II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 17 September 1990

amending Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts

(90/486/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission (1),

In cooperation with the European Parliament (2),

Having regard to the opinion of the European and Social Committee (3),

Whereas Council Directive 84/529/EEC (4), as amended by Commission Directive 86/312/EEC (5), may be applied, *mutatis mutandis,* to hydraulically or electro-hydraulically operated lifts;

Whereas the standard EN 81-1 on which Directive 84/529/EEC is based has been supplemented since that Directive was published by a second part, EN 81-2, which relates to hydraulic and oil lifts;

Whereas the scope of Directive 84/529/EEC should be extended as a matter of urgency since manufacturers face significant technical barriers to intra-Community trade which threaten to distort the market;

Whereas measures must be adopted aimed at progressively establishing the internal market over a period expiring on 31 December 1992,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 84/529/EEC is hereby amended as follows:

1. the title of the Directive is replaced by:

   'Council Directive 84/529/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electrically, hydraulically or oil-electrically operated lifts';

2. the first recital is replaced by the following:

   'Whereas in the Member States the construction and inspection of electrically, hydraulically or oil-electrically operated lifts are subject to mandatory provisions which differ from one Member State to another and consequently hinder trade in such lifts; whereas it is therefore necessary to approximate these provisions;'

3. Article 1 (1) is replaced by the following:

   '1. This Directive shall apply to permanently installed hoisting appliances electrically, hydraulically or oil-electrically driven serving specific levels, having a car designed for the transport of persons or of persons and goods, suspended by ropes or chains or supported by one or more ramps and moving at least partially between guides which are vertical or inclined at an angle of less than 15° to the vertical, hereinafter referred to as "lifts".'

(1) OJ No C 17, 24. 1. 1990, p. 9.
(2) OJ No C 149, 18. 6. 1990, p. 144 and Decision of 12 September 1990 (not yet published in the Official Journal).
(3) OJ No C 168, 10. 7. 1990, p. 3.
(4) OJ No L 300, 19. 11. 1984, p. 86.
(5) OJ No L 196, 18. 7. 1986, p. 56.