.
5. performance testing of load-dependent safety and protective devices with the necessary load in cases where such testing in periodic inspections under Section 9 is done against the reference values;
6. performance testing of emergency machinery with the necessary load;
7. inspection of the strength of the poles and their foundations with regard to the influence of operation, corrosion and weather.

Opinion of the inspection body

§ 11 If the inspection reveals that the device has defects, the inspection body shall, based on its inspection, consider whether the defects present an immediate risk to health and safety in accordance with Sections 12 or 13.

Defects during the use phase with immediate impact on safety and health

§ 12 Defects remaining after completion of the inspection each pose an immediate risk to safety and health if the defects relate to what is to be checked pursuant to Section 9, points 1, 3, 4 or 5.

Defects under Section 9(2), (6), (7) or (8) may also be assessed by the inspection body as interacting and therefore posing an immediate risk to safety and health.

If defects in accordance with Section 9(2), (6), (7) or (8) remain from the previous inspection, these individually constitute an immediate risk to health and safety.

§ 13 If the person who owns or is otherwise responsible for the device is unable to present the minutes of the last inspection to the inspection body, any defects remaining after completion of the inspection shall be considered to constitute an immediate risk to safety and health.

Defects during the use phase that do not have an immediate impact on safety and health

§ 14 Defects other than those referred to in Sections 12 and 13 shall not be considered to be of immediate importance for safety and health.

Audit inspection

§ 15 At the time of the audit inspection, the inspection body shall check whether the motorised device, following the change, meets the requirements for protection relating to the device as laid down in the Regulations on inspections issued on the basis of Chapter 16, Section 11 of the Swedish Planning and Building Act (2010:900).

The audit inspection shall include design and installation checks in accordance with Sections 3 and 4 to the extent necessary and be adapted to the scope and significance of the change for the requirements for protection.

Opinion of the inspection body

§ 16 If the inspection shows that a device has defects, the inspection body shall, on the basis of its inspection, consider whether the defects constitute an immediate risk to safety and health. Defects shall be assessed in accordance with Sections 6 and 7.

This statute shall enter into force on 1 December 2025.

2 Introduction

When an authority prepares regulations or general advice, the authority shall investigate the consequences that will arise from them as per the Ordinance (2024:183) on Impact Assessments (the Impact Assessment Ordinance). This impact assessment therefore contains descriptions and answers which are specifically regulated in the Ordinance, but also contains other considerations based on what is regulated, for example, in the Ordinance (2022: 208) containing instructions for the National Board of Housing, Building and Planning.

The National Board of Housing, Building and Planning's impact assessments can be used as a kind of preparatory work and interpretative documents for the National Board of Housing, Building and Planning's regulations and general advice. The present document constitutes such an impact assessment.

An impact assessment shall be proportionate to the scope and effects of the proposal or decision. The starting points in this chapter affect the scope of the impact assessment.

2.1 Background

2.1.1 The task

The Swedish National Board of Housing, Building and Planning's rules on motorised devices need to be modernised and simplified, in order to contribute to faster and more cost-effective construction. The National Board of Housing, Building and Planning has therefore initiated the task of revising the rules in the Lift Regulations.

The draft regulation contains rules on the inspection of motorised devices as referred to in Chapter 1, Section 5 of the Planning and Building Ordinance and which are subject to requirements for inspection in accordance with the Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices. The legislative proposal also contains rules on the accreditation of the inspection bodies which may carry out such inspections.

An important starting point and delimitation in the revision has been that the requirement levels should not change, material respects.

Reasons for regulated requirements on motorised devices

Anyone who enters a lift or uses some other motorised device shall feel safe and secure in doing so. According to Chapter 10, § 5 of the PBL, when installing and modifying a motorised device, the developer is responsible for ensuring that the applicable requirements are met and that the measure is carried out in accordance with associated decisions that have been issued. It is the person who owns or is otherwise responsible for the device who is responsible for ensuring that existing devices receive the required care and maintenance and that inspections of the device are carried out.

In order to ensure the safety of a lift or other motorised device, there are rules that property owners, developers, manufacturers, service companies, inspection bodies and local building committees must comply with.

Without clear requirements and requirement levels, there are insufficient conditions and incentives for those responsible for motorised devices to limit accident risks to a level that does not pose an unacceptable risk of accidents.

2.1.2 Purpose and aim of the task

The revision of the National Board of Housing, Building and Planning's rules on motorised devices aims to create a simplified and consistent regulatory framework. The draft regulation does not affect the levels of requirements laid down by law and regulation. The regulatory work only covers the Swedish National Board of Housing, Building and Planning's rules for the implementation.

The proposal aims to clarify the division of roles between the State, the construction sector and standardisation. Boverket shall specify in the regulations the requirements laid down by law and by regulation, whereas the construction sector is expected to develop solutions that meet the requirements, with standardisation as an alternative.

Following the revision, the rules on the inspection of motorised devices shall:

- consist of fewer rules;
- the requirements shall be warranted on the basis of health and safety aspects and not be more detailed than necessary to meet this objective;
- contain only prescriptions – in principle no general advice and no reference to standards, rules or general advice from other authorities or organisations.

The rules on the inspection of motorised devices and the accreditation of inspection bodies shall be collected in a separate statute. The requirements shall be clearer and generally less detailed. This makes the rules easier to apply and also gives the inspection bodies better conditions to develop new solutions

that better correspond to how the inspection can be carried out. This will create better conditions for more cost-effective construction and may stimulate increased competition.

2.2 Working methods

The legislative proposal shall, as far as possible, be drafted in a similar manner to the National Board of Housing, Building and Planning's other building and construction rules. During its work on the legislative proposal, the Swedish National Board of Housing, Building and Planning held dialogue meetings and has had contact with professional organisations in various areas of expertise. The National Board of Housing, Building and Planning has held dialogue in consultation meetings with inspection bodies and other relevant authorities.

The impact assessment and legislative proposal was circulated for comments from 5 December 2024 to 7 March 2025. In view of the consultation response received and new considerations, the Swedish National Board of Housing, Building and Planning considered it appropriate to adjust certain parts of the proposal.

Only comments concerning the drafting of the legislation and the impact assessment have been raised here. However, general comments on the regulatory model have not been raised as the Swedish National Board of Housing, Building and Planning did not find reasons to call into question the previous position taken in the report to the government.²

2.3 Detailed comments

In order to be able to apply and fully understand what the statute means, it is not always sufficient to simply read it. There are different methods and techniques for interpreting statutes, and regulatory provisions can in many cases be very generalised. If a person who is to apply a provision in practice, and wishes to know the purpose of the particular provision, guidance is usually sought primarily in the preparatory work.

In the impact assessment, Boverket has drafted detailed comments on the provisions of the statute. Thus, the comments can be used to support application, judicial review and the like. As a starting point, the comments have therefore been drafted

- such that the purpose of a provision is clear
- with explanation of how the terms used are intended to be interpreted

² Swedish National Board of Housing, Building and Planning. (2020). Building regulations that allow for more possibilities - New model for Boverket's building regulations. (report 2020:31).

- by example.

In addition, the detailed comments can serve as a basis for guidance. Such guidance may also be supplemented by additional explanatory texts and, where necessary, graphs, tables, etc. Please note that such comments and guidance do not inherently have legally binding status, rather they are only a means to help understand the associated rules.

2.4 Abbreviations

| | |
|----------------------|---|
| BBR | Boverket's (the Swedish National Board of Housing, Building and Planning) building regulations (2011:6) - regulations and general advice ³ |
| EKS | The Swedish National Board of Housing, Building and Planning's mandatory provisions and general recommendations (2011:10) on the application of European design standards (Eurocodes). ⁴ |
| The Lift Regulations | The Swedish National Board of Housing, Building and Planning's regulations and general advice (2011:12) on lifts and certain other motorised devices |
| The Lifts Directive | 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 ⁵ |
| PBF | Planning and Building Ordinance (2011:338). |
| PBL | Swedish Planning and Building Act (2010:900) |

³ On 1 July 2025, new building regulations enter into force that replace the majority of the provisions in the BBR.

⁴ On 1 July 2025, a new statute enters into force, the Swedish National Board of Housing, Building and Planning's regulations and general advice (2024:6) on load bearing capacity, stability and durability in buildings, etc., which replaces EKS.

⁵ OJ L 96/251, 29.3.2014, p. 251, Celex 314L0033.

3 Legal situation

This chapter describes the legal requirements for the Swedish National Board of Housing, Building and Planning's proposal for new regulations and general advice and contains, inter alia, the information on regulatory authorisations referred to in the impact assessment.

3.1 Authority of the Swedish National Board of Housing, Building and Planning

The legislative proposal is intended to clarify in detail

- The requirements in Chapter 5, Sections 8 and 11, of the PBF on carrying out inspections of motorised devices under authorisation in Chapter 10, Section 19, first paragraph, points 1 and 3 and Section 20 of the PBF.

Competence requirements for the accreditation of inspection bodies pursuant to Chapter 5, § 10 of the PBF and other reporting and information requirements for such bodies pursuant to the authorisation in Chapter 10, § 19, first paragraph, point 2 of the PBF.

3.2 Notification of technical rules

The information procedure under the Ordinance (1994: 2029) on technical rules will be implemented, as the legislative proposal contains technical rules as referred to in Section 2 of the same Ordinance.

3.3 Notification of requirements under the Services Directive

The legislative proposal contains rules relating to access to or the exercise of a service activity. The Swedish National Board of Housing, Building and Planning therefore considers that the legislative proposal needs to be notified in accordance with Section 2 of the Ordinance (2009: 1078) on services in the internal market, which refers to the Services Directive⁶.

3.4 government consent

The Swedish National Board of Housing, Building and Planning considers that any changes made to the legislative proposal do not have such significant effects on costs for the state, municipalities or regions that the government's consent is required, per the impact assessment.

⁶ Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

4 Description of the rules currently in force

This section describes the rules currently in force concerning the inspection of motorised devices and the accreditation of inspection bodies in the PBF and the Lift Regulations.

4.1 PBL - the Swedish Planning and Building Act

There are no substantive provisions on inspections in the Planning and Building Act (2010:900), PBL. However, the Act contains provisions authorising the government or the authority designated by the government to issue regulations on inspections. Chapter 16, Section 11, first paragraph, of the PBL states that regulations on checks may be issued in order to comply with the Lift Regulations issued pursuant to Chapter 16, Sections 2, 5 and 6 of the PBL.

It follows from Chapter 16, Section 2, third paragraph of the PBL that the government or the authority designated by the government may issue regulations on what is required for a construction work, signs and lighting devices to be considered to meet the requirements of Chapter 8, Sections 1 and 4 of the PBL. By virtue of this authorisation, the government has, inter alia, issued regulations specifying the essential technical specification requirements imposed on construction works. The relevant provisions are set out in Chapter 3, Sections 7-10 and 13-22 of the PBF.

It follows from Chapter 16, Section 5 of the PBL that the government or the authority designated by the government may issue regulations on requirements for construction works covered by Chapter 8 of the PBL which, in addition to the provisions of Chapter 8 of the PBL are necessary for the protection of life, personal safety and health. On the basis of this authorisation, the government has, inter alia, laid down special safety requirements for buildings already constructed (Chapter 3, Sections 11-12 of the PBF) and regulated the use of motorised devices in construction works (Chapter 5, Sections 12-17 of the PBF).

