

ANNEX

2. EMPLOYMENT

2.1. Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽¹⁾

As regards Directive 89/391/EEC, the Commission should be empowered to make purely technical adjustments to the individual directives provided for in Article 16(1) of Directive 89/391/EEC which result from the adoption of directives in the field of technical harmonisation and standardisation, as well as from technical progress, changes in international regulations or specifications and new findings. Since those measures are of general scope and are designed to amend non-essential elements of those individual directives, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to apply the urgency procedure provided for in Article 5a(6) of Decision 1999/468/EC for the adoption of amendments of a purely technical nature.

Accordingly, Article 17 of Directive 89/391/EEC shall be replaced by the following:

Article 17

Committee procedure

1 The Commission shall be assisted by a committee to make purely technical adjustments to the individual directives provided for in Article 16(1) in order to take account of:

- a the adoption of directives in the field of technical harmonisation and standardisation;
- b technical progress, changes in international regulations or specifications and new findings.

Those measures, designed to amend non-essential elements of the individual directives, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in paragraph 2. On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in paragraph 3.

2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3 Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

2.2. Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels⁽²⁾

As regards Directive 92/29/EEC, the Commission should be empowered to make purely technical adjustments to its Annexes in the light of technical progress or changes in international regulations or specifications and new findings in the field. Since those measures are of general scope and are designed to amend non-essential elements of Directive 92/29/EEC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to apply the urgency

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procedure provided for in Article 5a(6) of Decision 1999/468/EC for the adoption of amendments of a purely technical nature.

Accordingly, Article 8 of Directive 92/29/EEC shall be replaced by the following:

Article 8

Committee procedure

1 The Commission shall be assisted by a committee to make purely technical adaptations of the Annexes to this Directive in the light of technical progress or changes in international regulations or specifications and new findings in the field.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in paragraph 2. On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in paragraph 3.

2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3 Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

2.3. Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (16th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁽³⁾

As regards Directive 2002/44/EC, the Commission should be empowered to make purely technical adjustments to its Annex resulting from the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces, as well as from technical progress, changes in the most appropriate harmonised European standards or specifications and new findings concerning mechanical vibration. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2002/44/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to apply the urgency procedure provided for in Article 5a(6) of Decision 1999/468/EC for the adoption of amendments of a purely technical nature.

Accordingly, Articles 11 and 12 of Directive 2002/44/EC shall be replaced by the following:

Article 11

Technical amendments

Amendments to the Annex to this Directive of a purely technical nature shall be adopted by the Commission in line with:

- (a) the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces;

- (b) technical progress, changes in the most appropriate harmonised European standards or specifications and new findings concerning mechanical vibration.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(2). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 12(3).

Article 12

Committee procedure

1 The Commission shall be assisted by the Committee referred to in Article 17(1) of Directive 89/391/EEC.

2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3 Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

2.4. Directive 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise) (17th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁽⁴⁾

As regards Directive 2003/10/EC, the Commission should be empowered to make purely technical adjustments resulting from the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces, as well as from technical progress, changes in the most appropriate harmonised European standards or specifications and new findings concerning noise. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2003/10/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to apply the urgency procedure provided for in Article 5a(6) of Decision 1999/468/EC for the adoption of amendments of a purely technical nature.

Accordingly, Articles 12 and 13 of Directive 2003/10/EC shall be replaced by the following:

Article 12

Technical amendments

Amendments of a purely technical nature shall be adopted by the Commission in line with:

- (a) the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces;
- (b) technical progress, changes in the most appropriate harmonised European standards or specifications and new findings concerning noise.

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Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(2). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 13(3).

Article 13

Committee procedure

- 1 The Commission shall be assisted by the Committee referred to in Article 17(1) of Directive 89/391/EEC.
- 2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- 3 Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- 2.5. Directive 2004/40/EC of the European Parliament and of the Council of 29 April 2004 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁽⁵⁾

As regards Directive 2004/40/EC, the Commission should be empowered to make purely technical amendments to its Annexes, taking into account the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces, and taking into account technical progress, changes in the most appropriate harmonised European standards or specifications and new scientific findings concerning electromagnetic fields. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2004/40/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to apply the urgency procedure provided for in Article 5a(6) of Decision 1999/468/EC for the adoption of amendments of a purely technical nature.

Accordingly, Directive 2004/40/EC is hereby amended as follows:

1. Article 10(2) shall be replaced by the following:
2. Amendments to the Annex of a purely technical nature shall be adopted by the Commission in line with:
 - a the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces;
 - b technical progress, changes in the most relevant harmonised European standards or specifications, and new scientific findings concerning electromagnetic fields.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(2). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 11(3).;

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2. Article 11 shall be amended as follows:
 - (a) paragraph 2 shall be replaced by the following:
 2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;
 - (b) paragraph 3 shall be replaced by the following:
 3. Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- 2.6. Directive 2006/25/EC of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁽⁶⁾

As regards Directive 2006/25/EC, the Commission should be empowered to make purely technical amendments to its Annexes, taking into account the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces, and taking into account technical progress, changes in the most appropriate harmonised European standards or international specifications, and new scientific findings concerning occupational exposure to optical radiation. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2006/25/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to apply the urgency procedure provided for in Article 5a(6) of Decision 1999/468/EC for the adoption of amendments of a purely technical nature.

Accordingly, Directive 2006/25/EC is hereby amended as follows:

1. Article 10(2) shall be replaced by the following:
2. Amendments to the Annexes of a purely technical nature shall be adopted by the Commission in line with:
 - a the adoption of directives in the field of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and/or workplaces;
 - b technical progress, changes in the most relevant harmonised European standards or international specifications, and new scientific findings concerning occupational exposure to optical radiation.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(2). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 11(3).;

2. Article 11 shall be amended as follows:
 - (a) paragraph 2 shall be replaced by the following:

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2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

(b) paragraph 3 shall be replaced by the following:

3. Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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- (1) OJ L 183, 29.6.1989, p. 1.
- (2) OJ L 113, 30.4.1992, p. 19.
- (3) OJ L 177, 6.7.2002, p. 13.
- (4) OJ L 42, 15.2.2003, p. 38.
- (5) OJ L 159, 30.4.2004, p. 1.
- (6) OJ L 114, 27.4.2006, p. 38.

Changes to legislation:

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