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| C:\Users\pasin\Desktop\logotypo\Logo_Anaptyxis_Ependyseon.pngHELLENIC REPUBLIC**MINISTRY OF DEVELOPMENT AND INVESTMENTS**GENERAL SECRETARIAT FOR INDUSTRYDIRECTORATE-GENERAL FOR INDUSTRY AND THE BUSINESS ENVIRONMENTDIRECTORATE OF QUALITY POLICYDEPARTMENT OF QUALITY POLICIES, BUSINESS EXCELLENCE AND METROLOGICAL POLICY | Athens, **20/05/2020**Ref. No.: **50116 - 20/05/2020** |
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**DECISION**

**SUBJECT:** Regulation on the safety and inspection of amusement equipment and devices

**THE MINISTER**

FOR DEVELOPMENT AND INVESTMENTS

Α. Having regard to:

1. Law 4622/2019 (133/Α) on ‘State headquarters: organisation, operation and transparency of the government, government organs and central public administration;.
2. Law 4605/2019 (52/A) and, specifically, Article 47 thereof, which states: ‘1. The Directorate-General for the Implementation of Regulations, Infrastructure and Control within the General Secretariat for Industry of the Ministry of Economy and Development, established by Article 2 of Presidential Decree 147/2017 (192/A), is hereby renamed the Directorate-General for Industry and the Business Environment’.
3. The provisions of Articles 22 – 33 of Law 4072/2012 (86/A) on ‘improving the business environment – new company form – trademarks – estate agents – regulation of shipping, ports and fisheries and other provisions’ that relate to surveillance of the industrial products market and the quality of services’.
4. The provisions of Articles 127 – 154 of Law 4512/2018 (5/A), ‘Arrangements for the implementation of structural reforms of the economic adjustment programme and other provisions’, Section D, ‘Establishment of a framework for the surveillance of economic activities and the products market and other provisions’.
5. The provisions of Article 22 of Law 1682/1987 (Greek Government Gazette 14/A), ‘Development policy resources and instruments…. and other provisions’.
6. Presidential Decree 147/2017 (192/A) on the ‘Organisation of the Ministry of Finance and Development’.
7. Presidential Decree 81/2019 (119/A), on the ‘Creation, merging, renaming and abolition of ministries and definition of their responsibilities – transfer of services and responsibilities between ministries’.
8. Presidential Decree 83/2019 (121/A) on the 'appointment of a Deputy Prime Minister, Ministers, Deputy Ministers and State Secretaries'.
9. Joint Decision 46/18.07.2019 (3100/B) of the Prime Minister and the Minister for Development and Investments on the ‘Delegation of responsibilities to the Secretary of State for Development and Investments, Nikolaos Papathanasis’.
10. Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93, and Regulation (EU) 2019/1020 of the European Parliament and of the Council on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011.
11. Regulation (EU) No 2019/515 of the European Parliament and of the Council on the mutual recognition of goods lawfully marketed in another Member State and repealing regulation (EC) No 764/2008;
12. Presidential Decree 81/2018 (Government Gazette 151/A/2018), ‘*Incorporation into Greek law of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 (OJ L 241, 17 September 2015, p. 1) laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codified version) and other provisions*’.
13. The provisions of Joint Ministerial Decision PH.01.2/56790/DPP1828/31.5.2016 (1897/B), ‘*Regulatory framework for conformity assessment bodies operating in the fields of European Union legislative harmonisation and/or fields of purely national technical industrial legislation, which fall within the competence of the General Secretariat for Industry*’.
14. The fact that the draft decision was notified to the European Commission under notification number 2020/218/GR, in accordance with the provisions of Article 6 of Presidential Decree 81/2018 following the urgency procedure and was granted the relevant approval.
15. The fact that the provisions of this Decision do not entail any expenses for the State budget,

**WE HEREBY DECIDE**

**Article 1**

Purpose – Scope

1. The provisions of this Decision shall apply to all fixed and travelling amusement devices and equipment, as well as their supporting installations in amusement areas or other installation areas which fall within the scope of the harmonised European standard ELOT EN 13814:2019, as currently in force and intended to accommodate users/passengers and the public of all ages during their operation.

The scope of this Decision includes all electromechanical and mechanical installations that support the operation of amusement devices.

1. This Decision lays down the safety requirements and the specifications relating to the design, construction, installation, assembly, disassembly, operation, handling, maintenance and inspection of amusement devices and equipment, and the associated supporting installations, with a view to the safety of passengers, users and employees.
2. The following are excluded from this decision:
* grandstands in sports stadiums, fields and other events, other than those included in amusement devices (*paragraph 5.2.10.5 of ELOT EN 13814 – 1*).
* construction site installations,
* scaffolding,
* removable agricultural structures,
* simple coin-operated amusement devices carrying up to three children,
* water slides,
* summer toboggan runs,
* playground equipment,
* climbing walls,
* inflatables,
* trampolines,
* swimming pool equipment,
* cart racing facilities for cart vehicles.
1. The licensing of activities of financial entities making use of amusement facilities and equipment that fall under the scope of application of this decision, as well as issues pertinent to the safety and hygiene of employees thereof, shall be covered by the provisions relevant in each case.

**Article 2**

Definitions

For the purposes of this decision, the following definitions shall apply:

**Amusement device:** Device that produces the desired effect of amusement or entertainment when the patron moves through it or on it, either by his or her own action or any other system that is not covered by the term '**amusement ride**'.

**Amusement ride:** Equipment designed for the amusement of passengers while it moves, including the effect of the biomechanical impact. *Note: For the purposes of this Decision the term ‘amusement device’ is used; this also refers to amusement rides.*

**Amusement park:** defined area, open or closed, intended for public amusement, in which at least one amusement device is installed permanently or temporarily.