Pursuant to Chapter 16, Section 11, first paragraph, of the PBL, the government has adopted provisions on the control of lifts and other motorised devices in Chapter 5, Sections 8-11 of the PBF.

Chapter 16, Section 11, second paragraph of the PBL states that the government or the authority designated by the government may issue regulations on monitoring⁷ compliance with the requirements of the Cableway Ordinance. On the basis of this point, the government has provided for such checks in Chapter 5, Section 8, second paragraph, of the PBF.

4.2 PBF - the Planning and Building Ordinance

Provisions on the inspection of motorised devices in construction works are laid down in Chapter 5, Sections 8-11 of the PBF. For the purposes of its application, those provisions on inspection require that the National Board of Housing, Building and Planning, pursuant to Chapter 10, Section 19 of the PBF, has issued regulations on the inspection of motorised devices in construction works. The Swedish National Board of Housing, Building and Planning has issued such in the Lift Regulations, which means that the provisions of Chapter 5, Sections 8-11 of the PBF apply.

In accordance with Chapter 5, Section 8, first paragraph of the PBF, checks on motorised devices shall take place:

- before putting the device into service (initial inspection)
- at intervals of not less than six months and not more than six years (periodic inspection), or
- before the device is put into service for the first time after being modified (audit inspection).

In accordance with Chapter 5, Section 8, second paragraph, of the PBF, an inspection must be carried out as to whether the motorised device meets the requirements for safety and health protection referred to in Chapter 8, Section 4, of the PBL and the related regulations. In addition, inspections of such cableway installations covered by Regulation (EU) 2016/424 of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive 2000/9/EC shall verify whether the installation complies with the requirements of that Regulation.

⁷ Having regard to Regulation (EU) 2016/424 of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive 2000/9/EC;

In accordance with Chapter 5, § 9 of the PBF, requirements for inspections may also be based on decisions by the supervisory authority. If the supervisory authority has decided on the basis of Chapter 8, Sections 6 or 7 of the PBF, the person owning or otherwise responsible for a motorised device installed in a construction work shall ensure that the device is checked (special inspection) in accordance with the provisions of the supervisory authority's decision.

An inspection in accordance with Chapter 5, Sections 8 or 9 of the PBF shall, in accordance with Chapter 5, Section 10 of the PBF, be carried out by someone whose competence for the task has been proven by accreditation in accordance with the Act (2011:791) on Accreditation and Conformity Assessment, and Regulation (EC) No 765/2008 of the European Parliament and of the Council laying down requirements for accreditation and repealing Regulation (EEC) No 339/93, or by someone who meets equivalent requirements under the provisions of another country in the European Union or the European Economic Area. Chapter 5, Section 10, second paragraph of the PBF contains information that provisions on temporary practice and recognition of professional qualifications acquired or recognised in a State other than Sweden within the European Economic Area or in Switzerland are contained in the Act (2016: 145) on the recognition of professional qualifications and in the regulations issued pursuant to that Act.

In accordance with Chapter 5, Section 11 of the PBF, the person who carried out the inspection shall:

- issue a protocol stating that the inspection has been carried out and what it covered;
- state in the protocol whether the device has defects as referred to in Chapter 10, § 20, second paragraph, point 1 (defects that are of immediate significance with regard to the requirements for the protection of safety and health) or point 2 (defects in other respects that may be of significance with regard to the requirements for the protection of safety and health) and, if so, what the defects are, and
- provide a copy of the protocol to the owner or person otherwise responsible for the device.

If the device has deficiencies as referred to in Chapter 10, Section 20, second paragraph, point 1 of the PBF, it follows from Chapter 5, Section 11, second paragraph, of the PBF that the person who carried out the inspection shall immediately inform the owner or person otherwise responsible for the device and send a copy of the report to the local building committee.

4.3 The Swedish National Board of Housing, Building and Planning regulations and general advice on lifts and certain other motorised devices [Boverkets föreskrifter och allmänna råd om hissar och vissa andra motordrivna anordningar]

For motorised devices, the requirements in PBL and PBF are clarified in implementing regulations, primarily through the Lift Regulations.

The Lift Regulations contain requirements and rules for the construction and installation, inspection, care and maintenance, as well as some improvement requirements for existing devices. The regulations also contain rules on the accreditation of inspection bodies and the tasks carried out by the accredited inspection bodies. In addition, the rules for permanently installed lifts with baskets for compliance with the Lifts Directive have been transposed into Swedish law by Annex 5 to the statute, which in principle reproduces verbatim the requirements of the Directive.

The Lift Regulations shall apply to motorised devices as referred to in Chapter 1, Section 5 of the PBF, with the clarifications and exceptions set out in the statute. The following motorised devices are subject to the Lift Regulations:

- Lifts
- Cableways
- Motorised industrial doors and similar devices
- Escalators and travelators
- Roof-mounted passenger transport devices
- Devices for waste

5 Details of the legislative proposal

This section gives a general account of the new draft regulations on the carrying out of inspections and the accreditation of inspection bodies for motorised devices, the considerations made, and the changes made in relation to the rules in the BBR. A selection of the consultation bodies' comments and the Swedish National Board of Housing, Building and Planning's assessment are presented under the respective sub-headings. All comments are available in full from the Swedish National Board of Housing, Building and Planning.

In addition, see Section 7 for detailed comments on each section of the legislative proposal. In the legislative comments, the reader can see which provision in the Lift Regulations corresponds to which section of the National Board of Housing, Building and Planning's proposal for new regulations on the carrying out of inspections and the accreditation of inspection bodies for motorised devices.

5.1 Separate statutes

In the Swedish National Board of Housing, Building and Planning's proposal for new regulations for motorised devices, the rules are divided into three separate statutes:

- The Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.
- The Swedish National Board of Housing, Building and Planning's draft regulations on the carrying out of inspections and accreditation of inspection bodies for motorised devices, and
- The Swedish National Board of Housing, Building and Planning's draft regulations on lifts for compliance with the Lifts Directive 2014/33/EU.

The purpose of the division is to clarify the purpose of the rules and to facilitate understanding, and thus also the application of the rules.

The rules on motorised devices are aimed at different types of operators. Provisions on requirements for the execution and installation, inspection, as well as operation, continuing oversight, upkeep, and maintenance are accessible. and maintenance are proposed to be added to the statute – the Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices. The provisions that only concern the inspection bodies, such as rules on accreditation and the performance of inspections, are proposed to be laid down in the statute – the Swedish National Board of Housing, Building and Planning's draft regulations

on the carrying out of inspections and accreditation of inspection bodies for motorised devices. The provisions of Annex 5 to the Lift Regulations, which transposes rules for permanently installed lifts with a basket for compliance with the Lifts Directive into Swedish law, are proposed to be added to the statute – the Swedish National Board of Housing, Building and Planning's draft regulations on lifts for compliance with the Lifts Directive 2014/33/EU.

In relation to the Lift Regulations, the provisions of this legislative proposal have primarily been restructured with the intention that the regulations should be more structured and easy to read.

5.2 Drafting of the legislative proposal

The draft legislation has three chapters:

- Chapter 1 General provisions
- Chapter 2 Accreditation of inspection bodies
- Chapter 3 Conduct of inspection

Chapter 1 contains proposals for regulations on the inspection protocol to be issued by the inspection body in accordance with Chapter 5, Section 11, first paragraph of the Planning and Building Ordinance, as well as regulations requiring the inspection body to issue or update an inspection plate and what information is to be on the plate. In addition, the chapter contains provisions on reporting and information that the inspection body shall provide to the Swedish National Board of Housing, Building and Planning and on the inspection body's participation in meetings for the exchange of experience.

Chapter 2 sets out qualification requirements for accreditation of inspection bodies.

Chapter 3 contains proposed provisions on the scope of initial, periodic, and audit inspections. Furthermore, there are provisions on the types of deficiencies that are of immediate importance with regard to the requirements for safety and health protection and which therefore entail a prohibition on the use of the motorised device in accordance with Chapter 5, Section 14 of the PBF (the Planning and Building Ordinance).

5.3 The legislative proposal contains only binding rules

According to the principles for the general revision of the Swedish National Board of Housing, Building and Planning's building regulations, which include the Lift Regulations, the new regulations shall specify the requirements laid down in Act and Ordinance, while the construction sector is expected to develop solutions that meet the requirements. The starting point is that the new regulations shall not contain general advice, only statutes, that is to say, binding rules. With regard to the requirements imposed on the inspections, the starting point has been that the requirements in the draft legislation shall be warranted based on health and safety aspects and not be more detailed than necessary to meet this objective.

The Swedish National Board of Housing, Building and Planning has analysed each provision and general advice in the Lift Regulations and has taken a position on the rules to be included in the new legislation. There are few substantive changes to the proposal, and to a large extent the wording of the provisions, the requirements for carrying out inspections, and the accreditation of inspection bodies in the Lift Regulations have been kept entirely unchanged. In order to clarify the rules, however, some linguistic adjustments have been made in the legislative proposal which are not intended to entail any substantive change. For similar reasons, certain rules in the legislative proposal have also been laid down in a different format than the corresponding rules in the Lift Regulations.

The rules in the Lift Regulations on the performance of inspections, which are general advice, are not found in the legislative proposal. The current recommendations regarding carrying out the inspections have been deemed in the draft legislation as inappropriate to be made binding rules by means of regulations. See also Section 5.6. Informative references to other relevant rules and clarification examples, which are currently stated in general advice, may be appropriately included in future guidance on the legislative proposal.

5.4 Horizontal provisions (Chapter 1)

5.4.1 Preamble (Chapter 1, Section 1)

A preamble paragraph in Chapter 1, Section 1 of the legislative proposal clarifies the link to the overall requirements in the PBF that the proposed statute is intended to specify.

The legislative proposal contains provisions specifying the requirements on the carrying out of inspections in Chapter 5, Section 8 of the PBF and the requirements for inspection reports in Chapter 5, Section 11 of the PBF. The legislative proposal also specifies the competence requirements for accreditation of control bodies in accordance with Chapter 5, Section 10 of the PBF.

5.4.2 Scope of the regulations (Chapter 1, Section 2)

The provision on the scope of the regulations in Chapter 1, Section 2 of the legislative proposal lays down to which motorised devices the regulations on the performance of inspections shall apply. The scope of application is the same as in the National Board of Housing, Building and Planning's proposal for regulations on requirements for the use of motorised devices.⁸ Provisions on which devices are subject to inspection requirements and inspection intervals are set out in the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.

5.4.3 Definitions (Chapter 1, Section 3)

Terms and expressions in the legislative proposal have the same meaning as in PBL and PBF.

The reference to 'Planning and construction terms 1994, TNC 95' (TNC) has been deleted. One reason for this is that the publication is no longer kept up to date. This means that if there are other more up-to-date and consistent definitions in other publications, such as standards and manuals, they can be used. However, it is also possible to continue using TNC.

