



December 2009

*The following document was approved at the meeting of the Machinery Working Group held on 27 June 2007. It has been updated to include appropriate references to Directive 2006/42/EC and Directive 2009/104/EC.*

**Interchangeable equipment for lifting persons  
and equipment used with machinery designed for lifting goods  
for the purpose of lifting persons**

This document distinguishes two categories of equipment:

- 1) interchangeable equipment assembled with lifting machinery for the purpose of lifting persons;
- 2) equipment used the purpose of lifting persons with machinery designed for lifting goods.

**1) Interchangeable equipment assembled with lifting machinery for the purpose of lifting persons**

Equipment assembled with lifting machinery in order to modify its function for the purpose of lifting persons is interchangeable equipment according to Article 2 (b) of the Machinery Directive:

*'interchangeable equipment' means a device which, after the putting into service of machinery or of a tractor, is assembled with that machinery or tractor by the operator himself in order to change its function, in so far as this equipment is not a tool.*

'...is assembled with...' means that the equipment is fitted to the lifting machinery by the user so that the assembly functions as an integral whole.

The resulting assembly of the interchangeable equipment and the lifting machinery must comply with all the relevant essential health and safety requirements of Annex I of the Machinery Directive, including those of part 6 of Annex I. The interchangeable equipment must bear the CE-marking and be accompanied by an EC Declaration of conformity according to Annex II 1 A to Directive 2006/42/EC, specifying the type or types of lifting machinery with which the equipment is intended to be assembled.

Such interchangeable equipment is subject to one of the conformity assessment procedures applicable to a device for the lifting of persons according to Annex IV, item 17. The conformity assessment must ensure, by means of the necessary examination, inspection and tests, that the assembly of the interchangeable equipment and the type or types of lifting machinery with which it is intended to be assembled complies with all the relevant essential health and safety requirements of Annex I.

The requisite information relating to the conformity assessment of the assembly of the interchangeable equipment and the lifting machinery shall be mentioned in the EC Declaration of conformity for the interchangeable equipment (where appropriate, the number of the EC type-examination certificate, the name and address of the Notified

Body, where appropriate, the reference of the harmonised standard applied). The instructions for the interchangeable equipment must specify the type or types of lifting machinery with which the equipment is intended to be assembled and include the necessary assembly instructions.

The use of interchangeable equipment assembled with lifting machinery for the purpose of lifting persons is not concerned by the provisions of the second and third paragraphs of section 3.1.2 of Annex II of Directive 2009/104/EC,<sup>1</sup> since the assembly of the interchangeable equipment and the lifting machinery constitutes work equipment designed for the purpose of lifting persons.

***Examples of interchangeable equipment assembled with lifting machinery***



*Work platforms assembled with loader cranes*

*Work platform assembled with a variable reach lift truck*



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<sup>1</sup> Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) – OJ L260 of 3.10.2009, p.5.

Directive 2009/104/EC is a codified version of Directive 89/655/EEC and the amending Directives 95/63/EEC, 2001/45/EC and 2007/30/EC.

## 2) **Equipment not assembled with the lifting machinery**

Equipment (such as platforms, cages, baskets etc.) used to lift persons with machinery designed for lifting goods that is not assembled with the lifting machinery but simply lifted by the machinery (e.g. suspended from the hook of a crane or placed on the forks of a lift truck) is not interchangeable equipment. (Equipment placed on the forks of a lift truck or the hook of a crane is not considered interchangeable equipment even if it is provided with means to prevent it slipping or falling from the forks or the hook).

Such equipment is not used to attach the load to the machinery: therefore it is not a lifting accessory<sup>2</sup> (although such equipment may be attached to the machinery by means of a lifting accessory such as a sling). Such equipment is to be considered as a part of the load. It is thus not in the scope of the Machinery Directive and shall not bear the CE-marking in relation to that Directive.<sup>3</sup>

The use of machinery for a function for which it was not designed is, as a general rule, forbidden by the legislation on the use of work equipment. However, lifting persons with machinery designed for lifting goods is permitted exceptionally by section 3.1.2 of Annex II of Directive 2009/104/EC, subject to national legislation and/or practice.<sup>4</sup>

The national legislation and/or practice, referred to in the second paragraph of section 3.1.2, may set out the conditions under which such exceptional use is permitted, the measures that must be taken to ensure the safe use of the equipment and the necessary technical requirements for the equipment concerned.

Such obligations apply to the user, but they also have implications for persons placing the equipment used for this purpose on the market in the Member State concerned, since they must take account of the relevant national legislation.

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<sup>2</sup> Article 2 (d) of Directive 2006/42/EC defines 'lifting accessory' as: "a component or equipment not attached to the lifting machinery, allowing the load to be held, which is placed between the machinery and the load or on the load itself, or which is intended to constitute an integral part of the load and which is independently placed on the market;"

<sup>3</sup> See Recital 7 to Directive 2006/42/EC: *This Directive does not apply to the lifting of persons by means of machines not designed for the lifting of persons. However, this does not affect the right of Member States to take national measures, in accordance with the Treaty, with respect to such machines, with a view to implementing Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).*

Directive 89/655/EEC has been replaced by Directive 2009/104/EC – see footnote 1.

<sup>4</sup> "3.1.2. *Persons may be lifted only by means of work equipment and accessories provided for this purpose.*

*Without prejudice to Article 5 of Directive 89/391/EEC, exceptionally, work equipment which is not specifically designed for the purpose of lifting persons may be used to this effect, provided appropriate action has been taken to ensure safety in accordance with national legislation and/or practice laying down appropriate supervision.*

*While workers are on work equipment designed for lifting loads the control position must be manned at all times. Persons being lifted must have reliable means of communication. In the event of danger, there must be reliable means of evacuating them."*

*Examples of equipment not assembled with the lifting machinery*



*Work platform lifted by a crane using a sling (lifting accessory)*

*Work platform lifted on the forks of an industrial truck*