**Supporting installations:** all materials and technical resources needed for the full and safe operation of the area in which amusement devices are located, installed and adjusted (e.g. *construction works and materials, signs, advisory and information signals, ventilation devices, electrical switchboards, lighting, gas containers, fire extinguishers, water tanks, etc.*

**Manufacturer:** a natural person or legal entity responsible for the design and construction of an amusement device or, more generally, a product in order to place it on the market under the manufacturer’s name. Any commercial entity which either puts a product on the market under its own name or logo, or modifies a product in such a way that its compliance with the applicable requirements may be affected, must be regarded as a manufacturer and must assume the obligations of the manufacturer.

**Person responsible for operations:** the economic entity which operates all the amusement devices and supporting installations in a specific amusement area and who is responsible for their safe operation.

**Controller / ride controller:** the person responsible for the full control of an amusement device. This may be the natural person or legal entity to whom the amusement device belongs, either as concessionaire or tenant, who has been given full control of the device by the operations manager for a specific period of time.

**Operator:** trained person designated by the ‘**person responsible for operations**’ to operate the amusement device when it is intended to be used for the amusement of the public.

**Attendant:** a trained person working under the supervision of an ‘operator’ to help in the operation of an amusement device made available for use by the public.

**Competent person:** person who can demonstrate that he has acquired through training, qualifications or experience, or a combination thereof, the knowledge and skills to enable him to perform a specific job.

**Commissioning:** the operation of an amusement device for the first time by the person responsible for operations after its receipt and before the start of its commercial operations.

**Passenger / patron:** a person who makes use of an amusement device.

**Amusement device log:** file and/or electronic data file that contains all the necessary information concerning the use and the history of any amusement device.

**Temporarily installed amusement device:** amusement device designed for installation and dismantling, which is not installed for a period exceeding the period laid down by the applicable law.

**Fixed amusement device:** amusement device which is not a travelling amusement device.

**Initial Technical Inspection:** the inspection conducted by a recognised inspection body in accordance with Article 4 of this Decision.

**Periodic technical inspection:** the inspection conducted by a recognised body in accordance with Article 5 of this Decision, at regular intervals, as defined in Article 3(7) and Annex I to this Decision.

**Extraordinary technical inspection:** an inspection carried out by a recognised inspection body at the request of the person responsible for operations, the judicial authorities and the competent authorities within the framework of an investigation of an extraordinary event (*such as injury, complaint, accident, investigation by the public prosecutor’s office, etc.*).

**Thorough examination:** detailed check on the procedures and conduct of the required inspections by the control body recognised for the relevant field (for the scope of this Decision), to decide whether an amusement device may safely continue to operate or whether its deficiencies must be remedied immediately or within a specified time limit.

Reasonably foreseeable misuse: use of an amusement device in a manner that is not intended by the manufacturer, but which may arise from easily foreseeable human behaviour. *(Annex to standard ELOT EN 13814:2019, Part 1, which provides a non-exhaustive list of human behaviours. Source: EN ISO 12100: 2010)*

**Technical inspection report:** official document, issued by an approved control body, certifying the amusement device's compliance or failure to comply with the technical requirements of this Decision.

**Accreditation:** attestation, within the meaning of Regulation 765/2008/EC, by a national accreditation body that a conformity assessment body meets the requirements set by harmonised standards and, where applicable, any additional requirements including those set out in relevant sectoral schemes, to carry out a specific conformity assessment activity.

**Sectoral accreditation scheme:** conformity assessment accreditation scheme based on a specific model for a particular product, process, service, etc. and on additional requirements for the particular area and/or for particular legislation.

**National accreditation body:** body of a European Union Member State that performs accreditation with authority derived from the State which has designated it as the sole body exercising that authority. In Greece the Hellenic Accreditation System, a legal entity (E.SY.D.) operates on the basis of Law 4468/2017, as amended and currently in force.

**Assessment of compliance:** the procedure demonstrating the extent to which the specific requirements relating to product, process, service, system, person or body are met

**Conformity assessment body:** body that performs conformity assessment activities including calibration, testing, certification and inspection.

**Recognised conformity assessment body:** the accredited conformity assessment body that has received recognition/approval to operate in the field/fields of national technical industrial legislation, based on the requirements of Joint Ministerial Decision PH.01.2/56790/DPP1828/31.5.2016 [Government Gazette 1897/B/2016], as currently in force.

**Recognised control body (approved):** conformity assessment body accredited under the EN ISO/IEC 17020 accreditation standard, which has received approval of its activities exclusively in the field/fields of this Decision, based on the requirements of Joint Ministerial Decision PH.01.2/56790/DPP1828/31.5.2016 [Government Gazette 1897/B/2016], as currently in force.

