

Basic information	
<p><b>2006/0214(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p>	Procedure completed
<p>Minimum safety and health requirements for the use of work equipment by workers at work. Codification</p> <p>Repealing Directive 95/63/EC <a href="#">1994/0077(SYN)</a> Repealing Directive 2001/45/EC <a href="#">1998/0327(COD)</a></p> <p><b>Subject</b></p> <p>4.15.15 Health and safety at work, occupational medicine</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">JURI</span> Legal Affairs		GERINGER DE OEDENBERG Lidia Joanna (PSE)	19/12/2007
	<b>Former committee responsible</b>		<b>Former rapporteur</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">JURI</span> Legal Affairs		MAYER Hans-Peter (PPE-DE)	26/02/2007
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Agriculture and Fisheries		2956	2009-07-13
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Legal Service		BARROSO José Manuel	

Key events			
Date	Event	Reference	Summary
03/11/2006	Legislative proposal published	COM(2006)0652 	Summary
14/11/2006	Committee referral announced in Parliament, 1st reading		
20/03/2007	Vote in committee, 1st reading		Summary
10/04/2007	Committee report tabled for plenary, 1st reading	A6-0132/2007	

19/06/2007	Decision by Parliament, 1st reading	<a href="#">T6-0246/2007</a>	<a href="#">Summary</a>
19/06/2007	Results of vote in Parliament		
29/02/2008	Formal reconsultation of Parliament		
29/02/2008	Amended legislative proposal for reconsultation published	<a href="#">COM(2008)0111</a> 	<a href="#">Summary</a>
26/06/2008	Vote in committee, 1st reading		<a href="#">Summary</a>
03/07/2008	Committee report tabled for plenary, reconsultation	<a href="#">A6-0290/2008</a>	
08/07/2008	Decision by Parliament, 1st reading	<a href="#">T6-0317/2008</a>	<a href="#">Summary</a>
13/07/2009	Act adopted by Council after Parliament's 1st reading		
16/09/2009	Final act signed		
16/09/2009	End of procedure in Parliament		
03/10/2009	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2006/0214(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Codification
<b>Legislative instrument</b>	Directive
<b>Amendments and repeals</b>	Repealing Directive 95/63/EC <a href="#">1994/0077(SYN)</a> Repealing Directive 2001/45/EC <a href="#">1998/0327(COD)</a>
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 137-p2
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	JURI/6/60302 JURI/6/42340

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0132/2007</a>	10/04/2007	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0246/2007</a>	19/06/2007	<a href="#">Summary</a>
Committee final report tabled for plenary, reconsultation		<a href="#">A6-0290/2008</a>	03/07/2008	
Text adopted by Parliament after reconsultation		<a href="#">T6-0317/2008</a>	08/07/2008	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type	Reference	Date	Summary	
Draft final act	<a href="#">03633/2009/LEX</a>	16/09/2009		

European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2006)0652 	03/11/2006	<a href="#">Summary</a>	
Amended legislative proposal for reconsultation	COM(2008)0111 	29/02/2008	<a href="#">Summary</a>	
Commission working document (SWD)	SWD(2017)0010 	12/01/2017	<a href="#">Summary</a>	
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0208/2007	15/02/2007	
EESC	Economic and Social Committee: opinion, report	CES1679/2008	22/10/2008	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act
<a href="#">Directive 2009/0104</a> <a href="#">OJ L 260 03.10.2009, p. 0005</a> <span style="float: right;"><a href="#">Summary</a></span>

## Minimum safety and health requirements for the use of work equipment by workers at work. Codification

2006/0214(COD) - 19/06/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Hans-Peter **MAYER** (EPP-ED, D) and approved the Commission proposal concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (codified version).

## Minimum safety and health requirements for the use of work equipment by workers at work. Codification

2006/0214(COD) - 08/07/2008 - Text adopted by Parliament after reconsultation

The European Parliament adopted, under the 1st reading of the codecision procedure, a legislative resolution approving the amended proposal for a directive of the European Parliament and of the Council on the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (codified version).

The **re-consultation** report had been tabled for consideration in plenary by Lidia Joanna **GERINGER de OEDENBERG** (PES, PL), UK), on behalf of the Committee on Legal Affairs.