The Lift Regulations use both the term 'supervision', which is defined in Chapter 1, Section 6 of the PBF, and the expression 'ongoing supervision'. In view of the fact that the meaning referred to by 'supervision' in accordance with Chapter 1, Section 6 of the PBF is not intended, the term 'ongoing supervision' throughout the legislative proposal is used to avoid misunderstandings.

5.4.4 Inspection report and inspection plate (Chapter 1, Sections 4-5)

The legislative proposal lays down detailed requirements for the information to be included in the inspection report to be issued by the inspection body in accordance with Chapter 5, Section 11 of the PBF. Compared to the requirements of the Lift Regulations, some minor amendments are made:

⁸ See section 5.5.2 of the Impact Assessment on the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.

- Information on the device is supplemented by the indication of the unique identification of the device.
- It is added that, in addition to the date of inspection, the date of issue of the report must be given.
- Instead of the name, an identification code of the person who performed the inspection may be indicated.
- A new paragraph is added stating that the permitted maximum load for load-bearing devices must be specified.
- The requirement to specify the month and year in which a new inspection is to be carried out is limited to protocols from inspections where the device has been deemed to meet the requirements for use.

Furthermore, the legislative proposal requires the inspection body to issue or update an inspection plate if, at the end of the inspection, no deficiencies have been noted or if the deficiencies are not so serious that they are considered to be of immediate importance for safety and health. The corresponding requirements for the inspection plate and the information to be included on the plate are contained in the Lift Regulations. Compared to the current Lift Regulations, it is stated that requirements to issue or update an inspection plate always apply following an initial or periodic inspection and that updating an inspection plate following an audit inspection is only relevant if any of the information on the plate has been changed.

The opinions of the consultation bodies

Swedac argues that it would also be appropriate to include that certain additional information shall be included in the inspection report, such as the production number of the device, the date of issue of the inspection report and the permissible maximum load or load capacity. In addition, it is stated that it may also be relevant to update the inspection plate, with, for example, information on maximum load, following an audit inspection.

The Swedish National Board of Housing, Building and Planning's assessment

The Swedish National Board of Housing, Building and Planning supplements the provision on the information that shall be included in an inspection protocol, stating that the device's unique identification, the date on which the protocol was issued and information on the maximum load for load-bearing devices shall also be provided. In addition, the provision on requirements for the issuing or updating of the inspection plate is supplemented by an indication that it also applies after an audit inspection if any information has changed.

5.4.5 Provisions on reporting and information by inspection bodies (Chapter 1, Sections 6-8)

The legislative proposal states that the inspection bodies shall report certain deficiencies that have been noted during inspections to the Swedish National Board of Housing, Building and Planning. This concerns, on the one hand, a requirement for an annual summary of deficiencies that may be of importance in assessing the safety of a certain type of object and, on the other hand, a requirement to inform the Swedish National Board of Housing, Building and Planning as soon as possible of serious deficiencies that are likely to be found in similar devices in other facilities. The same reporting requirements apply under the Lift Regulations.

A new provision is proposed for inspection bodies to participate in meetings for the exchange of experience organised by Swedac or the National Board of Housing, Building and Planning. Corresponding requirements have previously been set out in Swedac's regulations.⁹ Since the repeal of SWEDAC's regulations, such consultation meetings have nevertheless been held on a continuous basis.

5.5 Accreditation of inspection bodies (Chapter 2)

The legislative proposal contains qualification requirements for inspection bodies accredited to carry out such inspections of motorised devices as referred to in Chapter 5, Sections 8-11 of the PBF. In Sweden, Swedac accredits inspection bodies.

Chapter 2 of the legislative proposal sets out requirements for inspection bodies, for which areas of competence they can be accredited and requirements for theoretical and practical training of control staff. The proposal does not entail any change compared to the requirements of the Lift Regulations. The current accreditation standard to which the draft legislation refers, SS-EN ISO/IEC 17020:2012, is under revision with the aim of developing a clearer standard with less room for (mis)interpretation.¹⁰

The opinions of the consultation bodies

Swedac submits that there is no substantive reason for it to be necessary or appropriate to have additional levels of detail for the scope of accreditation beyond different types of devices at an overall level.

⁹ Repealed the Swedish Board for Accreditation and Conformity Assessment's specific regulations for accredited inspection bodies Type A (inspection bodies) for the inspection of lifting devices, transport devices, etc., STAFS 1999:5.

¹⁰ <https://www.swedac.se/nyheter/ta-del-av-det-senaste-om-iso-iec-17020/>, accessed 2024-11-27.

The Swedish National Board of Housing, Building and Planning's assessment

The National Board of Housing, Building and Planning considers that there is no reason to split accreditation into different types of devices within an area. The requirement under the corresponding provision of the Lift Regulations is therefore transferred unchanged to the legislative proposal without supplementation with information from general advice.

5.6 Performance of inspections (Chapter 3)

Chapter 3 of the legislative proposal lays down requirements as to which controls an initial, periodic, and audit inspection shall cover. The proposal also includes requirements on the scope of the more extensive periodic inspection of cableways and funicular lines, to be carried out every five years. The regulations also specify the types of defects which pose an immediate risk to safety and health and which entail a ban on the use of the motorised device in accordance with Chapter 5, Section 14 of the Planning and Building Ordinance (PBF). Provisions on which devices are subject to inspection requirements and inspection intervals are set out in the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.

The requirements for what the inspections shall cover are essentially unchanged compared with the Lift Regulations, except for a minor change in the provision on what periodic inspections shall cover. The paragraph on checking that deficiencies from the previous inspection have been rectified is slightly reworded to make it clear that protocols from the previous inspection are to be checked. This provision is supplemented by a requirement that the latest protocol from the initial or periodic inspection shall also be checked, if the previous inspection was an audit inspection.

The requirements for what the checks shall cover have been laid down in the legislative proposal in a different format than the corresponding provisions in the Lift Regulations. The legislative proposal states that the monitoring of motorised devices shall include the requirements for checks resulting from regulations issued pursuant to Chapter 16, Section 11 of the PBL. The reason why the scope of the control, unlike the corresponding regulation in the Lift Regulations, is not specified is in order to better respond to any regulatory changes concerning the scope of the controls. For the corresponding reasons, the legislative proposal also does not contain any specification as to which requirements for protection are covered by the inspection. Pursuant to Chapter 16, Section 11 of the PBL, the government has issued regulations on the control of motorised devices. In accordance with Chapter 5, Section 8, second paragraph, of the PBF, an inspection shall check whether the device meets the requirements for safety and health protection referred to in Chapter 8, Section

4, of the PBL and the related regulations. If the government, pursuant to Chapter 16, § 11 of the PBL, issues additional regulations that change the scope of the inspection, the wording of the legislative proposal means that no consequential amendments are required to the Swedish National Board of Housing, Building and Planning's inspection regulations.

Detailed general advice with examples and recommendations on initial and periodic inspections for different types of devices¹¹ has been deemed as inappropriate to be made binding rules. They are not transferred to the legislative proposal. This applies to general advice on what should be checked and assessed per

- functional control of safety and protection devices for lifts in general, specifically for hydraulic and roped-hydraulic lifts, and for motorised industrial doors and similar devices.
- verification of the load-bearing capacity of ropes for lifts and cableway installations, Annex 2 of the Lift Regulations.
- inspection of cableways and drag lifts, Annex 3 of the Lift Regulations.
- examination of self-sustaining and brakes of screw drive lifts, Annex 4 of the Lift Regulations.
- an inspection in connection with the more comprehensive periodic inspection of cableways and funicular railways.

The accreditation requirement ensures that the inspection bodies have the necessary competence to carry out high-quality controls. Detailed instructions and procedures on how the control should be carried out and what is to be checked are therefore assessed as being capable of being developed by the accredited inspection bodies. Details of how inspections of safety and protective devices are to be carried out are normally found in the device's instructions and guidance can also be obtained from relevant standards. The inspection bodies also have a functioning exchange of experience through Swetic¹², which is a member-led trade organisation for active enterprises.

Provisions stipulating that devices which, after completion of the initial inspection or audit inspection, show deficiencies that pose an immediate risk to health and safety may not be put into service shall not be transferred to the legislative proposal.¹³ That a ban on the use of the device applies if the person responsible for the device cannot demonstrate with a protocol that the device

¹¹ the General advice on Chapter 3, Sections 8 and 20–20a and Annexes 2–4 of the Lift Regulations.

¹² <https://www.swetic.org/>, accessed 2024-11-27.

¹³ Chapter 3, Section 4 of the Swedish National Board of Housing, Building and Planning's Lift Regulations.

meets the safety and health requirements referred to in Chapter 10, § 20, second paragraph, point 1 of the PBF is stated in Chapter 5, § 14 of the PBF. Under Chapter 5, Section 11, second paragraph, of the PBF, if the device has deficiencies which are of immediate importance in the light of the requirements relating to the protection of safety and health, the person who carried out the inspection shall immediately inform the person responsible for the device and send a copy of the report to the local building committee. That a motorised device may only be used if it meets the requirements for safety and health protection and that it such shall be demonstrable with a protocol is set out in Chapter 5, §§ 12 and 14 of the PBF.

The opinions of the consultation bodies

Several consultation bodies argue that it should be added in the legislative comment on provisions on the assessment of deficiencies of immediate importance for safety and health that the local building committee is to be notified in accordance with Chapter 5, Section 11, last paragraph.

One of the consultation bodies argues that the provision on the scope of periodic inspections should not specify the verification of records and that, in accordance with the Lift Regulations, it should only be stated that the check shall include verification that deficiencies, which were identified during the previous inspection but were not considered to be of immediate importance for safety and health, have been remedied.

The Swedish National Board of Housing, Building and Planning's assessment

The texts of Section 5.6 and the explanatory notes are supplemented with a requirement that a copy of the inspection report shall also be sent to the local building committee if the device has been assessed as having serious deficiencies.

The Swedish National Board of Housing, Building and Planning considers it relevant to require that inspection reports from previous inspections be checked during periodic inspections.

Boverkets considers that no adjustments to the legislative proposal are necessary.

6 Impact

The Swedish National Board of Housing, Building and Planning shall describe the impact that the legislative proposal may have in different respects. The impact assessment shall include statements, analyses and assessments as set out in the Regulatory Impact Assessment Ordinance.

6.1 The problem

There is criticism of the Lift Regulations that they are often perceived as too broad and complicated. This is due to, inter alia, how the rules are structured and presented. The Lift Regulations contain, inter alia, many and comprehensive general advice texts, as well as information or references to other authorities' documents or industry regulations.

According to Boverket, the structure of the Lift Regulations has contributed to an unclear division of roles between the State and the construction sector. Although general advice is a recommendation, in practice affected stakeholders often apply general advice as regulations. For this reason, the general advice texts have become largely prescriptive.¹⁴

6.1.1 General advice texts are used as if they are binding requirements

General advice consists of general recommendations on the application of legislation, indicating how someone may or should act in a certain respect.¹⁵ If the wording of the regulation is less precise, the general advice may supplement the regulation by specifying what can or should be done in order to meet the requirement.