**Competent authorities:** the authorities referred to in Article 14 of this Decision.

**Article 3**

General requirements

1. Amusement devices and their supporting installations must be designed, constructed, installed, assembled, dismantled, operate, be capable of appropriate handling, maintained and subject to inspection in accordance with this Decision, so as to provide, under normal conditions of use or under other reasonably foreseeable conditions, the maximum possible safety required so as not to endanger or harm the health of users/passengers or the public due to the technical characteristics of their operation and maintenance, always taking into account any reasonably foreseeable non-intended use.
2. Amusement devices and supporting installations are presumed to comply with the safety requirements of paragraph 1 if they comply with the technical specifications and requirements laid down in the harmonised European standard ELOT EN 13814:2019, as currently in force, and for all the individual cases covered in the three parts thereof:

ELOT EN 13814-1: Safety of amusement rides and amusement devices – Part 1: Design and manufacture requirements (*Safety of amusement rides and amusement devices - Part 1: Design and manufacture*)

ELOT EN 13814-2: Safety of amusement rides and amusement devices – Part 2: Operation, maintenance and use requirements (*Safety of amusement rides and amusement devices - Part 2: Operation, maintenance and use*)

ELOT EN 13814-3: Safety of amusement rides and amusement devices – Part 3: Requirements for inspection during design, manufacture, operation and use (*Safety of amusement rides and amusement devices - Part 3: Requirements for inspection during design, manufacture, operation and use*)

1. Electrical, electromechanical and other equipment that structures, forms and/or supports the operation of amusement devices and supporting installations must meet the requirements of the relevant legislation at all applicable levels.
2. Each amusement device shall be accompanied by technical documentation in accordance with the requirements of the harmonised European standard ELOT EN 13814:2019, as currently in force, which, in line with category and type, shall contain: the necessary technical characteristics, risk assessment files (*such as DRA - Design Risk Assessment results and OURA - Operation and Use Risk Assessment*), mechanical - electrical plans, certificates, the date and nature of the maintenance work, inspections and control performed as well as the Amusement Device Log. The technical documentation shall be drawn up by the manufacturer, maintained under the responsibility of the person responsible for operations and shall always be available to the competent authorities and the approved control body.
3. All amusement devices and supporting installations must be subject to the ‘Initial Technical Inspection’, in accordance with the provisions of Article 4.
4. Each amusement device must adopt the planned inspection and maintenance operations necessary for its operation and for the safety of users/passengers, in accordance with the requirements of the manufacturer and the requirements of the relevant standards.
5. All amusement devices and supporting installations after the Initial Technical Inspection shall be subject to regular periodic inspection, the frequency of which shall be laid down by the requirements of the manufacturer and in compliance with the standards under which they fall. In cases where the frequency of periodic inspection is not specified by the manufacturer and/or the relevant standards, the inspection frequency shall be determined on the basis of the categories listed in Annex I, and the classification of the amusement device within them. In any other case, the periodic inspection shall be carried out on an annual basis.
6. The technical inspection of amusement devices and supporting installations shall be carried out only by approved inspection bodies, as provided for in Article 11 of this Decision.
7. The persons responsible for operations may approach, for the technical inspection of the amusement devices and supporting installations, an approved control body of their choice, which must be recognised in the corresponding field of the technical inspection. In the event of a change to the approved control body chosen, the persons responsible for operations have an obligation to inform the newly selected control body regarding the technical inspection report and the findings of the previous control body.
8. The persons responsible for operations must take all appropriate measures to prevent possible unforeseen risks to the life and health of users/passengers, workers and the general public who use and/or visit amusement devices and the relevant supporting installations in amusement areas.

**Article 4**

Initial Technical Inspection

1. The Initial Technical Inspection shall adhere to the requirements of the harmonised standard ELOT EN 13814:2019, as currently in force, and shall be performed by an approved control body which has received the relevant authorisation as set out in Article 11. The Initial Technical Inspection shall apply to all amusement devices and supporting installations.
2. For amusement devices which were put into operation before the entry into force of this Decision, the Initial Technical Inspection will include:
* inspection of the conformity of the amusement device, on the basis of the planning principles for the intended purpose and monitoring of the location,
* review of the manufacturer’s technical documentation in accordance with the design/construction model,
* review of the operating and maintenance manual,
* review of the evacuation procedure,
* inspection of plans, connection diagrams, information on the loads, materials and their surface treatment,
* check on the possibility of the safe conduct of maintenance and continuous inspection,
* check on the device’s conformity with the revised documents,
* inspection of the mounting and structural components,
* inspection of the mechanical equipment,
* inspection of pneumatic and hydraulic devices,
* inspection of the electrical installation and electrical equipment, as well as of the necessary measurements, where required, in accordance with the relevant legislation on electrical installations,
* visual inspection of protective devices and their assembly,
* operational check of protective devices,
* operational test with full test load,
* measurements of operating dimensions, acceleration measurements (g-force measurements), activity duration times, operating pressure of systems
1. New amusement devices that are made available for installation for the first time following the entry into force of this Decision must have a type-approval certificate issued by the conformity assessment body which has received accreditation under the ELOT EN ISO/IEC 17065 standard for the parts of the ELOT EN 13814 standard relating to:
* design approval,
* inspection during construction in the factory,
* test operation of systems under partial and full operation conditions.

The Initial Technical Inspection referred to in paragraph 2 for new amusement devices on first installation and before they are put into operation shall be carried out by an approved control body.

1. For amusement devices that are already in operation prior to the date of entry into force of this Decision and for which the manufacturer's technical documentation is missing, the person responsible for operations must formulate and submit for the consideration of the competent authorities technical review documentation, which will be checked during the Initial Technical Inspection by an approved control body, where its approval covers the scope of initial inspection. The technical review documentation that is to be checked for completeness and accuracy must, as a minimum, include:
* details of the person responsible for operations and ownership history (*if present in the initial inspection*)
* device's registration plate/identification number
* brief description of the device
* technical characteristics of the device
* basic plan of the device
* photographs
* list of the device's individual parts
* plan of the mounting
* wiring diagram (*high and low voltage*)
* general description/impression of the mechanical, pneumatic and hydraulic installation
* maintenance file
* maintenance instructions/programme
* operating instructions
* operating restrictions
* details of the engineer who produced the technical documentation
* any previous inspection files
* report on the results of an optical and operational inspection performed by an approved control body during the Initial Technical Inspection
1. The results of the various reviews, inspections and tests shall form an integral part of the ‘*Record of operation, maintenance and incidents*’ for the amusement device and shall be kept indefinitely.
2. When the Initial Technical Inspection has been successfully completed, the approved control body involved shall, for reasons of traceability, provide each amusement device with a unique identification number which shall be affixed by the approved control body in a permanent and indelible manner (on a plate). This number shall be composed of three numerical fields, separated by dashes ( - ). These fields shall be:

(a) four numerical characters that indicate the year in which the Initial Technical Inspection was performed.

