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COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF REGIONS

on the practical implementation of the provisions of the Health and Safety at Work Directives 89/391 (Framework), 89/654 (Workplaces), 89/655 (Work Equipment), 89/656 (Personal Protective Equipment), 90/269 (Manual Handling of Loads) and 90/270 (Display Screen Equipment)

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EXECUTIVE SUMMARY

Prevention is the guiding principle for occupational health and safety legislation in the European Union. In order to avoid accidents from happening and occupational diseases to occur, EU wide minimum requirements for health and safety protection at the workplace have been adopted.

This report examines how the Framework directive of 1989 and five of its individual directives have been transposed and are applied within the Member States. It also draws conclusions from the application – and in some domains rather the lack of proper application – for Europe's health and safety legislation and its impact on the economy and society.

The 1989 directive lays down the principles for the introduction of measures to encourage improvements in the safety and health of workers and provides a framework for specific workplace environments, developed in individual directives. The goal of instilling a culture of prevention rests on the double foundation that the minimum requirements provide a level playing field for businesses operating within the large European domestic market and provide a high degree of protection to workers, avoiding pain and suffering and minimising the income foregone for enterprises as a result of preventing occupational accidents and diseases.

The EU legislation reportedly has had a positive influence on the national standards for occupational health and safety. At the same time, the health and safety measures at the workplace are reported to have widely contributed towards improved working conditions, boosting productivity, competitiveness and employment.

The statistical evidence as well as the national reporting on achievements point to an important improvement in terms of health and safety protection. They show that the implementation and application of the EU legislation played a crucial role in bringing down the figures. The data are convincing: a real structural change has been fostered.

Preliminary estimations based on Eurostat data for 2000 highlight that the number of accidents per 100,000 workers, resulting in more than three days' absence from work, fell from 4,539 in 1994 to about 4,016 in 2000. The decline of this headline indicator clearly points to an improvement in bringing down accidents, even taking into account a shift in the economic structure and the typology of jobs as well as considering new risks.

However, in absolute numbers, every year nearly 5 200 workers lose their life as a result of a work related accident. In total, there are still about 4.8 million accidents per year. This means also that about two thirds of the accidents lead to an absence of more than 3 days at work. Almost 14% of workers suffered more than one accident in a year. Annually about 158 million days' work are lost.

The high risk areas largely coincide with the sectors and types of jobs on which the report underlines major shortfalls in proper application, showing the case of a consolidation of compliance with the health and safety acquis to further bring down the number of accidents.

Sticking out are Small and Medium Sized Enterprises. Also the public sector shows significant shortcomings. High-risk workers are also found amongst the young, the ones on temporary contracts and those with low qualifications. This evidence clearly underlines the scope and importance of the priority attached to quality in work as a policy vehicle for implementing the EU's social policy agenda.

The fact that about 7% of those who are involved in an accident cannot return to the same job and that about 4% must reduce their working hours or cannot work any longer, is a major setback for working towards the Lisbon full employment goal. It is also evidence for the fact that 'more and better' jobs are two sides of the same coin. Every year, nearly 300,000 workers will get various degrees of permanent disabilities, resulting from a workplace related accident or disease.

It is estimated that the total costs to the economy amounts to between 2.6% and 3.8% of GNP. All these data are testimony of the high economic costs of not having appropriate social policy in place. The still high levels of accidents and diseases, backed up by a wide range of gaps as documented in detail in this report, underline the need for reinforced attention to the sectors and workers concerned to bring about the necessary changes.

This is the more important as the EU enlargement will bring in countries in which the prevention culture still has to be rooted.

To clarify and solve misunderstandings and to correct any defective situation that may occur in the application of the legislation is an urgent task. Labour inspectorates have a crucial role to play here: using labour inspectors as agents of change to promote better compliance in SME's, first through education, persuasion and encouragement and through increase of enforcement, where necessary.

A high level of protection of the safety and health of workers which is the overriding objective of the Framework Directive 89/391 and its five first individual directives, can only be achieved if all actors concerned, employers, workers, workers' representatives, national enforcement authorities, make the efforts necessary for an effective and correct application and engage in a co-operative interaction. The Communication from the Commission - Adapting to change in work and society: a new Community strategy on health and safety at work 2002-2006[1] contains clear indications in this regard.

The reinforced commitment to address the miscellaneous flaws identified in this report will bring about the changes that will improve the implementation and application levels of the Health and Safety Directives and make the health and safety protection a tangible reality for all workers, contributing in this way to the improvement of productivity and quality of work.

