

G26. If I examine lifting equipment and the owner no longer has the original supply documentation (test certificate or Declaration of Conformity), should it be withdrawn from service?

There is no requirement to withdraw the equipment from service solely because the original supply documentation, also referred to as a test certificate, Declaration of Conformity (DoC) or birth certificate is unavailable. However, it is acceptable to record an observation on the report of thorough examination noting that the original supply documentation could not be located. The absence of the original supply documentation at the time of a thorough examination does not directly affect the safety of the equipment and should therefore be treated as a technical observation, not a defect.

In addition, the examiner should verify the presence of appropriate conformity markings on the equipment. In the absence of original supply documentation, this legal marking serves as a visible indicator that the equipment was originally placed on the market in compliance with the relevant supply legislation. Any absence or irregularity in such marking should be noted and investigated to confirm the equipment's legitimacy and compliance.

Within the UK, the manufacturer is required to supply a DoC with all new machinery, and they must retain a copy of the DoC for up to 10 years. This serves as evidence of compliance with the Supply of Machinery (Safety) Regulations and supports LOLER compliance during the first 12 months of service. The duty holder has a duty to keep the DoC as long as the equipment remains in their control. If the DoC is missing, the duty holder is advised to contact the manufacturer. The manufacturer may choose to provide a copy upon request, potentially for a fee. However, only an enforcing authority (such as the Health and Safety Executive (HSE) or the relevant local authority) has the legal power to require the manufacturer to produce it.

Lifting equipment over 10 years old

For equipment more than ten years old, the manufacturer will no longer be obliged to retain the original DoC or technical file, as the manufacturer's legal duty to retain these documents applies for a minimum of ten years from the date of manufacture (or from the last unit produced in series). After this period, they are no longer legally required to hold them.

If the DoC cannot be obtained, this should be recorded as an observation on the thorough examination report. The equipment does not need to be withdrawn from service solely for that reason, provided that:

- It bears valid CE or UKCA marking and manufacturer identification;
- There is no evidence of unauthorized modification or misuse; and
- The Competent Person is satisfied, through examination and history, that it remains safe for continued use under LOLER.

In summary, each case should be assessed on its own merits. If the equipment has been significantly modified, or if there is any doubt about its legitimacy or conformity, the Competent Person should determine whether the absence of original documentation prevents a valid assessment of safety. In such circumstances, it would be reasonable and within their authority to withdraw the equipment from service until its conformity and safety can be verified.

FAQ No:	G26	Approved By:	LEEA Technical Committee
Revision:	2	Date:	28/10/2025
Author:	AD	LEEA ICS Ref:	N/A
Date Published:	29/10/2025		

Please note: The content of the guidance in these frequently asked questions is provided for general information only. Whilst they are intended to represent a standard of good practice, they have no legal status and compliance with them does not exempt you from compliance with any legal requirements. Although we make reasonable efforts to provide accurate guidance, we make no representations, warranties or guarantees, whether express or implied, that the content of the guidance given in these frequently asked questions and our interpretation of the requirements given is accurate, complete or up-to-date. It is therefore responsibility of those with specific duties under the legislation to ensure that they fulfil the obligations imposed on them.

Lifting Equipment Engineers Association

3 Osprey Court
Hinchbrook Business Park
Huntingdon PE29 6FN
United Kingdom

Tel: +44 (0) 1480 432801 • Email: mail@leeaint.com