

**SUBSIDIARY LEGISLATION 424.05****WORK PLACES (HOISTS AND LIFTS)  
REGULATIONS**

12th December, 1964

*LEGAL NOTICE 47 of 1964, as amended by Act XLIV of 1965; Legal Notices 48 of 1967 and 50 of 1982; and Act XXVII of 2000.*

1. The title of these regulations is the Work Places (Hoists and Lifts) Regulations.

Citation.  
*Amended by:*  
*XXVII. 2000.39.*

2. In these regulations, unless the context otherwise requires -  
"Director" means the Director of Labour;

Interpretation.  
*Amended by:*  
*XLIV. 1965.4.*

"hoist" includes any type of lifting machine or appliance:

Provided that no lifting machine or appliance shall be deemed to be a hoist or lift unless it has a platform or cage the direction of movement of which is restricted by a guide or guides;

"Minister" means the Minister responsible for labour.

3. (1) Every hoist or lift shall be of good mechanical construction, sound material and adequate strength, and be properly maintained.

Construction and periodical examination of hoists and lifts.  
*Amended by:*  
*L.N. 48 of 1967;*  
*L.N. 50 of 1982.*

(2) Every hoist or lift shall be thoroughly examined by a competent person once in every period of six months:\*

Provided that no person shall be deemed to be a competent person for the purposes of this subregulation unless he holds a degree in Mechanical or Electrical Engineering of the University of Malta or other qualifications in the field of Electrical or Mechanical Engineer which, in the opinion of the Director, are equivalent to that qualification.

(3) Every owner or occupier of any premises or open space to which these regulations apply shall cause the lift or hoist therein installed to be examined by a competent person as provided in subregulation (2) and shall send to the Director a report of such examination, drawn up by such competent person in the form laid down in the Schedule so as to reach the Director not later than twenty-eight days from the date on which the examination falls due.

(4) Every owner or occupier as aforesaid shall ensure that any repairs, renewals or alterations of parts of the hoists and lifts as are declared by the competent person to be required for the safe use of the hoist or lift, shall be effected without delay and not later than the time notified in writing to such owner or occupier by the Director.

\**Vide* Inspection of Lifts Regulations - S.L. 427.63

Hoistway or liftway to be protected.

**4.** Every hoistway or liftway shall be efficiently protected by a substantial enclosure fitted with gates, being such an enclosure as to prevent, when the gates are shut, any person falling down the way or coming into contact with any moving part of the hoist or lift.

Interlocking of gates.

**5.** Any such gate as is mentioned in regulation 4 shall be fitted with efficient interlocking or other devices to secure that the gate cannot be opened except when the cage or platform is at the landing and that the cage or platform cannot be moved away from the landing until the gate is closed:

Provided that, in the case of a hoist or lift constructed or reconstructed before the date of commencement of these regulations which it is not reasonably practicable to fit with such devices as aforesaid, it shall be sufficient if the gate is provided with such arrangements as will secure the aforesaid objects so far as is reasonably practicable, and in any event is kept closed and fastened except when the cage or platform is at rest at the landing.

Precautions in construction.

**6.** Every hoist or lift and every such enclosure as aforesaid shall be so constructed as to prevent any part of any person or any goods carried in the hoist or lift being trapped between any part of the hoist or lift and any fixed structure or between the counterbalance weight and any other moving part of the hoist or lift.

Maximum working load.

**7.** There shall be marked conspicuously on every hoist or lift the maximum working load which it can safely carry and no load greater than that load shall be carried on any hoist or lift.

Additional requirements when hoists and lifts are used for carrying persons.

**8.** The following additional requirements shall apply to hoists and lifts used for carrying persons, whether together with goods or otherwise:

- (a) efficient automatic devices shall be provided and maintained to prevent the cage or platform overrunning;
- (b) every cage shall, on each side from which access is afforded to a landing, be fitted with a gate, and in connection with every such gate efficient devices shall be provided to secure that, when persons or goods are in the cage, the cage cannot be raised or lowered unless the gate is closed, and will come to rest when the gate is opened:

Provided that in the case of a hoist or lift constructed or reconstructed before the date of commencement of these regulations in connection with which it is not reasonably practicable to provide such devices as aforesaid, it shall be sufficient if such arrangements are provided as will secure the aforesaid objects so far as is reasonably practicable, and in any event the gate is kept closed and fastened except when the cage is at rest or empty;

- (c) in the case of a hoist or lift constructed or reconstructed after the date of commencement of these

regulations where the platform or cage is suspended by rope or chain, there shall be at least two ropes or chains separately connected with the platform or cage, each rope or chain and its attachments being capable of carrying the whole weight of the platform or cage and its maximum working load, and efficient devices shall be provided and maintained which will support the platform or cage with its maximum working load in the event of a breakage of the ropes or chains or any of their attachments.