This action will be at the heart of the top priority given to the consolidation of the acquis, as outlined in the Mid-term review of the social policy agenda[2] for the coming years.

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1 COM(2002) 118
2 COM(2003) 312

1. INTRODUCTION

This report is the response by the Commission to the request laid down in the final provisions of Directives 89/391, 89/654, 89/655, 89/656, 90/269 and 90/270[3] that "the Commission shall submit periodically to the European Parliament (EP), the Council and the Economic and Social Committee a report on the implementation of this Directive".

A major input to this Communication are the national reports[4] provided by the Member States in accordance with the directives which state that "Member States shall report to the Commission every five years (every four years for Directives 90/269 and 90/270) on the practical implementation of the provisions of this Directive, indicating the points of view of employers and workers". It also builds on an independent experts' report, analysing the implementation of the directives in all sectors, including the public sector. Finally, the report reflects the experiences gained by the Commission in its work of monitoring the transposition of the Directives into national laws and their application across the economy.

The analysis concerns the transposition and application of the framework directive 89/391 on the introduction of measures to encourage improvements in the safety and health of workers at work as well as of the first five individual directives, addressing particular workplace environments or risks. The individual directives concern in particular:

- minimum requirements for the workplace (89/654)
- the use of work equipment (89/655)
- personal protective equipment (89/656)
- manual handling of loads (90/269)
- display screen equipment (90/270)

The report looks first at the scope of the legal impact of the framework directive and the individual directives in the Member States. Then it addresses the control executed on the transposition of the legislation, highlighting the delays caused at the moment of transposition and the impact of the conformity control on the quality of the national legislation.

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[3] Article 18 of 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; article 10 of Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC), Article 10 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 (second individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC), Article 10 of Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC), Article 9 of Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) and Article 11 of Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC).

[4] The national reports were based on a commonly agreed outline. The level of participation of the social partners in the establishment of the reports varies considerably from one Member State to the other according to the national practices. All the Member States transmitted their reports concerning the Framework Directive 89/391. For the five first individual directives France and Ireland have not submitted all the reports. The national reports have been transmitted to the Council and the European Parliament.

A large section is devoted to the implementation across the economy. On an area by area basis, a detailed state of play will be given on the core characteristics of this legislation. Particular attention will be given to the situation in Small and Medium Sized Enterprises and in the public sector.

The next chapter sums up the main positive elements as well as the main difficulties the Member States report for the implementation.

The state of play and the evaluation thereof is then confronted with statistical data on the health and safety legislation in the European Union.

By way of conclusion, an overview is given of what the Member States suggested themselves in their national reports to improve the correct application. The report finally addresses next steps for facilitating full and correct application throughout an enlarged European Union.

2. THE LEGAL IMPACT IN THE MEMBER STATES

Prior to the adoption of the Framework Directive and its five first individual directives, the protection of the health and safety of workers at work within the areas covered varied widely across Member States. Directive 89/391 has changed the practical approach of the protection of the safety and health of workers in Member States as it laid down an integrated preventive approach to health and safety at work, requiring a continuous improvement of the health and safety conditions. The responsibility of the employer, the prevention principles established and the workers' information, training, consultation and balanced participation are the cornerstones on which the new approach to health and safety at work protection is based. The basic principles for occupational health and safety at the workplace established by the Framework Directive were subsequently defined and supplemented in the individual directives. As a result, minimum requirements should be guaranteed throughout Europe, while the Member States are allowed to maintain or establish higher levels of protection[5].

The levels of repercussion into the national legal systems of the Framework Directive 89/391 and its five first individual directives fall into three categories.

- In certain countries[6] the Framework Directive had considerable legal consequences due to the fact that they had antiquated or inadequate legislation on the subject when the Directive was adopted.

- In other Member States[7], the Directive served to complete or refine existing national legislation.

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5 See in this sense the decision of the Court of Justice of 12 November 1996, United Kingdom v. Council, case C-84/94, point 17 "In conferring on the Council power to lay down minimum requirements, Article 118a does not prejudge the extent of the action which that institution may consider necessary in order to carry out the task which the provision in question expressly assigns to it namely, to work in favour of improved conditions, as regards the health and safety of workers, while maintaining the improvements made. The significance of the expression "minimum requirements" in Article 118a is simply, as indeed Article 118a(3) confirms, that the provision authorises Member States to adopt more stringent measures than those which form the subject-matter of Community action (see, in particular, Opinion 2/91, paragraph 18)".