(b) four numerical characters that indicate the serial number of the device which the approved control body inspected.

(c) three numerical characters that indicate the unique number issued by the General Secretariat for Industry during the process of approving the control body, as set out in Article 11.

1. After the Initial Technical Inspection, the approved control body shall draw up a ‘*technical inspection report’* on the findings of the inspection.

**Article 5**

Periodic inspection

1. In order to perform the periodic inspection of amusement devices and supporting installations, the person responsible for operations must provide to the control body approved as set out in Article 11 the technical documentation and the report that was drawn up during the previous technical inspection.
2. The periodic inspection shall comply with the relevant requirements of the ELOT EN 13814:2019 harmonised standard, as currently in force, and must, in any event, include:
* inspection of the components and devices that are important for safety in relation to wear and tear, cracks, damage, corrosion, etc.,
* inspection of the devices’ protective elements,
* inspection of the basic instructions for use, operation and maintenance of all the equipment in the amusement devices,
* inspection of electrical installations and electrical equipment and
* review of the non-destructive test forms in accordance with the manufacturer’s requirements.
1. The periodic inspection must include at least one operational test with a representative load (*paragraph 4.3.2 of ELOT EN 13814-3*).
2. Five (5) years after the Initial Technical Inspection, regardless of the amusement device's operating time, a thorough technical inspection must be performed, in accordance with the requirements of the ELOT EN 13814:2019 harmonised standard, as currently in force (*standard ELOT EN 13814 Part 1 – paragraph 4.7, Part 2 – Annex B paragraph 5 and 6, Part 3, paragraph 4.3.2*), which will include both the inspections referred to in paragraphs 2 and 3 and inspection of all the load-bearing components, focusing on the following:
* cracking and breakage of elements of the equipment due to fatigue,
* permanent deformations and loose or damaged parts and
* fundamental changes to the form.
1. During the performance of the periodic inspection for the evaluation of the safety of the amusement device, the approved control body may in addition request from the person responsible for operations non-destructive or destructive tests to be carried out, if this requirement is documented.
2. In the event of fundamental changes or critical repairs to an amusement device, the procedure set out in the Initial Technical Inspection shall be followed.
3. After the periodic technical inspection, the approved control body shall draw up a technical inspection report on the findings of the inspection.

**Article 6**

Competence of staff

1. The person responsible for operations shall select and employ staff who have documented technical competence for the support and operation of amusement devices and related installations. The staff must be able to give priority to the safety of users/passengers and the public, follow scrupulously all the procedures required and must have the maturity and the ability to complete any action which may be required during use or operation.
2. Work relating to:

a) installation,

b) assembly, dismantling and relocation,

c) maintenance and cleaning,

d) internal inspection,

e) handling and operation of amusement devices and supporting facilities, and

f) guidance and monitoring of the public for their safety

shall be carried out only by qualified personnel and, where required, by licensed staff, whose technical competence is laid down in law (*for example, an electrician, an engineer, etc.*).

1. In technical professions regulated by law, the competence of staff must be derived through compliance with the provisions of Laws 3844/2010 (Government Gazette 63/A) and 3982/2011 (143/A) and of Presidential Decree 38/2010 (Government Gazette 78/A).
2. In addition, for extra guarantees regarding the suitability of staff, staff must have certification of professional competence from a staff certification body, accredited by the international standard ELOT EN ISO/IEC 17024 ‘*Conformity assessment – General requirements for bodies operating certification of persons*’ on the basis of the framework set out in the following paragraph.
3. The above-mentioned certification by a body accredited under international standard ELOT EN ISO/IEC 17024 must meet the requirements and criteria of a nationally recognised sectoral certification scheme, in accordance with the requirements of paragraph 8 of the international standard ELOT EN ISO/IEC 17024, as well as the requirements for certification schemes as specified by the relevant European guidelines to national accreditation bodies issued by the regional European organisation of national accreditation bodies referred to in Article 14 of Regulation No 765/2008/EC, as applicable (the European cooperation for accreditation – EA). Certification schemes must include at least the requirements referred to in Annex III to this Decision.
4. The person responsible for operations shall keep records with the certificates of professional competence of the workforce he employs, which shall be at the disposal of the competent supervisory authorities, but also available for use by the approved control bodies that assess the conformity of amusement devices and their supporting installations.
5. Until they obtain the necessary certificates, as provided for in paragraph 4 of this Article, a staff member not having technical competence must be supervised by another person designated by the person responsible for operations who meets the requirements of paragraphs 1 – 3 of this Article and has proven relevant work experience of at least five (5) years, to ensure the quality of the work he carries out.

**Article 7**

Technical inspection report

1. Following the completion of the technical inspection, the approved control body shall draw up a technical inspection report on the findings of the inspection. The technical inspection report shall state, in bold and distinct letters, the terms ‘COMPLIANCE’ and ‘FAILURE TO COMPLY’ and the term ‘OBSERVATIONS’, which shall be filled out as appropriate.