There are general advice texts in the Lift Regulations that also contain extracts from laws and ordinances, knowledge dissemination and guidance information, definitions of terms in the regulations, information on when certain requirements of the Lift Regulations should be applied, and references to other regulations.

In many cases, general advice in the Lift Regulations refers to standards to provide examples of solutions for meeting the requirements of the regulation. When general advice refers to a particular standard, it may become normative. It may be difficult for an operator to demonstrate compliance with the requirements in the event of non-compliance with the general advice. If the

¹⁴ Swedish National Board of Housing, Building and Planning. (2020). Möjligheternas byggregler – Ny modell för Boverkets bygg- och konstruktionsregler [Building regulations that allow for more possibilities - New model for Boverket's building regulations] (report 2020:31).

¹⁵ Section 1 of the Statutes Ordinance (1976: 725).

standard contains examples of accepted solutions, there is not much incentive to apply other solutions, as there is a risk that alternative solutions will not be accepted.

6.1.2 Excessively broad and extensive regulatory framework

The Lift Regulations contain rules aimed at different types of actors who have different interests in application of the rules. The Lift Regulations contain, for example, rules on the accreditation of inspection bodies and the performance of inspections, which are primarily solely of interest to the inspection bodies. A comprehensive Annex to the Lift Regulations also contains rules on permanently installed lifts with a lift car for compliance with the Lifts Directive. The diversity of rules for different stakeholders in the same statute impedes comprehension and contributes to the fact that the rules are perceived as unstructured and too extensive.

In addition, the divisions of chapters in the Lift Regulations, where rules for different types of motorised devices are woven together, further contribute to the fact that it can be difficult to sort out what is relevant for a specific case.

6.1.3 Current rules on motorised devices

The rules on motorised devices have become increasingly sweeping over time, both in terms of the number of rules and in terms of the quantity of text. The Lift Regulations have some of the general problems described above. For example, it is common for mandatory provisions to be expressed in general terms and for clarification to be given in general advice. There are also examples of general advice that give solutions and are therefore difficult to deviate from. An example of this is the general advice that connects to the provision on the scope of periodic inspections. Such general advice has therefore had a more prescriptive effect than intended.

6.2 The change sought

The legislative proposal contains rules on the performance of control and accreditation of inspection bodies, grouped together in one statute. The division of the rules on motorised devices into three separate statutes clarifies the purpose of the rules and facilitates understanding. By doing so, the legislative proposal can better enable stakeholders to comply with the rules.

Furthermore, the legislative proposal should have a clear structure with functional requirements. It shall thus provide better conditions for a equal application as it makes clearer which requirements shall be met, rather than how one shall or should do so.

6.3 If no action is taken (the baseline option)

The baseline option means that the current rules in the Lift Regulations remain unchanged.

6.4 Alternative solutions

The alternative solution to the legislative proposal is that the detailed rules on the carrying out of inspections and the accreditation of inspection bodies for motorised devices are repealed and not replaced by new regulations.

If there are only requirements at the legal and ordinance level, the risk of accidents may increase. It may be difficult to interpret the overall societal requirements of law and regulations, which may lead to high application costs for stakeholders. The administrative regulations clarify the social requirements, express a minimum level and make the requirements applicable in practice.

The overall requirement for the inspection of motorised devices in Chapter 5, Section 8 of the Planning and Building Ordinance assumes that the Swedish National Board of Housing, Building and Planning has issued regulations on which devices are covered, inspection intervals, etc. If the Swedish National Board of Housing, Building and Planning repeals such regulations without replacing them in the new statute, there will be no requirements for inspections, which is not considered to be a realistic alternative.

6.5 Description of the most appropriate options

The baseline option, to make no changes to the rules on motorised devices, means that all the problems described with the current regulatory structure remain, and this option has therefore not been chosen. The alternative solution of repealing and not replacing the Lift Regulations has also not been chosen because it entails risks and costs.

In the Swedish National Board of Housing, Building and Planning's proposal for new regulations for motorised devices, the rules are proposed to be divided into three separate statutes: The division has been made on the basis of which operators are primarily affected by the rules that apply to motorised devices. The Swedish National Board of Housing, Building and Planning's draft regulations on the carrying out of inspections and accreditation of inspection bodies for motorised devices contain rules that concern the inspection bodies, such as rules on accreditation and the carrying out of inspections.

The legislative proposal follows the principles of the general revision of the National Board of Housing, Building and Planning's building regulations, which also include the Lift Regulations. One purpose of the general revision is to clarify the division of roles, which means that the State determines the levels of requirements and that the industry is given more opportunities to develop solutions that meet the requirements. With regard to requirements imposed on a measure as such, this objective is achieved by formulating the requirements as technology and material neutral functional requirements. With regard to such requirements imposed on the inspections, the starting point has been that the requirements in the draft legislation shall be warranted based on health and safety aspects and not be more detailed than necessary to meet this objective. Compared to how the control is regulated in the Lift Regulations, the legislative proposal contains a slightly smaller number of substantive requirements and the requirements are generally less detailed.

In view of the normative effect that general advice may give rise to, further consideration has been given to whether there is a continued need for general advice. A starting point in the work on the legislative proposal has also been that there shall not be any pure information on the content of other regulations or general advice in regulations or general advice. The legislative proposal does not contain general advice, but consists only of binding provisions.

Unlike the Lift Regulations, the legislative proposal only contains rules on the performance of inspections and the accreditation of inspection bodies for motorised devices. Together with the principles and starting points that were applied in the revision, this has resulted in a clearer regulation of the requirements that are placed on control and accreditation.

In other respects, Boverket has analysed the effectiveness, efficiency and impact of alternative solutions for each provision and general advice text. As a result, certain rules in the Lift Regulations are not included in the legislative proposal. Some rules have been modified to make them more accurate or more effective. The analyses are presented in Section 5.

6.6 Analysis of the selected option

The impact assessment shall contain an analysis of the proposal(s) submitted. This section describes, inter alia, the impact that the Swedish National Board of Housing, Building and Planning's proposal has on the operators specifically mentioned in Section 7 of the Impact Assessment Ordinance. The analysis shall also take into account the provisions of Sections 8-10 of the Impact Assessment Ordinance, which relate to whether the proposal or proposals restrict the municipal self-government as well as the relationship with the EU.

6.6.1 Impact summary

The aim of the Swedish National Board of Housing, Building and Planning's regulatory work is that the draft legislation shall have a clear structure in which functional requirements are established. The draft legislation provides better conditions for a equal application as it makes clearer which requirements shall be met, rather than how one shall or should do so.

When the regulations are expressed as performance requirements, without the limitation that the normative role of the general advice can entail, it is clarified that the inspection bodies, under their accreditation, have the flexibility to apply procedures and instructions adapted to a specific device in order to comply with the regulations. It makes it easier for those who want to apply and introduce solutions, for which many have experienced difficulties in being heard, as such was not mentioned in the general advice. This will promote cost-effective solutions and innovation.

Pure rules facilitate understanding

In the draft regulations on the performance of inspections and the accreditation of inspection bodies for motorised devices, all rules that are primarily of interest to the inspection bodies have been gathered in one single statute. The division into three separate statutes clarifies the purpose of the rules and facilitates understanding. The legislative proposal can thus provide stakeholders with better conditions to comply with the rules and develop their own solutions.

The proposal contains only binding provisions, which makes it clear what as to what are the demands of society. The status of the general advice has been perceived as unclear. Some have interpreted advice as binding requirements, while others interpreted them as an optional recommendation. This uncertainty is removed.

Reduced detail provides more flexibility

The general advice that has been removed is considered, in principle, to contribute to the simplification of the legislation and at the same time to increase the conditions for innovation of new solutions, which are two important objectives of the draft legislation. The influence of a general advice on behaviour and innovation opportunities varies according to the nature of the advice. For example, advice pointing to a particular standard may have the unintended consequence that the designated standard becomes normative. If the standard contains solutions, the rationale for applying other solutions in the individual case is hampered. Under the current rules, there is a risk that the alternative solution will not be accepted with, inter alia, additional costs.

There are several examples of the removal of details of general advice or regulation, allowing for more situational assessments and solutions. These are described in section 5.

The legislation will be less comprehensive

The removal of the general advice reduces the overall scope of substantive rules that need to be consulted by practitioners. References to regulations, standards and manuals of other authorities and most of the details of the general advice are deleted from the legislative proposal.

Knowledge and guidance needs to be provided in other ways

The general advice has had a knowledge-transfer function to demonstrate acceptable solutions for motorised devices to be safe. The purpose of the general advice has not only been to understand where the level of requirements should be, but also to understand the level of ambition. Taken together, this has made it possible to compare and value other possible solutions against one another. This function does not exist in the new draft legislation. The building and urban planning sector therefore needs to acquire the knowledge in other ways.

Manuals, standards, industry standards and agreements will play an important role in interpreting the rules on motorised devices. Much of this development work and administration of existing knowledge is expected to take place via, for example, trade associations. The need for guidance is likely to increase initially. The Swedish National Board of Housing, Building and Planning will therefore provide guidance on the legislation.

6.6.2 Who is affected by the draft

The legislative proposal affects enterprises that perform inspections of motorised devices and the accreditation authority¹⁶. Other stakeholders that may be more indirectly affected are owners of motorised devices, property owners, developers, installers, service companies, consultants, as well as municipalities, county administrative boards, courts, and the Swedish National Board of Housing, Building and Planning.

6.6.3 Cost-related and other impacts

The Swedish National Board of Housing, Building and Planning considers that the draft legislation will have limited direct consequences for its application compared to today. The draft legislation is based on an unchanged level of requirements. The tried and tested solutions that are often applied today will still be possible to use in the future.

¹⁶ The Swedish Board for Accreditation and Conformity Assessment (Swedac) is the national accreditation body for Sweden.

There may be certain cost impacts, mainly on inspection bodies, from time needed for learning/familiarization, adaptation of working methods, and skills development.

The Swedish National Board of Housing, Building and Planning considers that the draft legislation will not have a direct impact on human safety. The legislative proposal essentially regulates the same risk situations as the Lift Regulations and contains few changes with regard to the requirements imposed on motorised devices. Where there is no specification of requirements, stakeholders need to work on risk analysis in individual situations, which may require skills other than the current rules. Increased cooperation in the preparation of industry-wide interpretations may also be needed.

6.6.4 The State

The Swedish National Board of Housing, Building and Planning has a different role to play, involving more work on information and guidance. County administrative boards and courts may be affected, if the local planning committees' decisions on starting clearance and final decisions or decisions in supervisory cases are appealed. The county administrative boards are also responsible for guiding local planning committees in their supervisory work.

County Administrative Boards' supervisory guidance

The legislative proposal is not found to have any particular impacts on the county administrative boards' supervisory guidance. The local building committees do not have regulatory control over the inspection bodies, but rather it is SWEDAC that exercises regulatory control of the work of the inspection bodies.

Consequences for the Swedish National Board of Housing, Building and Planning

The transition from the Lift Regulations to new mandatory provisions will initially lead to an increased need for information and training measures from the Swedish National Board of Housing, Building and Planning. These efforts should be aimed at operators who come into contact with the regulations on requirements for carrying out inspections of motorised devices in their work. The aim is for everyone to understand the rules so that they can be implemented more easily.