6 Greece, Ireland, Portugal, Spain, Italy, Luxembourg

7 Austria, France, Germany, United Kingdom, the Netherlands, Belgium

Finally, in the opinion of a few Member States[8], transposition did not require major adjustments since they had already rules in place which were in line with the directives concerned. Member States which benefited most from the legislation to modernise their health and safety rules emphasise the following innovative aspects of the Framework directive: the large scope of application including the public sector, the principle of the objective responsibility of the employer, the requirement that a risk assessment shall be drawn up and documented, the obligation to establish a prevention plan based in the results of the risk assessment, the recourse to prevention and protective services and the workers' rights to information, consultation, participation and training.

They furthermore report the following strengths resulting from the individual directives:

- Directive 89/654: the description of the term "workplace", which includes any modifications, extensions or conversions as well as the introduction of specific requirements for emergency doors, availability of sufficient area space, ambient conditions, rest areas and for the protection of pregnant workers.

- Directive 89/655: had a large unifying effect of the national legislation regarding work equipment. In general, it has not introduced large innovations, but it has contributed to a rationalisation and generalisation of the existing national regulations. The majority of the Member States indicated that the transposition of the minimum requirements regarding the work equipment enlarged the scope of application of the national legislation to all sectors of activity. This legal impact was greater in some countries, as for example in Greece where the new Directive meant a large positive step, while in other countries[9] the impact in their legislation was less pronounced.

- Directive 89/656: the incorporation of certain obligations upon the employer such as the assessment, selection, supply and maintenance of personal protective equipment for workers. The extension of the employer's responsibility regarding this point as well as his obligation to assess hazards when selecting personal protective equipment, are other important issues. In general, the transposition of the directive enlarged the scope of application of the existing national legislation[10].

- Directive 90/269: unified existing legislation by simplifying and completing existing regulations on injuries resulting from handling of loads. In the majority of Member States the scope was extended to all sectors of activity and the obligation to determine and assess the risks associated with manual handling of loads is recognised as being an innovation. Some countries underlined the importance of the principle of avoiding the manual handling of loads and the obligation of the employer to reduce the risks by the use of appropriate organisational or technical measures.

- Directive 90/270: the introduction of provisions dealing with work with display screens and the consideration of ergonomic aspects. Member States also indicate that breaks or changes in the activity of workers using display screens and the right to eyesight checks and, where necessary, the provision of correction devices, as major innovations introduced in national law by the directive. The requirements on emissions, equipment, the working

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8 Denmark, Finland, Sweden

9 e.g., Denmark and The Netherlands.

10 e.g., personal protective equipment in vessels in Denmark

environment and the man/computer interface also contributed to modernise national legislation.

It results from the national reports and the analysis performed by the Commission that Framework Directive 89/391 and Directives 89/654, 89/655, 89/656, 90/269 and 90/270 have been the driving force for instilling a culture of prevention throughout the EU as well as for rationalising and simplifying the national legislative corpus on health and safety at work. Evidently, this impact has been greater in those Member States who had either less developed legislation in the field or legislation based on corrective principles rather that on a preventive approach to fight the occupational risks.

The shift of paradigm imposed by the EU health and safety legislation – which mean to move away from a technology-driven approach for accident prevention and towards a policy of occupational safety and health that would be much more focused on the persons behaviour and organisational structures – is recognised as having represented the major impact in the Member States national systems. In transposing it, Member States had to change from prescriptive detailed legislation to objective-driven law. This subsequently had repercussions in its interpretation by courts and in its enforcement.

3. TRANSPOSITION CONTROL

This chapter addresses the control of the transposition of the directives into national law. It looks in particular at the lengthy process which was needed to transpose the directives. It also details the effective commitments by the Member States, despite the deficiencies which occurred throughout the European Union as revealed in the conformity analysis.

3.1. Timeliness of transposition

The transposition of the Framework Directive 89/391 and its five first individual directives 89/654, 89/655, 89/656, 90/269 and 90/270 into the national legislative framework of Member States was a lengthy process. The transposition delays have had a considerable impact on the levels of the practical implementation at workplace level.