The technical inspection report must set out in detail the type of inspection [(*i) initial, (ii) periodic, (iii) thorough and (iv) extraordinary*], all the procedures inspected, the actions of the person responsible for operations and the conclusions and observations of the approved control body. In particular, in the technical inspection report the approved control body shall decide, on a case-by-case basis, on all of the work relating to the audit process, such as the construction, installation, assembly – dismantling, the operation mode and the maintenance of the amusement device, carried out by the operator or a third party, awarded such designation, and who has the technical competence in accordance with Article 6.

1. In the event that the inspection produces a positive result, the approved inspection body shall draw up the technical inspection report with the term ‘COMPLIANCE’, confirming that the requirements imposed by this Decision have been satisfied. At the same time, the approved inspection body shall affix a label to the device with an appropriate indelible ‘INSPECTION PLATE’. The inspection plate shall have printed on it the date of the inspection carried out, the inspection result, the date of the next programmed re-inspection, and the corresponding label for the amusement device: ‘FIT FOR USE’ or ‘UNFIT FOR USE’, as provided for in Annex II.

If, during the inspection, the approved control body finds that an amusement device complies with the conditions for safe operation and use by the general public, but that improvements are to be made, it shall draw up a technical inspection report using the term ‘COMPLIANCE’ and the term ‘COMMENTS’ and shall record its observations.

In order for the observations and the necessary work to be undertaken to be deleted, the assent of the approved control body is required.

1. In the event that during the inspection, the approved control body finds that an amusement device does not meet the conditions for safe operation and use by the general public, it shall draw up a technical inspection report using the term ‘FAILURE TO COMPLY’ and shall list the reasons for which operation is held to be incorrect and unsafe.

In order for the non-conformities and the necessary corrective actions which are to be undertaken in order for the device to become safe to use and to operate correctly to be deleted, the assent of the approved control body is required. Any work to the equipment of amusement devices and supporting installations that is, in the judgement of the approved control body, serious, shall require the application of the Initial Technical Inspection procedure. The person responsible for operations shall be obliged to take all of the necessary measures to ensure that users/passengers have no access to that specific amusement device until it is made safe for the public.

1. Technical inspection reports shall be filed and kept by the person responsible for operations, so that they are always at the disposal of the competent authorities and the approved control body.
2. The technical inspection reports must contain all the information required to substantiate the proper and safe use and operation of the amusement devices and supporting installations and shall be drawn up in accordance with Annex II.

**Article 8**

Internal control

1. The person responsible for operations shall be required, for the monitoring of the proper functioning of an amusement device and supporting installations, to conduct internal controls and inspections at regular intervals, in accordance with the manufacturer’s requirements and/or the standards relating to it and/or the observations of the approved control body.
2. The internal inspection may be carried out either by a certified workforce with the appropriate technical competence in accordance with the requirements of Article 6 of this Decision, or by engineers with the relevant specialist diplomas, who have documentation of at least five (5) years’ experience with the relevant installations.
3. The results of the internal control of the amusement device must be included in the ‘*Record of operation, maintenance and incidents*' referred to in Article 9 of this Decision, which must be kept by the person responsible for operations.

**Article 9**

Record of the amusement device’s operation, maintenance and incidents

1. For each amusement device a record of operation, maintenance and incidents shall be kept, recording the results of internal, periodic, thorough and extraordinary technical inspections.
2. The record of operation, maintenance and incidents shall also include all the events affecting the operation and safety of the amusement device or the relevant supporting installations, as well as accidents or near misses that have occurred during the device's operation to occupants, the public or staff members while working.
3. The person responsible for operations has an obligation to place the record of operation, maintenance and incidents at the disposal of the competent authorities during any inspection procedure in an internal or external control.
4. Without exception, the record of operation, maintenance and incidents shall accompany each amusement device upon change of ownership.
5. The record of operation, maintenance and incidents must include, as a minimum, the following information:
* the amusement device’s identification number,
* the photograph of the device in the Initial Technical Inspection,
* the Initial Technical Inspection report,
* the reports of all the technical inspections and of the most recent technical inspection,
* the instructions for carrying out assembly, internal control and maintenance with a corresponding list of checkpoints,
* the staff members authorised to perform internal control, operation, assembly and maintenance of the device and the documentation of their technical competence.
* Description of accidents or near misses relating to the device, the time at which they were recorded, preventive and corrective actions taken by the person responsible for installation and the time when these actions were completed. The effectiveness of the preventive and corrective actions taken shall be evaluated by an internal inspection and control and documented.
* In the event of a repeat incident to the same amusement device the person responsible for installation must order a thorough inspection and retraining of the relevant staff members.