The proposal is approved as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

## **Minimum safety and health requirements for the use of work equipment by workers at work. Codification**

2006/0214(COD) - 29/02/2008 - Amended legislative proposal for reconsultation

On 6 November 2006, the Commission presented a proposal for a Directive of the European Parliament and of the Council codifying Council Directive 89/655/EEC of 30 December 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

In its advisory opinion of 13 December 2006, the Legal Services Consultative Working Party set up by the Interinstitutional Agreement of 20 December 2006 on an accelerated working method for official codification of legislative texts, stated that the proposal is a straightforward codification of legislation, without any substantive changes to the acts covered by it

Given the new amendments that have been introduced since the initial proposal and the result of the work that has already been carried out within the Council on the proposal, it is deemed necessary that the Commission present – in accordance with article 250(2) of the EC Treaty – an amended proposal for codification of Directive 89/655/ECC.

The amendments to the proposal for an amended initial proposal focus on:

- modifying the notes to pages 8, 10 and 11;
- deleting paragraphs 2 and 3 from article 12;
- updating the tables set out in annex III of the Directive following the publication of Directive 2007/30/EC;
- modifying annex IV (correlation table) following the amendments to the provision.

## **Minimum safety and health requirements for the use of work equipment by workers at work. Codification**

2006/0214(COD) - 03/11/2006 - Legislative proposal

**PURPOSE:** to codify legislation concerning the minimum safety and health requirements for the use of work equipment by workers at work.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**CONTENT:** the purpose of this proposal is to undertake a codification of Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work. The new Directive will supersede the various acts incorporated in it. This proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

## **Minimum safety and health requirements for the use of work equipment by workers at work. Codification**

2006/0214(COD) - 16/09/2009 - Final act

**PURPOSE:** to codify legislation concerning the minimum safety and health requirements for the use of work equipment by workers at work.

**LEGISLATIVE ACT:** Directive 2009/104/EC of the European Parliament and of the Council concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (codified version).

**CONTENT:** the purpose of this Directive is to undertake a codification of Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work.

The new Directive will supersede the various acts incorporated in it. It fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

**ENTRY INTO FORCE:** 23/10/2009.

# Minimum safety and health requirements for the use of work equipment by workers at work. Codification

2006/0214(COD) - 12/01/2017

The Commission presented a working document accompanying the [Commission communication](#) to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the modernisation of the EU occupational safety and health legislation and policy.

The detailed ex-post evaluation of the EU acquis, checking their relevance as well as efficiency, effectiveness, coherence and EU added value, carried out by the Commission confirms that the framework meets its ambition to adequately protect workers.

**Main conclusions:** the evaluation concluded that the overall structure of the EU occupational safety and health acquis, consisting of a goal-oriented Framework Directive complemented by specific Directives, is generally effective and fit-for-purpose.

However, it pointed to **specific provisions of individual Directives that have become outdated or obsolete**, and highlighted the need to find effective ways to **address new risks**.

The way in which Member States have transposed the EU occupational safety and health Directives varies considerably across Member States. Compliance costs therefore vary and cannot be easily dissociated from more detailed national requirements.

**As regards SMEs:** the evaluation clearly concluded that compliance with the occupational safety and health Directives is more challenging for SMEs than large establishments, while at the same time the **major and fatal injury rates are higher for SMEs**. Specific support measures are therefore necessary to **reach SMEs** and help them increase their compliance in an efficient and effective way.

**Next steps:** the evaluation considered that occupational safety and health measures should reach the widest number of people at work, **no matter the type of working relationship they are in, and no matter the size of company they work for**. Compliance with occupational safety and health rules should be manageable for businesses of all sizes and effectively monitored on the ground.

Measures must be result-oriented, instead of paper-driven, and maximum use should be made of **new digital tools** to facilitate implementation.

**Characteristics of the evaluation:** this exercise also forms part of the Commission's Regulatory Fitness (REFIT) Programme with a special focus on SMEs. In this respect, the evaluation concentrated both on Framework Directive 89/391/EEC and on the other 23 directives related to it.

**The evaluation also concerned Directive 2009/104/EC** of the European Parliament and of the Council concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

Directive 2009/104/EC lays down minimum safety and health requirements for the use of work equipment by workers at work. The main objective of the Directive is a reduction in the incidence of accidents, injuries and ill-health associated with the use of work equipment.

The Work Equipment Directive remains relevant to safeguard the health and safety of workers in the EU. The available statistics on the causes and circumstances of accidents at work point to the conclusion that the Directive has been broadly effective, though the situation differs considerably from Member State to Member State depending on the work equipment type considered.

The main suggestions/recommendations from the national implementation reports were to adopt a **uniform approach towards old and new equipment**, to define the notion of "specific risk" used in the Directive and to define criteria for inspection of work equipment and competence of persons charged with inspection referred to in the Directive (inspection of work equipment).

Furthermore, based on the conclusions of the evaluation study, further consideration should be given to enhancing synergies between the Work Equipment Directive and Directive 2006/42/EC ([Work Equipment Directive](#)).