Despite the fact that all the directives had been the object of prior in-depth consultations of social partners at the European and national level and the fact that they all have been adopted with unanimous agreement in the Council, the majority of Member States failed to meet the commitments taken as regards the delays for transposition. Finland, Austria and Sweden carried out the necessary changes partly in advance of membership and partly shortly after joining the European Union[11].

As early as in 1993, infringement proceedings were launched by the Commission against those Members States that had not communicated in due time their national legislation transposing the directives. Due to the opening of these infringements proceedings, Member States accelerated their legislative efforts and adopted the necessary legislative measures to transpose the directives before reaching the final steps of the infringement proceedings. In one case – Spain – the infringement proceedings launched on the basis of the failure to

[11] See in Annex a list of the national provisions communicated by Member States concerning the Framework Directive 89/391 and its five first individual Directives 89/654, 89/655, 89/656, 90/269 and 90/270.

communicate the national measures transposing directives 89/654, 89/655, 89/656, 90/269 and 90/270 resulted in a ruling of the Court of Justice[12].

3.2. Conformity control

Following transposition into national law, the Commission carried out a conformity control of the national legislation. Rather than launching immediately infringement proceedings, the Commission undertook discussions with national authorities to clarify and solve misunderstandings and to correct the defective situation. The individual complaints submitted to the Commission were of great value in detecting the weak spots.

3.2.1. The framework directive

Although the conformity analysis underlined effective commitment, it also revealed deficiencies in virtually all Member States with regards to the transposition of the Framework Directive 89/391 into national legislation.

The Commission opened infringement proceedings on non-conformity against all Member States as regards Framework Directive 89/391, with the exception of Greece (nevertheless an infringement proceeding has been open regarding the defective application and enforcement of the Greek legislation transposing Directive 89/391). After the sending of letters of formal notices and reasoned opinions, eleven Member States - Austria, Belgium, Denmark, Finland, France, Ireland, Luxembourg, Portugal, The Netherlands, Sweden and the United Kingdom - modified their legislation in order to remedy the identified deficiencies. However, as not all of the deficiencies pointed out by the Commission were recognised by the Member States, the Commission referred several cases to the Court of Justice[13].

The main problems of non-conformity detected in the transposition of the Framework Directive 89/391 were the following:

- The scope of application (article 2): this was limited by several Member States in the national legislation. It should be noted, in this regard, that by a judgement of 3 October 2000 in case C-303/98, Sindicato de Médicos de Asistencia Pública (Simap) and Conselleria de Sanidad y Consumo de la Generalidad Valenciana, the Court of justice examined the scope of the Framework Directive 89/391 indicating that "…it is clear both from the object of the basic Directive, namely to encourage improvement in the safety and health of workers at work, and from the wording of Article 2(1) thereof, that it must necessarily be broad in scope"; and that "It follows that the exceptions to the scope of the basic Directive, including that provided for in Article 2(2), must be interpreted restrictively."[14].

- The responsibility of the employer (article 5).

- The transposition of the general principles of prevention (article 6 (2)).

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12 Judgement of the Court of 26 September 1996, Commission v. Kingdom of Spain, case C-79/95.

13 Commission v. Germany, case C-5/00; Commission v. Italy, case C-49/00; Commission v. Portugal, case C-425/01; Commission v. The Netherlands, case C-441/01; Commission v. Luxembourg, case C-335/02. It should be noted that there are still infringements proceedings running against certain Member States (Austria, France, Finland, Ireland, Spain, Sweden and United Kingdom).

14 See in the same sense the opinion of the Advocate General of 6 May 2003 in joint cases C-397/01-C-403/01, Bernhard Pfeiffer e.a. v. Deutsches Rotes Kreuz Kreisverband Waldshut eV., point 22.

- The extent of the obligation to evaluate the risks to the safety and health of workers (article 6(3)a)): this raised a conformity problem in the Italian transposition (the Italian legislation only required employers to evaluate specific risks) clarified by the Court of justice in its judgement of 15 November 2001[15]. In particular in point 12, the Court states that "It must be noted, at the outset, that it follows both from the purpose of the directive, which, according to the 15th recital, applies to all risks, and from the wording of Article 6(3)(a) thereof, that employers are obliged to evaluate all risks to the safety and health of workers." Point 13 of this judgement is of particular importance: "It should also be noted that the occupational risks which are to be evaluated by employers are not fixed once and for all, but are continually changing in relation, particularly, to the progressive development of working conditions and scientific research concerning such risks.".