The web-based handbook on the Planning and Building Act, the PBL Knowledge Bank, needs to be reworked in the parts relating to carrying out inspections and accreditation of inspection bodies. More questions can be expected and thus there is a risk of an initial increase in workload. However,

the burden will be reduced in step with operators learning ways of working that fit the new structure.

Once the general advice and references to standards are removed, the Swedish National Board of Housing, Building and Planning may devote less resources to monitoring and amending the rules as the standards are updated. With fewer rules and rules that no longer need to be amended as frequently, less support and guidance on the rules on motorised devices may also be needed in the long term. The Swedish National Board of Housing, Building and Planning will have to continuously monitor the application of the regulations and, if necessary, review and amend certain parts.

Consequences for other authorities

The new regulations may mean that the accredited inspection bodies need to have their existing accreditations renewed and assessed by Swedac. This is considered to be possible with a limited increase in workload. Existing accreditations should be transferable without an extensive assessment as the new regulations do not entail any change in the requirement levels compared to the requirements of the Lift Regulations.

6.6.5 Municipalities

The municipalities, through their building committees, should benefit in their supervisory work from the fact that the legislative proposal is easier to grasp as a whole and to apply. Even within the framework of the service obligations of the local building committees, the proposal should make it easier to answer questions about the requirements for control in comparison with the way in which this is currently regulated by the Lift Regulations.

6.6.6 Enterprises

The legislative proposal affects enterprises that perform inspections of motorised devices. Other enterprises that may be indirectly affected are owners of motorised devices, property owners, developers, installers, and service companies.

Inspection bodies

Lifts and certain other motorised devices are to be inspected by accredited inspection bodies when required. The inspection shall be carried out at fixed intervals to ensure that the motorised device meets the requirements for protection laid down in the inspection regulations (issued pursuant to Chapter 16, Section 11 of the PBL). The tasks of the inspection bodies include carrying out regulated tasks, interpreting the regulatory framework and assessing whether installations meet the applicable requirements in individual cases.

There are nine enterprises in Sweden that are accredited inspection bodies for the inspection of motorised devices.¹⁷ Six of the enterprises have 1 to 15 employees and offices in one or few localities. One enterprise has approximately 80 employees. Two enterprises have approximately 600 and 700 employees, respectively, and offices in several locations in the country.

The legislative proposal contains qualification requirements for inspection bodies accredited to carry out such inspections of motorised devices as referred to in Chapter 5, Sections 8-11 of the PBF. In Sweden, Swedac accredits inspection bodies. The requirements for the inspection bodies regarding the scope of authority for which they can be accredited, as well as requirements for the theoretical and practical training of inspection personnel, do not change compared to the requirements of the Lift Regulations. The requirements for what the inspections shall cover are unchanged compared with the Lift Regulations, except for a minor change in the provision on what periodic inspections shall cover.

However, the provisions on inspection have been given a different layout compared to the corresponding regulation in the Lift Regulations. The legislative proposal determines the scope of the control by referring to such regulations issued pursuant to Chapter 16, Section 11 of the PBL. The aim is that new regulations on control, issued pursuant to Chapter 16, Section 11 of the PBL, may be issued without entailing consequential amendments to the National Board of Housing, Building and Planning's regulations. No substantive change is intended in relation to the Lift Regulations in force.

The new regulations may mean that the accredited inspection bodies need to have their existing accreditations renewed and assessed by Swedac.

Developers or the person responsible for motorised devices

Developers, property owners and owners of lifts or other motorised devices are responsible for ensuring that the devices function and meet the safety requirements during use. The person responsible for a motorised device is also responsible for ensuring that the device is inspected by an independent accredited inspection body in accordance with the National Board of Housing, Building and Planning's regulations in cases where it is required to do so.

The developer is responsible for carrying out measures under Chapter 10, Section 5 of the PBL. The owner or person who is otherwise responsible for the device is responsible for ensuring that the device is checked and kept in good condition when used in accordance with Chapter 5, §§ 8–16 of the PBF and Chapter 8, §§ 14 and 24 of the PBL.

¹⁷<https://search.swedac.se/sv/ackrediteringar?s=bfs+2011%3A12>, accessed 27.11.2024.

Developers, property owners and owners of lifts or other motorised devices are indirectly affected by the rules on the carrying out inspections of motorised devices. The indirect impact is largely associated with costs for contracting accredited inspection bodies when there are requirements for doing so.

Installers, service companies and consultants

Installers and service companies install and maintain lifts or certain other motorised devices. Consultancy firms offer services such as project design and project management. Enterprises shall execute an installation that meets the applicable requirements, or perform other services by order of the person who builds, owns or manages properties and other facilities with motorised devices. The enterprises are indirectly affected by the rules on the performance of inspections of motorised devices, and need to adhere to the regulatory framework in their professional role.

There are around 25 companies that install lifts, either wholly or in part. It is estimated that there are 100–150 companies involved in the conversion of lifts. In addition, there are some 20 independent lift consultants who help with the planning for the conversion of lifts¹⁸.

The door/gate industry makes up hinge doors, overhead sectional doors, folding doors, quick-release doors, roller shutters, rolling grilles, roller doors, garage doors, and road barriers, as well as related products and services. There are approximately 200 enterprises that service and install such doors/gates, the largest are nationwide, but the majority are local enterprises with 5-400 employees.

Other cost changes

In relation to the Lift Regulations, the legislative proposal has been restructured and streamlined and easier to read. The division into a separate statute clarifies the purpose of the rules and facilitates the understanding and application of the rules. In particular, it provides some administrative relief, which may lead to time savings in the application of the statute.

Other impacts on enterprises

Training materials, manuals, guides, and the like, referring to Lift Regulations will need to be amended. Internal documents such as checklists, supporting documents for self-checks, quality assurance etc. will need to be rewritten with new references and new regulatory wording. This also applies to literature, digital aids and the like. Much of the necessary development work and administration of the development work carried out is expected to take place via trade associations.

¹⁸ Task to investigate measures for certain safety risks in older lifts (the Swedish National Board of Housing, Building and Planning report 2021:23).

Special consideration of small enterprises

The legislative proposal is not found to have any particular impacts on small enterprises.

6.6.7 The European Union

The draft legislation is in line with the obligations of Sweden's membership of the European Union.

As stated in Section 3.2 above, the Swedish National Board of Housing, Building and Planning deems that the legislative proposal contains technical rules as referred to in Section 2 of the Ordinance (1994:2029) on technical rules and that the proposal therefore needs to be notified in accordance with this Ordinance. The Swedish National Board of Housing, Building and Planning also deem the legislative proposal to contain rules relating to access to or the exercise of a service activity. The proposal is therefore deemed to be notifiable under Section 2 of the Ordinance (2009:1078) on services in the internal market, which refers to the Services Directive¹⁹, see Section 3.3.

6.6.8 The Nordic countries

The draft legislation removes certain details of the regulations currently in force, but the Swedish National Board of Housing, Building and Planning considers that this does not hamper a future initiative for Nordic harmonisation in this area.

6.6.9 Environment and climate

The legislative proposal is not found to have any particular environment or climate impacts.

6.6.10 Cultural environment and architecture and designed living environment

The draft legislation is not considered to have any impact on architecture and designed living environment.

6.6.11 Social sustainability

The legislative proposal is not considered to have any specific consequences for people with disabilities, children, young people or the elderly, not for integration, housing segregation, public health or gender equality.

¹⁹ Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

6.6.12 Actions to be taken

Measures and decisions taken by the public authorities should be socio-economically justified, proportionate and cost-effective.²⁰ This means that the Swedish National Board of Housing, Building and Planning's proposals for new regulations on motorised devices should be drafted in such a way that they do not entail more far-reaching costs and restrictions for the operators concerned than are necessary to achieve the objective of the action in question.

The Swedish National Board of Housing, Building and Planning has ensured that the proposal does not entail more far-reaching costs and limitations than are necessary to achieve its objective, mainly by exploring alternative solutions. For each regulation and general advice, the Swedish National Board of Housing, Building and Planning has analysed the effectiveness, efficiency and impact of alternative solutions. As a result, certain rules in the Lift Regulations are not included in the legislative proposal. Some rules have been modified to make them more accurate or more effective.

The consequences of the proposal have been described in sections 6.6.1–6.6.11. Taking into account the impacts presented there, the Swedish National Board of Housing, Building and Planning considers that the proposal does not entail more far-reaching costs and restrictions than are necessary to achieve its objective.

6.7 Entry into force, information initiatives and evaluation

6.7.1 Entry into force and transitional provisions

The new statute is proposed to enter into force on 1 December 2025 at the same time as the new statutes the Swedish National Board of Housing, Building and Planning's regulations on requirements for the use of motorised devices and the Swedish Board of Housing, Building and Planning's regulations on lifts for the fulfilment of the Lifts Directive 2014/33/EU. At the same time, the corresponding provisions of the Lift Regulations will be repealed by another statute²¹.

The legislative proposal essentially entails a structural change and simplification of rules. The competence requirements for the inspection bodies remain unchanged in relation to the provisions in force in the Lift Regulations. With regard to provisions on the performance of inspections, amendments are proposed which essentially only mean that detailed rules in the general advice

²⁰ Ds 2022:22 Better impact assessments, p. 93.

²¹ The Swedish National Board of Housing, Building and Planning's draft regulations on repeal of the Board's regulations and general advice (2011:12) on lifts and certain other motor-powered devices

are not included in the proposal. The Swedish National Board of Housing, Building and Planning therefore considers that there is no need for any transitional provisions. In determining the date of entry into force, account has been taken of the fact that the accreditation body Swedac must be given sufficient time to accredit the inspection bodies on the basis of the new regulations.

6.7.2 Special information initiatives

In order for the regulations to have the intended effect at the time of entry into force, information measures should be targeted at the practitioners of the rules. This can be done through the Swedish National Board of Housing, Building and Planning's regular channels – such as the knowledge bank and guidance documents – but also through more targeted training courses and seminars.

6.7.3 Evaluation

It is proposed that the new regulations enter into force on 1 December 2025. In order to ensure the correct application of the new building rules, it is important to follow up and evaluate the rules.²²

The Swedish National Board of Housing, Building and Planning considers that an evaluation of the three new statutes on motorised devices can take place ongoing from the entry into force. However, a first overall evaluation should only be carried out around the year 2028–2029 at the same time as the evaluation planned for the Swedish National Board of Housing, Building and Planning's other new building regulations. Several different stakeholders are affected by and apply the rules in the three proposed statutes. An evaluation should include the consequences for developers, owners, and others responsible for motorised devices, inspection bodies, and building committees in particular.

²² Section 7, p. 5 of the Ordinance (2024:183) on Impact Assessments.

7 Legislation comments

7.1 Draft regulations on the carrying out of inspections and the accreditation of inspection bodies for motorised devices.

By virtue of Chapter 10, Section 19, first paragraph, points 1-3) and Section 20 of the Planning and Building Ordinance (2011:338), the Swedish National Board of Housing, Building and Planning hereby lays down²³ the following.