**Article 10**

Supporting installations

1. The person responsible for operations shall be required to have a detailed layout plan of the whole amusement area, which has been printed, of all the amusement devices, the exact location of each device, safety zones, the necessary temporary fencing and railings required, the main routes for passing through the installations and the exit, the distances between the amusement devices and the distances between the devices and other areas in the immediate vicinity, as well as the electrical connections between the devices and the central panel and sub-panels.
2. The supporting installations for amusement devices must comply with the requirements of the ELOT EN 13814:2019 harmonised standard that relates to them.
3. The ventilation, the layout, the decoration, the fire-fighting equipment and evacuation systems and escape routes for the supporting installations must comply with the requirements specified in the technical documentation of the person responsible for operations, with regard to their structural characteristics, stability, conformity and fire safety, without prejudice to the provisions of the General Construction Regulation [Ministerial Decision 3046/304/1989, Government Gazette 59/D/3.2.1989] and the provisions on fire safety, as currently in force.
4. The construction products used must comply with Regulation (EU) No 305/2011 and the requirements of the technical legislation.
5. The person responsible for operations shall have an obligation to post safety instructions, in accordance with the manufacturer's instructions and the applicable requirements of this Decision. An easily recognisable information plate must be posted next to each amusement device, in a conspicuous position, which in line with the description of the amusement device must indicate clearly, both in Greek and English, the precise restrictions for users (*age, height, preventive health issues guidelines*), in accordance with the manufacturer's instructions and any additional instructions from the person responsible for operations.
6. The installation must be fitted with an enclosure with appropriate railings to prevent access to non-permitted areas and areas with limited access.
7. Appropriate and distinct markings must be placed, in addition, on areas:
* that supply electricity, including earthing equipment,
* where fire extinguishers are located,
* where containers of flammable materials are located,
* where waste receptacles are located,
* for users and persons accompanying them,
* for operators of the installation and
* where special transport equipment is located.
1. Any item that obstructs or may create a barrier to escape routes must be removed.
2. The distances between amusement device safety areas must be designed to permit the passage of fire vehicles.
3. The escape routes in thoroughfares, between stands and tents that have been fixed, kiosks, etc., must be configured in accordance with the manufacturers’ instructions and legislation on areas for assembly of the public, in order to facilitate the passage of passengers and the public.
4. The lighting must be electric. Battery-powered luminaires are permitted when securely fixed. In the event of a cut to the general power supply battery-powered luminaires must be made available. Mobile equipment, such as floodlights, loudspeakers or projectors, must be firmly connected to prevent falling and, in addition, must be made of materials which are not conducive to the spread of fire.
5. Fire extinguishers shall be placed in easily visible and accessible positions which are clearly indicated and must be kept continuously in a condition where they are ready for use.
6. Moving parts intended for passengers, and in particular passenger seats that are suspended in the air, should not be near to other fixed or movable parts of the engine section, so that passengers are not put at risk. The limits of the trajectory of the suspended passenger seats must be determined in such a way that viewers are not exposed to risk.
7. Where lifting equipment is used for installing or removing an amusement device, the provisions of the legislation on the certification of lifting machinery and licensed lifting machinery operators shall apply.
8. The number of people who are on the access platform must not exceed the number laid down in the manufacturer's instructions and/or in the device's technical documentation.
9. The moving parts of the installations, where they are at a height of 250 cm and more, must be enclosed.
10. Each supportive installation, in so far as it is laid down in the manufacturer's instructions, shall be provided with waiting areas delimited by railings, gates and extra surveillance.
11. For amusement devices that travel on rails, there must be signs at the points where users cross the rails and there must be no risk of falling.

**Article 11**

Approval of control bodies

1. Each control body that wishes to be actively involved in the scope of this decision must be approved by the competent authority of the General Secretariat for Industry, on the basis of the general framework requirements of the Common Ministerial Decision MWOS01.2/56790/WWII1828/31.5.2016 [Gazette 1897/B/2016]. The scope of its approval shall be set by the fields of accreditation certificates on the basis of paragraph 3.
2. In order to obtain approval of its recognition under the terms of the previous paragraph, the relevant control body, must be a third-party entity, i.e. a body independent of the organisation or product it assesses, and this fact must be indicated on the accreditation certificate it holds.
3. The accreditation certificates laid down by Joint Ministerial Decree PH.01.2/56790/DPP1828/31.5.2016 [Government Gazette 1897/B/2016], for the purposes of this Decision, must be issued under the ELOT EN ISO/IEC 17020 standard and shall relate to one or more or all of the following fields:
	1. *initial technical inspection*
	2. *periodic technical inspection*
	3. *thorough technical inspection*
	4. *extraordinary technical inspection*

In this context, and in all cases, the accreditation certificates shall be acceptable only where issued by the national accreditation body or issued on the basis of the provisions of Regulation (EC) No 765/2008 and in particular Articles 4, 6 and 7 thereof.

1. Each control body receiving approval of its activities within the framework of this Decision which includes the scope of the Initial Technical Inspection shall be issued with a unique three-digit number.
2. Solely for the purposes of this Decision and irrespective of any other approvals/recognitions/notifications, the civil professional liability insurance policy laid down by Joint Ministerial Decision PH.01.2/56790/DPP1828/31.5.2016, which the control body must hold during the entire period of its approval, must be for an amount of no less than EUR 5 000 000.
3. In addition to the information obligations imposed by Joint Ministerial Decision PH.01.2/56790/DPP1828/31.5.2016, each control body approved within the scope of this Decision must provide information on any change concerning it and the relevant department of the General Secretariat for Industry.
4. The inspectors of the approved control body must be engineering graduates who have at least five (5) years’ practical experience in the maintenance or construction of amusement devices or corresponding structures. Moreover, the inspecting engineers (*regardless of their specialisation*) must have documented technical competence to perform inspections of the welding of metals in amusement devices or the corresponding structures, as well as checks on electrical equipment.

**Article 12**

Specific requirements for travelling amusement devices

1. Travelling amusement devices and their supporting installations must comply with the requirements of ELOT EN 13814:2019 harmonised standard currently in force.
2. The person responsible for operations of travelling amusement devices and supporting installations must have clear and documented procedures for assembly and dismantling, which must be carried out by authorised staff who have the appropriate technical competence in accordance with Article 6, to ensure that they are safe and stable during use. The procedures must be consistent with the manufacturer's instructions and the applicable requirements of legislation and standards, and must incorporate an acceptable level of scientific and technical knowledge.
3. The number of items and the level of assembly of any amusement device must be limited to the minimum laid down by the manufacturer.
4. An amusement device must be assembled at ground level, and its load must be properly distributed and securely supported. Its stability must be checked daily and documented by the appropriate staff member with technical competence as laid down in Article 6(4) of this Decision. If the amusement device is assembled on a slope its safety must be documented.
5. All integrated materials in the device must be safe and suitable for the purpose for which they are selected and must be installed in accordance with the manuals, in order to avoid slipping, sinking or removal.
6. If an amusement device is equipped with supports to prop up the structure, these supports must be used in accordance with the manufacturer's instructions. Hydraulic sockets must not be used to support an amusement device during operation, unless they are designed and approved for that purpose.
7. Temporary devices for access and work during assembly and dismantling must be safe, and must include adequate and suitable lighting to allow work to be performed safely and properly.