- Preventive and protective services (article 7): several issues stand out here:

– The priority to be given to the internal services had been disputed by several countries. Most Member States corrected their national provisions but in one case the Commission referred the matter to the Court of justice, which ruled on 22 May 2003[16] that "(…) by not reflecting, in its national legislation the subsidiary nature of the enlistment by undertakings of external competent services to carry out activities related to protection against and prevention of occupational risks within those undertakings, the Kingdom of the Netherlands has failed to fulfil its obligations under Article 7(3) of Council Directive 89/391"

– This article also raised serious problems of conformity as regards the French transposition and the fact that France pleaded that the "médecine du travail" would correctly transpose this provision. The Commission did not accept this point of view and, after the opening of an infringement proceeding, France adopted national legislation with a view to integrate a multidisciplinary approach in its transposition of Article 7[17].

– Another deficiency was linked to the employer's obligation to enlist competent external services or persons if the protective and preventive measures cannot be organised internally for lack of competent personnel in the undertaking and/or establishment (Article 7(3)). The Court declared in the above mentioned judgement of 15 November 2001[18] that "It is particularly important, in order to satisfy the requirement of legal certainty, that individuals should have the benefit of a clear and precise legal situation enabling them to ascertain the full extent of their rights and duties and, where appropriate, to rely on them before the national courts" (point 22) and "In that regard, it must be noted that Article 7(1) and (3) of the directive require employers to arrange a service of prevention and protection from occupational risks within the undertaking or, if its internal capabilities are insufficient, to enlist external help." (point 23).

– Finally, several Member States have deficiently transposed Article 7 paragraph 8 first subparagraph "Member States shall define the necessary capabilities and aptitudes referred to in paragraph 5" (capabilities and aptitudes of the workers designated and external services or persons in charge of the protective and preventive

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15 Case C-49/00, Commission v. Italy.
16 Case C-441/01, Commission v. The Netherlands.
17 See Loi de modernisation sociale of 17 January 2002.
18 Case C-49/00.

measures). The Court of justice held in its judgement of 15 November 2000[19] that "In order to implement that obligation, Member States must adopt laws or regulations which comply with the requirements of the directive and which are brought to the attention of the undertakings concerned by appropriate means, so as to enable them to be aware of their obligations in the matter and the competent national authorities to check that those measures are complied with." (point 36). This provision of Directive 89/391 was still subject of a judgement of the Court of 22 May 2003[20].

- The transposition of the first aid, fire-fighting and evacuation provisions (article 8): in some cases the difficulties were particularly due to the fact that the responsibility for their implementation was split between different ministries (Ireland, United Kingdom, Finland).

- The obligation to document the risk assessment in all types of undertakings (article 9): The Court of justice considered in its judgement of 7 February 2002[21] that " At the outset, it should be observed that Article 9(1)(a) of the Directive imposes a duty on the employer to be in possession of documents containing an assessment of the risks to safety and health at work, documents to which workers and/or their representatives with specific responsibility for the safety and health of workers must have access under Article 10(3)(a) of the Directive." (point 24) and that " In that respect, it should be noted that a provision which, for certain types of undertaking, having regard *inter alia* to the number of workers employed by them, grants the competent Federal minister the power to exempt occupational physicians and occupational safety specialists the obligation to draw up reports on the assessment of working conditions seems to be clearly contrary to Articles 9(1)(a) and 10(3)(a) of the Directive, inasmuch as undertakings employing 10 or fewer workers may thereby be absolved of the obligation to keep a risk assessment in documentary form."(point 35).

- Workers' information (article 10): In some Member States the legislation limited originally this right to a certain threshold of workers or to a certain degree of information.

- Consultation, participation and training of workers (articles 11 and 12): In the majority of cases, Member States accepted the views of the Commission and corrected the deficiencies amending thus their legislation.

3.2.2. The individual directives

The situation for the conformity in the transposition of the five first individual Directives 89/654, 89/655, 89/656, 90/269 and 90/270, was from the early stage outspoken more positive in that Member States generally incorporated the minimum requirements *ipsis verbis* in their national legislation. In addition, most deficiencies detected in the transposition were solved without the need to launch infringement proceedings. However it is worth mentioning that in some cases the Commission had to seize the Court of justice[22].

The majority of the conformity deficiencies detected related to the workplaces directive 89/654, work equipment directive 89/655 and display screen equipment directive 90/270 and

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19 Case C-49/00.