Chapter 1 General provisions

Content of the statute

§ 1 This Statute contains regulations relating to Chapter 5, Sections 8 and 11 of the Planning and Building Ordinance (2011:338) on carrying out inspections on motorised devices. The Statute also contains regulations on the competence requirements for accreditation of inspection bodies pursuant to Chapter 5, Section 10 of the same Ordinance, as well as other requirements concerning reporting and information for such bodies.

The corresponding provision is contained in Chapter 1, Section 1, first paragraph, of the National Board of Housing, Building and Planning's regulations and general advice (2011: 12) on lifts and certain other motorised devices, the Lift Regulations.

Further considerations can be found in 5.2.1.

Scope of the regulations

§ 2 The regulations apply to motorised devices as referred to in Chapter 1, Section 5 of the Planning and Building Ordinance (2011:338), with the clarifications set out in the Swedish National Board of Housing, Building and Planning's regulations (20xx:xx) on requirements for the use of motorised devices.

The regulations in Chapter 1 include general provisions.

The regulations in Chapter 2 include provisions on the accreditation of inspection bodies.

The regulations in Chapter 3 include provisions on the carrying out of inspections.

New provision

The purpose of the provision is to clarify the scope of the various parts of the legislation.

²³ See Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Definitions

§ 3 Terms and expressions in this statute have the same meaning as in the Swedish Planning and Building Act (2010:900), the Planning and Building Ordinance (2011:338) and the Swedish National Board of Housing, Building and Planning's regulations (20xx:xx) on requirements for the use of motorised devices.

A corresponding provision can be found in Chapter 1 Section 8 of the Lift Regulations.

The provision ensures that terms contained in legislation, ordinances, the Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices, and in this regulation have the same meaning. The Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices contain definitions in Chapter 1, Section 7.

The reference to 'Planning and construction terms 1994, TNC 95' (TNC) has been deleted. One reason for this is that the publication is no longer kept up to date. This means that if there are other more up-to-date and consistent definitions in other publications, such as standards and manuals, they can be used. However, it is also possible to continue using TNC.

Another reason for the deletion of reference to TNC is that it is important that definitions that are necessary in the regulations are dealt with directly in their context.

Inspection reports

§ 4 In inspection reports pursuant to Chapter 5, Section 11, first paragraph of the Planning and Building Ordinance (2011:338), the following shall be stated:

1. during the first inspection, whether the motorised device complies with the relevant safety and health protection requirements;
2. during periodic inspections, if the parts of the device that are important for safety and health protection are kept in a safe state;
3. during an audit inspection if, after the modification, the device complies with the applicable safety and health protection requirements.

If the device has defects, this shall be stated in the report, as well as the significance of the defects for safety and health. For deficiencies which, taken individually, are not of immediate relevance in the light of safety and health protection requirements, the total importance of the deficiencies for safety and health shall be indicated.

The inspection report shall also include information on:

1. the device and its unique identification (serial number, place of manufacture or other indication for simple identification);
 2. the inspection body's name;
 3. accreditation number;
 4. accreditation label;
 5. the date of inspection and the date of issue of the protocol;
 6. the name or identification code of the person who carried out the inspection;
- and
7. the maximum permissible load (if it is a load-bearing device).

In the case of a device which, at the end of the inspection, does not have deficiencies which are of immediate significance for safety and health in accordance with Chapter 3, Sections 6 or 12-13, the month and year in which a new inspection is to be carried out shall also be indicated in the case of an initial or periodic inspection.

A corresponding provision can be found in Chapter 3 Section 32 of the Lift Regulations.

Once the inspection body has determined that the inspection has been completed, an inspection report shall be drawn up. The provision specifies what is to be specified in an inspection protocol.

Compared to the current provision, additions have been made to points 1, 5 and 6 and a new point 7 has been added. In point 1 it has been clarified that the unique identification of the device, usually the in-process inspection, must be indicated. Point 5 has been supplemented by the addition of the date of issue of the protocol. Point 6 has been supplemented with information stating that instead of the name, an identification code for the person who performed the inspection can be entered. Point 7 states that permissible maximum load shall be indicated for load-bearing devices. The maximum load is already a requirement to be indicated on the inspection plate. In addition, the requirement to specify the month and year in which a new inspection is to be carried out is limited to protocols from inspections where the device has been deemed to meet the requirements for use.

Inspection plate

§ 5 If, after completion of the initial or periodic inspection, the motorised device has been assessed as not to have deficiencies that constitute immediate significance to safety and health in accordance with Chapter 3, Sections 6 or 12–13, the inspection body shall issue or update an inspection plate. The requirement to update the inspection plate also applies after a completed audit inspection if any information on the plate has changed.

The sign shall indicate clear and easy-to-understand information on:

1. the identity of the device;
2. the month and year in which a new inspection is to be carried out;
3. the inspection body's name;
4. accreditation number;
5. accreditation mark; and
6. the maximum permissible load (if it is a load-bearing device).

The corresponding provision is contained in Chapter 3, Section 33 of the Lift Regulations.

if, at the end of the inspection, no deficiencies have been noted or if the deficiencies are not so serious that they are considered to be of immediate importance for safety and health, the inspection body shall issue or update an inspection plate.

In comparison with the current provision, it has been added that the inspection plate is to be drawn up after the completion of the first or periodic inspection. Updating an inspection plate following an audit inspection is only considered relevant if any of the information on the plate has changed.

Miscellaneous provisions

§ 6 The inspection body shall send a copy of the accreditation certificate to the Swedish National Board of Housing, Building and Planning.

A corresponding provision can be found in Chapter 3 Section 2, second paragraph of the Lift Regulations.

The purpose of the provision is to inform the Swedish National Board of Housing, Building and Planning if a new inspection body has been accredited to carry out inspections in accordance with the Authority's regulations.

§ 7 The inspection body shall annually compile and report to the Swedish National Board of Housing, Building and Planning such deficiencies that have been noted during inspections and which may be of importance for assessing the safety of a certain type of object.

If, during the inspection, the inspection body observes serious deficiencies that are likely to be found in similar devices in other installations, the National Board of Housing, Building and Planning shall be informed as soon as possible.

A corresponding provision can be found in Chapter 3 Section 2e, second paragraph of the Lift Regulations.

The first paragraph of the provision is intended to provide the National Board of Housing, Building and Planning with information on the extent to which there are deficiencies with motorised devices. The second paragraph of the provision is intended to provide the National Board of Housing, Building and Planning with specific information on serious deficiencies which may require specific action for other similar devices as well.

§ 8 The inspection body shall, where appropriate, participate in meetings for the exchange of experience organised or designated by the accreditation body or the National Board of Housing, Building and Planning.

New provision The equivalent has previously been regulated by a regulation from Swedac.²⁴ The regulation is repealed and the provision on participation at the consultation meeting is instead introduced in the Swedish National Board of Housing, Building and Planning's regulations.

²⁴ STAFS 2011:18 – Swedac's regulations and general advice on accreditation of inspection bodies, repealed on 1 August 2020.

The National Board of Housing, Building and Planning usually convenes annual consultation meetings between the relevant authorities and accredited inspection bodies. At the meetings, the authorities inform about news in the field. In addition, current common issues are discussed. The inspection bodies are obliged to attend these meetings at their own expense.

Chapter 2 Accreditation of inspection bodies

§ 1 An inspection body accredited to perform inspections of motorised devices in construction works shall be of Type A in accordance with SS-EN ISO/IEC 17020:2012 and comply with the requirements set out in Sections 2–6.

A corresponding provision can be found in Chapter 3 Section 2, first paragraph of the Lift Regulations.

The provisions of Sections 1-6 set out requirements for inspection bodies accredited to carry out such inspections of motorised devices in construction works as referred to in Chapter 5, Sections 8-11 of the PBL.

In Sweden, Swedac accredits inspection bodies.²⁵

§ 2 Inspection bodies may be accredited for various types of equipment.

A corresponding provision can be found in Chapter 3 Section 2a, first paragraph of the Lift Regulations.

The accreditation of the inspection bodies may cover an entire area, such as lifts, or be limited to a certain type of device.

General advice that the accreditation may also be limited to a certain type of device within an area, for example of classification with respect to the mode of operation of lifts, in the Lift Regulations is not considered relevant and is therefore not transferred to the legislative proposal.

§ 3 Inspection bodies may be accredited for either competence areas B and K or only competence area B. Competence area B covers installation inspections in accordance with Chapter 3, Section 4 and such inspections as are included in periodic inspections pursuant to Chapter 3, Section 9. Competence area K includes design examination in accordance with Chapter 3, Section 3.

A corresponding provision can be found in Chapter 3 Section 2a, second paragraph of the Lift Regulations.

§ 4 Accredited inspection bodies shall have staff with qualifications in the competence area or areas covered by the accreditation. The staff shall be employed either on a permanent basis or under contract with the inspection body. The staff shall have practical experience of the type(s) of device(s) to which the accreditation relates.

²⁵<https://www.swedac.se/amnesomraden/kontrollorgan/>, accessed 2024-11-27.

At least one employee must have a low voltage (AL) authorisation in accordance with Chapter 2, Section 1 of the National Electrical Safety Board's Regulations on authorisation as an electrician, ELSÄK-FS 2017: 4.

The technical management of an inspection body accredited for competence area K shall include at least one person with a relevant degree in civil engineering or equivalent knowledge.

The corresponding provision is contained in Chapter 3, Section 2b of the Lift Regulations.

§ 5 An inspection body accredited for competence area B shall have responsible inspection staff who meet the following requirements:

1. the inspection staff shall have at least three years of secondary education with the relevant specialisation or equivalent knowledge; they shall also have completed additional theoretical training within the areas and for the type of devices to which their personal competence relates.

The additional training shall include, depending on the device in question:

- a) regulations and standards in the field;
- b) inspection, scope of inspection and inspection philosophy;
- c) carrying out inspections;
- d) basic knowledge of design examination;
- e) schedule review;
- f) knowledge of objects in the area;
- g) knowledge equivalent to that required to obtain a limited authorisation (B) under Chapter 2, Section 1 of the National Electrical Safety Board's regulations (ELSÄK-FS 2017:4) on authorisation as an electrician; and
- h) knowledge of the expected types of damage.

2. Inspection staff shall have completed a period of practical training under the supervision of the competent inspection engineer. The training must have given the trainee the opportunity to carry out and report on inspection assignments under experienced technical guidance and supervision.

One year of experience in periodic inspections is required in order to carry out installation inspections.

Corresponding provisions can be found in Chapter 3 Section 2d of the Lift Regulations.

§ 6 In an inspection body accredited for competence area K, there shall be responsible inspection staff who meet the following requirements:

1. the inspection staff shall have at least three years of secondary education with the relevant specialisation or equivalent knowledge; they shall also have completed additional theoretical training within the areas and for the type of devices to which their personal competence relates.

The additional training shall include, depending on the device in question:

- a) regulations and standards in the field;
- b) materials and welding technology;
- c) schedule review;
- d) manufacturing and installation methods;
- e) scope of inspection;
- f) calculation models;
- g) knowledge of objects and systems in the field; and
- h) knowledge equivalent to that required to obtain a limited authorisation (B) under Chapter 2, Section 1 of the National Electrical Safety Board's regulations on authorisation as an electrician, ELSÄK-FS 2017:4.