**Article 13**

Technical relocation inspection for travelling amusement devices

1. Travelling amusement devices must be subject to a special technical inspection each time they are relocated. The inspection must include the following:

• review of the record of operation, maintenance and incidents.

• construction/assembly on the basis of the technical documentation, as provided for in Article 4 of this Decision.

• suitability of the mounting, in accordance with the requirements of the amusement device as laid out in technical documentation and the geotechnical conditions.

• visual inspection of the basic components which bear critical loads.

• check for wear and tear.

• installation of parts which can be disconnected (lights, etc.).

• installation of safety systems (such as systems of restraint for users/passengers, bars/belts, derailment prevention, safety stop, etc. on the basis of the plans).

• safety distances.

• electrical equipment and electrical installation to protect against electrical shock, including earthing measurements.

• testing of operation without load.

• measurements of rotation speeds, movement speeds and times, such as those listed in the technical documentation.

• existence of a release procedure.

• fire safety, security lights.

1. The inspection on relocation to a new site shall be carried out by engineering graduates with the appropriate technical specialisation who have technical competence and at least five (5) years’ professional experience in construction or maintenance, in order to ensure that travelling devices that have already been approved on the basis of the Initial Technical Inspection continue to operate safely.

The technical competence and experience of engineers in this field may alternatively be documented through their certification by an accredited institution, in accordance with the ELOT EN ISO/IEC 17024 international standard with a nationally recognised sectoral certification scheme (Article 8, ELOT EN ISO/IEC 17024 standard).

1. The person responsible for operations must provide engineers that carry out the relocation inspection with access to the technical documentation and the most recent technical inspection report of the approved control body.
2. Where significant changes are made to an amusement device, the relocation inspection shall be interrupted and the person responsible for operations must follow the procedure laid down for the original technical inspection.
3. After the relocation inspection, and depending on the inspection’s findings, engineers shall draw up a ‘technical relocation inspection report’, which shall be incorporated into the amusement device’s record of operation, maintenance and incidents.

**Article 14**

Competent authorities

1. Without prejudice to paragraph 2, the authorities with responsibility for monitoring compliance with the requirements of this Decision and the imposition of sanctions shall be the authorities determined by the current provisions of Articles 5 and 7 of Law 4442/2016 for activities concerning amusement devices covered by this Decision.
2. The Quality Policy Department of the General Secretariat for Industry is appointed as the authority responsible for monitoring the proper implementation of this Decision, and it shall ensure that it posts on its website the approved control bodies for the technical inspection of amusement devices and relevant installations in amusement areas.

**Article 15**

Mutual recognition clause

1. Amusement devices that comply with the requirements of the ELOT EN 13814:2019 harmonised standard, as currently in force, and which are legally placed on the market of a European Union Member State or in Turkey or which come from and are legally placed on the market of an EFTA State which is a contracting party to the EEA Agreement shall be presumed to meet the requirements of Article 3(1) of this Decision.
2. The application of these rules shall be subject to Regulation (EU) 2019/515 of 19 March 2019 on the mutual recognition of goods carried to and lawfully marketed in another Member State.

**Article 16**

Transitional provisions

1. It is mandatory for amusement devices and related installations which are placed into operation following the date of entry into force of this Decision to be subject to the Initial Technical Inspection before the start of commercial operation.
2. It is mandatory for amusement devices and related installations which were placed into operation prior to the date of entry into force of this Decision to be subject to the Initial Technical Inspection referred to in Article 4(2) of this Decision within twelve (12) months of the date of entry into force of this Decision.
3. Once two (2) years have passed since the date of entry into force of this Decision, amusement devices may not be operated by staff members who do not have documents proving their technical competence in the field in which they work, as provided for in Article 6 of this Decision.

**Article 17**

Entry into force

1. This Decision shall enter into force six (6) months from the date of its publication in the Government Gazette.
2. The annexes attached hereto constitute an integral part of this Decision.
3. This decision shall be published in the Government Gazette.

Athens ……………………………

|  |  |
| --- | --- |
| **EXACT COPY****The head of the Directorate of Organisation, Administration & Technical Support****[on his behalf]****MALOUNI VASILIKI** | **The Minister for Development and Investments****Nikolaos Papathanasis** |

