Health and safety at work: exposure of workers to electromagnetic fields; transposition of Directive

2012/0003(COD) - 19/04/2012 - Final act

PURPOSE: to amend Directive 2004/40/EC regarding the exposure of workers to the risks arising from electromagnetic fields in order to extend the deadline for transposition.

LEGISLATIVE ACT : Directive 2012/11/EU of the European Parliament and of the Council amending Directive 2004/40/EC on 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)

CONTENT: the purpose of this Directive is to **postpone the deadline for the transposition of Directive 2004/40/EC until 31 October 2013.**

Following the entry into force of Directive 2004/40/EC, stakeholders expressed serious concerns about the impact that implementing that Directive could have on the use of medical procedures based on medical imaging, as well as its impact on certain industrial activities. The Commission examined the arguments put forward by stakeholders and decided to reconsider some provisions of Directive 2004/40/EC, on the basis of new scientific evidence.

The deadline for transposition of Directive 2004/40/EC was postponed, by Directive 2008/46/EC, until 30 April 2012, in order to allow a new Directive based on the most recent evidence to be adopted by that date.

On 14 June 2011, the Commission adopted a proposal for a new Directive to replace Directive 2004/40 /EC. The aim of the new Directive is to ensure both a high level of health and safety protection for workers and the continuation and development of medical and other industrial activities using electromagnetic fields. Consequently, anticipating the adoption of the new Directive by 30 April 2012, the majority of Member States have not transposed Directive 2004/40/EC. However, given the technical complexity of the subject matter, it is unlikely that the new Directive will be adopted by 30 April 2012.

Consequently, the deadline of 30 April 2012 had to be extended.

ENTRY INTO FORCE: 24/04/2012.