2. Inspection staff shall have completed a practical training course under the supervision of a competent calculation or control engineer. The training must have given the trainee the opportunity to carry out and report design examination assignments himself under experienced technical guidance and supervision.

The corresponding provision is contained in Chapter 3, Section 2c of the Lift Regulations.

Chapter 3 Conduct of inspection

General

§ 1 This chapter specifies the tasks that inspection bodies shall perform in the inspection of motorised devices in accordance with the inspection requirements laid down in the Swedish National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motorised devices.

New provision

The owner or person who is otherwise responsible for a motorised device shall, in accordance with Chapter 5, § 8 of the PBF, ensure that it is checked when there are requirements for such. The control consists of initial inspection, periodic inspection and audit inspection.

The Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices apply to motorised devices as referred to in Chapter 1, Section 5 of the PBF with the clarifications set out in the legislative proposal.

It is specified in the second paragraph of § 2 of Chapter 1 that the space and equipment required for the device to be able to be operated, continuously checked, serviced, maintained and checked is also considered to belong to the motorised device.

Motorised devices that are exempt from the application of the statute are set out in Chapter 1, § 5, second paragraph of the PBF. The provision states that motorised devices that are intended to be used only professionally by specially instructed staff are excluded from the scope of the statute. For those reasons, the statute does not usually apply to motorised gates and similar devices which form part of a machinery installation or which provide protection against access to the such. Construction site hoists, crane hoists and mining hoists are also normally excluded from the scope as they are typically used only on a professional basis by specially instructed staff. Such motorised devices that are not subject to the statute are also not subject to any inspection pursuant to § 1 of this statute.

As a result of how different types of motorised devices are defined in Chapter 1, Section 7 of the Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices, for certain devices only the overall requirements in Chapter 1 apply to the project design, execution and installation, modification of motorised devices and operation, continuous supervision, care and maintenance. Requirements for control apply only to those motorised devices which are specifically regulated in accordance with Chapters 2-7. The fact that such motorised devices may also be wholly or partly exempt from control is further set out in Chapter 1, Section 20, Chapter 4, Section 10, Chapter 6, Sections 4-8 and Chapter 7, Sections 3.

First inspection

§ 2 During the first inspection, the inspection body shall check whether the motorised device meets the requirements for protection set out in the regulations on inspection issued pursuant to Chapter 16, Section 11 of the Swedish Planning and Building Act (2010:900).

The first inspection shall include both design and installation inspections, unless the motorised device is covered by an exemption under Chapter 1, Section 20 of the National Board of Housing, Building and Planning's Regulations (20xx: xx) on requirements for the use of motorised devices.

A corresponding provision can be found in Chapter 3 Section 6, second and third paragraphs of the Lift Regulations.

The scope of the inspection is expressed in the provision in such a way that the inspection body must check whether the device meets the requirements for protection laid down in the regulations on the inspection of motorised devices issued pursuant to Chapter 16, Section 11 of the PBL. It follows from that provision that the government or the authority designated by the government may issue further regulations on monitoring compliance with the Lift Regulations issued pursuant to Chapter 16, Sections 2, 5 or 6 of the PBL.

The reason why the scope of the inspection is not defined, but instead is determined with reference to Chapter 16, § 11 of the PBL is that the statute shall not need to undergo amendments if new regulations on inspection are issued by virtue of Chapter 16, § 11 of the PBL. For the same reasons, the requirements for protection covered by the control are also not defined.

The regulations that may be subject to control are set out in Chapter 16, Section 11, of the PBL, by reference to such regulations issued pursuant to Chapter 16, Sections 2, 5 and 6 of the PBL.

It follows from Chapter 16, Section 2, third paragraph of the PBL that the Government or the authority designated by the government may, inter alia, issue regulations on what is required for a construction work to be considered

to meet the requirements of Chapter 8, Section 4 of the PBL. By virtue of this authorisation, the government has, inter alia, issued regulations on the essential technical specification requirements imposed on construction works. The relevant provisions are set out in Chapter 3, Sections 7-10 and 13-22 of the PBF. The Swedish National Board of Housing, Building and Planning has also issued regulations specifying in more detail the technical characteristics requirements that are generally imposed on construction works. As far as motorised devices are concerned, the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices also contain provisions specifying the safety requirements for use laid down in Chapter 3, Section 10 of the PBL.

It follows from Chapter 16, Section 5 of the PBL that the government or the authority designated by the government may issue regulations on requirements for construction works covered by Chapter 8 of the PBL which, in addition to the provisions of Chapter 8 are necessary for the protection of life, personal safety or health. On the basis of this authorisation, the government has, inter alia, laid down special safety requirements for buildings already constructed (Chapter 3, Sections 11-12 of the PBF) and regulated the use of motorised devices in construction works (Chapter 5, Sections 12-17 of the PBF).

Pursuant to Chapter 16, Section 11, first paragraph, of the PBL, the government has issued provisions on the control of lifts and other motorised devices in Chapter 5, Sections 8-11 of the PBF. In accordance with Chapter 5, Section 8, second paragraph, of the PBF, an inspection shall check whether the device meets the requirements for safety and health protection referred to in Chapter 8, Section 4, of the Swedish Planning and Building Act (2010:900) and the related regulations.

In addition, inspections of such cableway installations covered by Regulation (EU) 2016/424 of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive 2000/9/EC, it follows from Chapter 5, Section 8, second paragraph of the PBF that checks must also cover whether the installation meets the requirements of that Regulation.

An initial inspection can be divided into design and installation inspections. The provision is supplemented with the reference to exemptions for parts of the control. The fact that certain motorised devices are wholly or partially exempted from inspection requirements is set out in the Swedish National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.

Requirements on the scope of design and installation inspections are set out in Sections 3 and 4.

Design inspection

§ 3 Design inspection shall include the following:

1. inspecting the suitability of the device for its intended purpose and its location in the building or on the property, taking into account safety and health considerations;
2. examination of drawings, wiring diagrams, details of loads, materials and surface treatment;
3. verification that the ability to safely carry out maintenance and on-going inspections has been taken into account;
4. verification of calculations, safety analyses and reports, to the extent necessary to assess the strength, stability and safety in general;
5. inspecting instructions for use, operation, rescue, ongoing supervision and maintenance,

A corresponding provision can be found in Chapter 3 Section 7 of the Lift Regulations.

The provision sets out requirements on the scope of design inspection during an initial inspection.

Installation inspection

§ 4 Installation inspections shall include inspections of:

1. that the correct device has been installed for the purpose, with the load and speed for which it is intended, and that it has been correctly placed in the building or on the property, taking into account safety and health considerations;
2. that the device is installed in accordance with the associated documentation;
3. attachments of the device to load-bearing parts of the building;
4. the spaces and equipment belonging to the device;
5. that building parts, installations or other objects do not affect the device in such a way that it may adversely affect the safety of the device;
6. the operation of the safety and protective devices;
7. the function of the device in general; and
8. the availability of instructions for use, operation, rescue, ongoing supervision and maintenance.

The verification of load-dependent safety and security devices referred to in point 6 of the first paragraph shall be carried out both with and without the necessary load. All values measured during tests that are of importance for future inspections shall be recorded in the register in accordance with Chapter 1, Section 26 of the National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motor-powered devices.

When inspecting the load bearing equipment referred to in point 7 of the first paragraph, the inspection shall be carried out with the necessary load.

A corresponding provision can be found in Chapter 3 Section 8 of the Lift Regulations.

The provision sets out requirements on the scope of design inspection during an initial inspection. General advice with information on safety and protective devices that should be checked for lifts, as well as examples of values that are important for future checks of cableways and drag lifts in the Lift Regulations, are not transferred to the legislative proposal.

Examples of values of significance for future checks of cableways and drag lifts may be the braking distance and the braking time when the device is loaded, the braking distance and the braking time of the unloaded device, spring stress or clamping force on brakes, traction at which cable clamps slip on the line, and data and characteristics of haulage and carrying cables. The necessary load can normally correspond to the device rating.

Opinion of the inspection body

§ 5 If the inspection reveals that the motorised device has defects, the inspection body shall, based on its inspection, consider whether the defects present an immediate risk to health and safety in accordance with Section 6.

A corresponding provision can be found in Chapter 3 Section 9 of the Lift Regulations.

The inspection body shall assess the seriousness of any deficiencies that persist after the inspection has been completed and shall record this in the inspection report in accordance with Chapter 1, Section 4.

Defects of immediate importance for safety and health

§ 6 Defects that remain after completed inspection in accordance with Section 3 or Section 4, points 1, 2, 3, 5 or 6 individually pose an immediate risk to health and safety.

Defects remaining after completion of controls under Section 4(4), (7) or (8) may also be assessed by the control body as interacting and therefore posing an immediate risk to safety and health.

Corresponding provisions can be found in Chapter 3 Section 10 of the Lift Regulations.

The provision states that deficiencies that persist after the design inspection and deficiencies from certain inspections following installation inspection shall be considered to be so serious that the device may not be used in accordance with Chapter 5, Section 14 of the PBF. In addition, certain remaining deficiencies may be considered to be so serious as to prevent the use of the device.

Under Chapter 5, Section 11, second paragraph, of the PBF, if the device has deficiencies which are of immediate importance in the light of the requirements relating to the protection of safety and health, the person who carried out the inspection shall immediately inform the person responsible for the device and send a copy of the report to the local building committee. That a motorised device may only be used if it meets the requirements for safety and health protection is set out in Chapter 5, § 12 of the PBF.

Defects that are not of immediate importance to health and safety

§ 7 Defects other than those referred to in Section 6 shall not be considered to be of immediate importance for safety and health.

A corresponding provision can be found in Chapter 3 Section 11, first sentence of the Lift Regulations.

The provision states that shortcomings from certain inspections following installation inspection shall not be considered to be so serious that the device cannot be approved. The fact that the deficiencies have been rectified shall be checked at the next inspection in accordance with Section 9 (9). If deficiencies persist, they are considered, in accordance with Section 12, individually to pose an immediate risk to health and safety.

Periodic inspection

§ 8 When carrying out periodic inspections, the inspection body shall check whether the motorised device meets the requirements for protection applicable to the device laid down in the Regulations on inspection (of motorised devices) issued pursuant to Chapter 16, Section 11 of the Planning and Building Act (2010:900).

A corresponding provision can be found in Chapter 3 Section 19 of the Lift Regulations.

The requirements that apply to the device during periodic inspection depend on when the device was installed or modified. It is expressed in the provision in such a way that the inspection body shall check “the requirements applicable to the device”.

A building shall, as a starting point, comply with the rules that were in force when the building was erected or when changes were made. For example, according to the PBL, the technical property requirements imposed on construction works under Chapter 8, Section 4 of the PBL in accordance with Chapter 8, Section 5, of the PBL must be met in the construction of a new building and when modifying a building.

However, although the requirements of Chapter 8, Section 4 of the PBL do not have to be met, there are provisions in the PBL which impose additional requirements on existing buildings and devices.