**ANNEX I**

Categories of amusement device

|  |  |
| --- | --- |
| **Categories of device** | **Frequency****of technical inspection**  |
| **FIXED** | **TRAVELLING** |
| 1. | **AMUSEMENT DEVICES AND SHOWS FOR CHILDREN** (aged under 15)**Example:** Mini scooters, roundabouts (mini carousels), tracks for mini cars, swimming pools with little boats, electric trains, small swings, closed routes with rails for children and persons accompanying them, devices with airplanes for children, slides, fishing, **escape rooms**, multi-use rooms, shooting galleries, electric racecourse etc. (DRAGON, CONVOY, 3-D / 4-D ESCAPE ROOMS, etc.)  | 12 months | 12 months |
| 2. | **GENTLE AMUSEMENT DEVICES** (speed lower than 12 revolutions/minute)**Example:** Dodgem cars, mini cars/scooters, roundabouts, carousels, tracks for mini cars, big wheels, rotating devices with lifting elements, ghost trains, electric or heat carts, laughing chambers, large pendulums with restricted movement, devices with a rotating platform with lifting equipment, simulators, devices with vehicles towed in water, etc. (PIRATES, VR GAMES, FLUME RIDES, etc.) | 12 months | 8 months |
| 3. | **INTENSE AMUSEMENT DEVICES** (speed higher than 12 revolutions/minute)**Example:** Large pendulums with 360° rotation, high-speed rotating devices, adult devices with airplanes, multiple element rotating devices with or without variation of inclination, (HAMMER, BAKING PAN, BALARINA, CARPET, MUSIC EXPRESS, EVOLUTION, CANYON, TOP-SPIN, PARATROOPER, ROTOR, BOOMERANG, MATTERHORN, JET-BOB, etc.) | 12 months | 8 months |
| 4. | **OTHER EXTREME AMUSEMENT DEVICES****Example:** Roller coaster, gondola drop towers, high-speed rotating devices with revolution at the vertical plane or close to it (ENTERPRISE, UFO, ROUND UP, BOOSTERS, EJECTION SEAT, DROP TOWERS, etc.) | 12 months | 8 months |
| . with a large number of little trains; |  |  |

**ANNEX II**

Technical inspection report

A) The **technical inspection report** shall include the following information:

* the name of the approved body referred to in Article 11,
* distinct indication, in bold, of the following terms, and the appropriate supplement where appropriate:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **COMPLIANCE** |  |  |  | **OBSERVATIONS** |
|  |  | **FAILURE TO COMPLY** |

* the accreditation certificate number,
* the accreditation symbols,
* the name of the supervisor/inspector,
* the identification number of the technical inspection report and the unique number of the amusement device,
* the date of the technical inspection and the date of issue of the technical inspection report,
* the maximum number of users/passengers that may use the device at any one time and its maximum load and speed, as applicable,
* an indication that the inspection was conducted in accordance with this Decision,
* the date of the next inspection,
* the inspection findings and
* signature or other indication of approval by authorised staff member

(b) The **inspection plate** must include information on the amusement device in relation to the following:

* distinct indication, in bold, as appropriate, of the term ‘**FIT FOR USE’** or ‘**UNFIT FOR USE**’,
* the name of the approved body referred to in Article 11,
* the accreditation certificate number of the control body,
* the amusement device’s identification number, in accordance with Article 4(6),
* the date on which the most recent inspection was carried out,
* the date of the next inspection.

**ANNEX III**

REQUIREMENTS FOR THE TECHNICAL COMPETENCE OF STAFF MEMBERS

The following requirements must be met, as a minimum, and without exception, by the staff working on the amusement devices and supporting installations, in order for their technical competence to be documented, as provided for in paragraph **5** of Article **6** of this Decision and where this is required.

**A) Basic principles of staff selection:**

1. They must be of an age at which they may legally be employed, in accordance with current legislation.
2. They must be able to conscientiously carry out standard operating procedures and instructions.
3. They must have the ability to provide information to and to manage the public in the Greek language or in English or any other language, at the documented discretion of the person responsible for operations. They must be able to provide clear guidance either to the competent staff members or users/passengers.
4. They must have observation skills.
5. They must have knowledge and technical experience in the maintenance and inspection of the amusement device, where this is required.
6. They must have the appropriate technical qualifications, where this is required.

**B) General requirements for sectoral certification scheme training of staff members:**

1. Understanding of technical information and how to operate amusement devices using case studies to be applied for different risk categories (*plans, inspection instructions, specifications for parts, etc.*).
2. Understanding of basic principles of risk analysis.
3. Understanding of the basic principles for managing exceptional risks (*assessment of severity of accidents, storm, fire, earthquake, etc.*)
4. A full understanding of the requirements of this Decision.
5. Understanding of the basic requirements of the ELOT EN 13814:2019 harmonised standard, as currently in force, and for all the individual cases it covers.
6. Understanding of the basic principles of health and safety of staff.
7. Understanding of instructions regarding the preventive maintenance procedure.
8. Understanding of the process of dealing with defects and malfunctions of the equipment.
9. Knowledge of basic technical instructions on installation, assembly and dismantling methods and the conduct of internal control.
10. Recognition and acceptance of the duties of staff members at various levels of responsibility. (*powers, duties, accountability, etc.).*

**C. Special requirements** for **sectoral certification scheme** training for operators and assistants:

1. Knowledge of the operation and inspection instructions for amusement devices.
2. Knowledge of the instructions on the embarkation and disembarkation of users/passengers.
3. Knowledge of basic instructions concerning the possible restrictions on users/passengers, relating to height, weight and age limits, or to prevent health issues.
4. Capacity to assess risk in waiting and boarding areas.
5. Ability to operate and check systems for attaching/restraining users/passengers, including checking the locks of attachments/restraints.
6. Ability to cope with all expected or exceptional events during the operation of an amusement device.
7. Ability to cope with unforeseen situations arising either from the irrational or bad-tempered behaviour of users/passengers (*drunk, aggressive, etc.*) or from their reactions to restrictions placed on them (*height, age, etc.*).
8. Knowledge of basic instructions for steps to be taken in cases of exceptional adverse weather conditions, fire, earthquake, injury, etc.
9. The capacity to cope with and handle exceptional malfunctions or sudden faults in the amusement device’s equipment.