**9.** In the case of a continuous hoist or lift, regulations 4 to 8 inclusive shall not apply and, in the case of a hoist or lift not connected with mechanical power, regulations 5 and 8 shall not apply and, in both the aforesaid cases, in regulation 3, for the reference to six months, there shall be substituted a reference to twelve months.

Continuous hoist or lift.

**10.** Every teagle opening or similar doorway used for hoisting or lowering goods or materials, whether by mechanical power or otherwise, shall be securely fenced, and shall be provided with a secure hand-hold on each side of the opening or doorway. The fencing shall be properly maintained and shall, except when the hoisting or lowering of goods or materials is being carried on at the opening or doorway, be kept in position.

Secure fencing of teagle opening, etc.

**11.** If it is shown to the satisfaction of the Minister that it would be unreasonable in the special circumstances of the case to enforce any requirement of these regulations in respect of any class or description of hoist, lift, hoistway, liftway, or teagle opening or similar doorway, he may, by order published in the Gazette, direct that such requirements shall not apply as respects that class or description.

Exclusions.

Amended by:  
XXVII. 2000.39.

## SCHEDULE

(Regulation 3)

## HEALTH AND SAFETY AUTHORITY ACT

Work Places (Hoists and Lifts) Regulations

FORM PRESCRIBED FOR THE REPORT OF EXAMINATION  
OF HOIST OR LIFT

Occupier (or Owner) of premises	
Address	
1. (a) Type of hoist or lift and identification number and description.	.....
(b) Date of construction or reconstruction (if ascertainable).	.....
2. DESIGN AND CONSTRUCTION	
Are all parts of the hoist or lift of good mechanical construction, sound material and adequate strength (so far as ascertainable)?	Note: Details of any renewals or alterations required should be given in 5 and 6 below.
3. MAINTENANCE	
Are the following parts of the hoist or lift properly maintained and in good working order? If not, state what defects have been found.	
(a) Enclosure of hoistway or liftway.	.....
(b) Landing gates and cage gate(s).	.....
(c) Interlocks on the landing gates and cage gate(s).	.....
(d) Other gate fastenings.	.....
(e) Cage or platform and fittings, cage guides, buffers, interior of the hoistway or liftway.	.....
(f) Over-running devices.	.....
(g) Suspension ropes or chains, and their attachments.	.....
(h) Safety gear, i.e. arrangements for preventing fall of platform or cage.	.....
(i) Brakes.	.....
(j) Worm or spur gearing.	.....
(k) Other electrical equipment.	.....
(l) Other parts.	.....
4. What parts (if any) were inaccessible.	.....

ONE COPY TO BE KEPT AVAILABLE FOR INSPECTION.

- 
- 5. Repairs, renewals or alterations required to enable the hoist or lift to continue to be used with safety -
    - (a) immediately
    - (b) within a specified time, the said time to be stated  
(Continue entry below if necessary).  
If no such repairs, renewals or alterations are required enter "NONE".
- 

- 6. Defects (other than those specified at 5 above) which require attention.  
(Continue entry below if necessary).
- 

- 7. Maximum safe working load subject to repairs, renewals or alterations (if any) specified at 5.
- 

- 8. Other observations.  
(Continue entry below if necessary).
- 

(SPACE FOR CONTINUATION OF ENTRIES)

I/We certify that on ..... I/We thoroughly examined this hoist or lift and that the foregoing is a correct report of the result.

Signature(s) .....

Qualification .....

Address(es) .....

.....

Date .....

If employed by a Company or Association give name and address:

.....

.....

NOTES

The Work Places (Hoists and Lifts) Regulations provide that every hoist or lift shall be thoroughly examined by a competent person -

- (a) in the case of a continuous hoist or lift or a hoist or lift not connected with mechanical power - at least once in every period of twelve months;
- (b) in the case of other hoists or lifts - at least once in every period of six months.

A report of the result of every such examination is required in this prescribed form.

A copy of the report must be sent to the Director of Labour within twenty-eight days of the completion of the examination.