Lifts in buildings and cableway installations designed to carry persons shall, in accordance with Chapter 8, Section 24 of the PBL, always have the design and equipment that can reasonably be required in order to meet the technical performance requirements referred to in Chapter 8, Section 4 of the PBL. According to Chapter 3, §§ 11–12 of the PBF, retroactive requirements are also prescribed for certain motorised devices. The requirements to be checked at the time of the inspection are set out in regulations issued pursuant to Chapter 16,

Section 11 of the PBL. In this regard, reference is made to what is stated in the explanatory note on Chapter 3, § 2.

The owner, or the person otherwise responsible for the device, is responsible for ensuring that periodic inspections are carried out in time when required. Provisions on requirements for periodic inspections and inspection intervals are set out in the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices.

Requirements on the scope of periodic inspections are set out in Sections 9 and 10.

§ 9 Periodic inspections shall include the following:

1. Performance test of the safety and protective devices.
2. Performance test of the device in general.
3. inspection of driving and load-bearing parts of the device, suspension of load-bearing baskets, chairs or the like, all with regard to changes that can reduce the safety of the device; ropes for cableway installations are subject to magnetic induction examination in accordance with Chapter 4, Section 9, of the National Board of Housing, Building and Planning's Regulations (20xx: xx) on requirements for the use of motorised devices;
4. inspection of the operating condition of the components that are not active during normal operation;
5. inspection that the device has not undergone any modifications or interventions that may affect the safety of the device;
6. inspection that in the device proximity there have not been any measures taken that could adversely affect device safety or bring about a risk of accidents in general;
7. inspection that instructions and signs regarding use, operation, rescue, continuing oversight, upkeep, and maintenance are accessible;
8. inspection of the records referred to in Chapter 1, Section 26 of the Swedish National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motorised devices means that the device is continuously monitored, operated and maintained.
9. inspection that the shortcomings identified in the previous inspection, but not considered to be of immediate significance to health and safety, have been rectified. If the most recent inspection concerns an audit inspection, the minutes of the most recent initial or periodic inspection shall also be inspected.

Corresponding provisions can be found in Chapter 3 Section 20 of the Lift Regulations. Point 9 of the provision is reworded to make it clear that the protocol from the last inspection shall be checked, and supplemented with an indication that other previous protocols shall also be checked if the last one relates to audit inspection.

The provision specifies what is to be checked during the periodic inspection. In a periodic inspection, the inspection body shall check if shortcomings identified in the previous inspection, but not considered to be of immediate significance to health and safety, have been rectified. This is not checked during the audit inspection. The protocol from the most recent initial or periodic inspection of a device must then also be checked.

General advice with information on reference values or set values and the necessary loads in the Lift Regulations are not transferred to the legislative proposal. The same applies to other specific tasks and examples of what the inspection should cover for different types of devices and Annexes 2–4 containing general advice on the execution and assessment of inspections. Normally, information on how inspections of safety and protective devices are to be carried out shall be found in the device's instructions. Guidance can be obtained from relevant standards.

Examples of changes that could reduce the safety of a device include wear, fractures, shape abnormalities or other deformations, corrosion, and the stretching of cables and chains.

§ 10 The more comprehensive periodic inspection of cableways and funicular railways pursuant to Chapter 4, Section 8 of the Swedish National Board of Housing, Building and Planning's regulations (20xx:xx) on requirements for the use of motorised devices shall, in addition to a periodic inspection pursuant to Section 9, also cover the following:

1. inspection that the instructions and equipment for operation, management, maintenance and own monitoring provide a satisfactory level of safety as long as the instructions are complied with;
2. inspection that operation instructions and equipment provide conditions for the safe evacuation of passengers;
3. inspection that instructions and equipment are available which provide conditions for both preventive fire protection and protection in the event of fire;
4. inspection that machinery and service spaces contain only devices and materials for cableway installation in accordance with Chapter 4, Section 1 of the National Board of Housing, Building and Planning's Regulations (20xx:xx) on requirements for the use of motorised devices.
5. performance testing of load-dependent safety and protective devices with the necessary load in cases where such testing in periodic inspections under Section 9 is done against the reference values;
6. performance testing of emergency machinery with the necessary load;
7. inspection of the strength of the poles and their foundations with regard to the influence of operation, corrosion and weather.

Corresponding provisions can be found in Chapter 3 Section 20a of the Lift Regulations.

The provision specifies what is to be checked during the more extensive periodic inspection that is to be carried out every five years. The more comprehensive periodic inspection involves some additional inspection points in addition to those covered by the periodic inspection. It is appropriate that the person carrying out the more extensive inspection should have specialised knowledge of the controls to be carried out. Depending on the results of the control, in-depth examinations may need to be carried out with, for example, sampling. The five-year interval is calculated from the year the installation was put into service or from the year of the most recent major periodic inspection.

General advice with specific information and examples of what the control should cover in the Lift Regulations is not transferred to the legislative proposal. Guidance can be obtained from relevant standards.

Opinion of the inspection body

§ 11 If the inspection reveals that the device has defects, the inspection body shall, based on its inspection, consider whether the defects present an immediate risk to health and safety in accordance with Sections 12 or 13.

Corresponding provisions can be found in Chapter 3 Section 21 of the Lift Regulations.

The inspection body shall assess the seriousness of any deficiencies that persist after the inspection has been completed and shall record this in the inspection report in accordance with Chapter 1, Section 4.

Defects during the use phase with immediate impact on safety and health

§ 12 Defects remaining after completion of the inspection each pose an immediate risk to safety and health if the defects relate to what is to be checked pursuant to Section 9, points 1, 3, 4 or 5.

Defects under Section 9(2), (6), (7) or (8) may also be assessed by the inspection body as interacting and therefore posing an immediate risk to safety and health.

If defects in accordance with Section 9(2), (6), (7) or (8) remain from the previous inspection, these individually constitute an immediate risk to health and safety.

Corresponding provisions can be found in Chapter 3 Section 22 of the Lift Regulations.

The provision states that certain deficiencies that persist after the inspection has been completed are to be considered so serious that the device may not be used in accordance with Chapter 5, Section 14 of the PBF. In addition, certain remaining deficiencies may be considered to be so serious as to prevent the use of the device. If deficiencies which, at the time of the previous inspection, were not considered to be of immediate significance for safety and health remain, they shall be considered to be of such gravity that the device must not be used.

Under Chapter 5, Section 11, second paragraph, of the PBF, if the device has deficiencies which are of immediate importance in the light of the requirements relating to the protection of safety and health, the person who carried out the inspection shall immediately inform the person responsible for the device and send a copy of the report to the local building committee. That a motorised device may only be used if it meets the requirements for safety and health protection is set out in Chapter 5, § 12 of the PBF.

§ 13 If the person who owns or is otherwise responsible for the device is unable to present the minutes of the last inspection to the inspection body, any defects remaining after completion of the inspection shall be considered to constitute an immediate risk to safety and health.

Corresponding provisions can be found in Chapter 3 Section 23, second paragraph of the Lift Regulations.

In accordance with Chapter 1, Section 16, of the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices, the owner or the person who is otherwise responsible for the device is required to be able to produce a protocol of the last inspection. The provision states that if protocols cannot be presented, all shortcomings that remain after the inspection shall be considered to be so serious that the inspection cannot be approved.

Under Chapter 5, Section 11, second paragraph, of the PBF, if the device has deficiencies which are of immediate importance in the light of the requirements relating to the protection of safety and health, the person who carried out the inspection shall immediately inform the person responsible for the device and send a copy of the report to the local building committee. That a motorised device may only be used if it meets the requirements for safety and health protection and that it such shall be demonstrable with a protocol is set out in Chapter 5, §§ 12 and 14 of the PBF.

Defects during the use phase that do not have an immediate impact on safety and health

§ 14 Defects other than those referred to in Sections 12 and 13 shall not be considered to be of immediate importance for safety and health.

A corresponding provision can be found in Chapter 3 Section 24, first sentence of the Swedish National Board of Housing, Building and Planning's Lift Regulations.

The provision states that shortcomings that remain after certain checks shall not be considered to be so serious that the device cannot be approved. In accordance with Chapter 1, Section 17, of the National Board of Housing, Building and Planning's draft regulations on requirements for the use of motorised devices, the owner or the person who is otherwise responsible for the device is obliged to rectify remaining defects within one month. The fact that the deficiencies have been rectified shall be checked at the next inspection in accordance with Section 9 (9). If deficiencies persist after the next inspection, they are considered, in accordance with Section 13, individually to pose an immediate risk to health and safety.

Audit inspection

§ 15 At the time of the audit inspection, the inspection body shall check whether the motorised device, following the change, meets the requirements for protection relating to the device as laid down in the Regulations on inspections issued on the basis of Chapter 16, Section 11 of the Swedish Planning and Building Act (2010:900).

The audit inspection shall include design and installation checks in accordance with Sections 3 and 4 to the extent necessary and be adapted to the scope and significance of the change for the requirements for protection.

A corresponding provision can be found in Chapter 3 Section 26 of the Swedish National Board of Housing, Building and Planning's Lift Regulations.

The modifications that can trigger an audit inspection are set out in Chapter 1, Section 18 of the Swedish National Board of Housing, Building and Planning's regulations on requirements for the use of motorised devices. It is the person responsible for the motorised device who is responsible for having an audit inspection done.

The requirements that apply to the device during the audit inspection depend on when the device was installed and the modifications that have subsequently been carried out. As regards the parts covered by the modification that triggered the audit inspection, the same requirements generally apply as for new installations. In the event of a modification of a motorised device or replacement of a certain part of the device, the modified or replaced part shall, in accordance with Chapter 1, Section 24 of the Swedish National Board of Housing, Building and Planning's regulations on requirements for the use of motorised devices, comply with the applicable requirements. The fact that minor derogations from the regulations may be made in individual cases under certain conditions follows from Chapter 1, Section 3 of the National Board of Housing, Building and Planning's regulations on requirements for the use of motorised devices.

As regards those parts of the device which are not covered by the modifications which led to the audit inspection, the requirements in force at the time of installation of the device and, where applicable, those applicable at the time of previous modifications shall be taken as a starting point. However, it follows from Chapter 8, Section 24 of the PBL that lifts in buildings and cableway installations for the transport of persons must always have the design and equipment that can reasonably be required to meet the technical characteristics requirements referred to in Chapter 8, Section 4 of the PBL. According to Chapter 3, §§ 11–12 of the PBF, retroactive improvement requirements are also prescribed for certain motorised devices. The requirements to be checked at the time of the inspection are set out in regulations issued pursuant to Chapter 16, Section 11 of the PBL. In this regard, reference is made to what is stated in the explanatory note on Chapter 3, § 2.

Opinion of the inspection body

§ 16 If the inspection shows that a device has defects, the inspection body shall, on the basis of its inspection, consider whether the defects constitute an immediate risk to safety and health. Defects shall be assessed in accordance with Sections 6 and 7.

The corresponding provision is contained in Chapter 3, Section 27, second paragraph, of the National Board of Housing, Building and Planning's Lift Regulations.

The inspection body shall assess the seriousness of any deficiencies that persist after the inspection has been completed and shall record this in the inspection report.



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