

## Refuge Space Requirements for Lift Installations: Guidance and Derogation Criteria

All new building plans, designs or proposed amendments affecting lift installations must fully comply with the **Lifts Regulations (S.L. 427.37 of 2016)**. Adequate free space must be allocated to ensure the safe installation and operation of lifts, in accordance with the [applicable legal and technical standards](#).

In particular, compliance with the required **refuge spaces** — both in the lift pit and headroom — must be provided in accordance with the specifications set out in the harmonised standard EN 81-20 and must be considered and integrated from the earliest stages of property planning and design to ensure that the lifts shaft has the necessary dimensions to accommodate the lift and the required refuge space.

The derogation procedure — which permits the installation of low-pit or low-headroom lifts — is intended strictly for **exceptional circumstances** where it is genuinely impossible to meet the standard refuge space requirements. A formal application for derogation application must be submitted to the MCCA – Regulatory Affairs Directorate prior to the commencement of any construction work on the lift shaft. It is important to note that a derogation is **not** an alternative to proper planning and design. However, in certain exceptional cases – due to specific factors detailed hereunder in this document, a property may be considered eligible for a derogation.

To apply for an approval to install lifts with reduced pit or headroom, the application form must be completed through the following [link](#).

The applicant must select the applicable option from the three available, each corresponding to a specific type of building in which the lift is to be installed. These building types are defined as follows:

- **Type 1 Building** - Means a building for which a building permit was issued before the 1st July 2002
- **Type 2 Building** - Means a building for which a building permit was issued after 1st July 2002 or a new development of a Type 1 building which has been designed or altered to be used separately
- **Type 3 Building** - Lift shaft constructed in both Type 1 building and Type 2 building i.e. development consist of an extension of a Type 1 building. The application for a low-pit and low-headroom derogation shall be treated as two separate applications for the Type 1 building and the Type 2 building respectively

Based on the selected building type, the corresponding criteria is presented. The Technical Regulations Division may grant a prior derogation if it is satisfied that compliance with the required refuge space is impossible due to the specific circumstances outlined in these criteria.

The following criteria apply to a **Type 1 Building**:

- Limitations imposed by the existing structural layout of the building which cannot be legally abolished or can only be removed by undertaking major alterations to the structural layout of the building
- Unstable ground on which foundations are laid
- Free space or refuge beyond highest position is impossible due to building height limit
- Discovery of existing underlying cistern/ well

- Overlying or underlying third party property
- Rain/ sea water flooding problems due to site location
- Damage to underlying existing service pipes or nearby foundations and re-location is impossible within the site
- Underlying archaeological site remains

The following criteria apply to a **Type 2** Building:

- The building will be located to a nearby coast or an area prone to flooding during rainfall
- The building will be constructed on unstable ground
- Discovery of underlying existing well or cistern, and lift cannot be relocated elsewhere
- Refuge space may cause damage to underlying existing service pipes or nearby foundations and re-location of service pipes or lift is impossible within the site
- Underlying archaeological site remains including tombs
- Where the building consists of a new development of an existing building and there are preservation orders such as to retain the existing facade which do not allow the new building to be designed to cater for refuge space
- Where the lift is being constructed after construction of the building provided that: i) the lift was not included in the original plans of the building; and ii) there are limitations imposed by the existing layout of the building which cannot be abolished due to legal constraints or can only be abolished by undertaking major alterations to the structural layout of the building

For a **Type 3** Building, in which the lift shaft is constructed within both a Type 1 and a Type 2 Building, the criteria applicable to each building type shall be completed.

The application must be supported by an architect's declaration, which should be attached at the end of the form, together with the building layouts indicating clearly the location of the lift. Proof of payment shall also be submitted with the accompanying documentation. Additionally, the application must provide details of the proposed lift and the address of the building where it will be installed.