20 Commission v. Luxembourg, Case C-335/02.

21 Commission v. Germany, Case C-5/00.

22 Commission v. Italy, Case 65/01, (transposition of directive 89/655), Commission v. Italy, case C-455/00 (directive 90/270);Commission v. Spain, case C-168/03 (directive C-89/655). It should be stated that there are still infringement proceedings running against certain Member States (Austria, Germany and Sweden).

were related to the technical requirements of the annexes. As regards the display screen equipment directive 90/270, the provisions related to the interruption of the activity and to the health surveillance also raised difficulties in the transposition in some Member States.

4. ACTION ON THE GROUND: THE PRACTICAL IMPLEMENTATION

The delays incurred in the transposition as well as the conformity problems, particularly for the Framework directive, have had a considerable impact on the levels of practical implementation as well as on the quality of implementation, since the supporting actions (information, training, technical assistance, etc.) necessary to create the required safety culture were delayed as well.

The analysis of the situation at the workplace level provides an ambiguous portrait with a strand where transposition and application of legislation is largely respected, yielding de facto benefits in terms of reducing health and safety risks and preventing accidents from happening and a strand where significant efforts are needed to meet the standards and to allow to reap in full the prevention benefits of the legislation.

This means that on the one hand, the main objectives of guaranteeing to the worker of the European Union minimum common standard levels of protection by harmonising the health and safety requirements and the reduction of the number of accidents at work and occupational diseases have been attained. On the other hand, the non uniform application of such standards in different sectors of activity and in different sizes of undertakings has precluded accidents and occupational diseases rates to decline further.

A conjunction of several factors has influenced the level of practical implementation at the workplace. Below the relevant characteristics will be documented, covering the following key elements: publicising and flanking of legislation; awareness raising; risk assessment, documentation and supervision; protective and preventive services; information, consultation, participation and training; organisation and management of health and safety at work; enforcement; SMEs; and the public sector.

4.1. Publicising and flanking of the new legislation transposing the health and safety at work Directives

As early as 1992, the Commission and Member States initiated a series of actions, notably the 1992 European Year on Health and Safety at Work and the subsequent European weeks on health and safety as well as campaigns at national level in view of the promotion and diffusion of the new health and safety legislation and providing advice for the implementation of the directives at workplace level. Since its creation in 1994[23], the European Agency for Safety and Health and Work took over such information activities at the European level.

Since the adoption of the directives, Member States have undertaken extensive action plans intended to promote an active attitude towards prevention, to instil awareness of the concept of integrated prevention and develop practical guidelines to help employers and workers meet their obligations under the new legislation.

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[23] Council Regulation EC 2062/94 of 18 July 1994 establishing a European Agency for Safety and Health at Work, OJ L 216 of 20.8.1994, p. 1, as amended by Council Regulation EC 1643/95 of 29 June 1995, OJ L 156 of 7.7.1995, p. 1.

The Member States generally report that the measures adopted are sufficient and satisfactory, although several countries[24] stress the need for further information and advice activities in order to influence small businesses and the self-employed to embrace high standards of health and safety and to recognise their economic and social benefits.

Although the efforts at national and EU level have significantly contributed to a better understanding of the new legislation and made employers and workers more aware of their rights and obligations, the impact of these measures differs across the economic spectrum. For instance, the success in larger enterprises co-exists with the situation in many SMEs across the EU in which a qualitative step forward still has to be made to trigger the development of the sense of safety, the will to control the risks and the necessary participation of those involved in controlling the risks at the workplace.

4.2. Awareness raising

Despite the big volume of information material available, the level of information of employers and workers, in particular in small- and medium-sized enterprises appears to be insufficient to reach all target groups. This can be illustrated by the following examples:

– Studies undertaken in the Netherlands indicate that the level of information of employers should be improved. Amongst the enterprises that had not fulfilled their obligation to carry out a risk assessment, 9 % said that they had not been familiar with this obligation and 8 % were not aware of an analysis of the working conditions and the evaluation of risks at the workplace. These enterprises are predominantly small- sized enterprises.

– The results of a survey carried out in Spain show that 68% of the enterprises report not to understand the obligations of the employers. 16% of the enterprises reported that the level of information on occupational safety and health was insufficient. 59% of the employers state not to be familiar with the obligation to develop and implement measures necessary for the safety and health protection of workers. 18% of the employers claim only to have a very vague idea about such measures and 13% of the employers are informed about their obligation, but had not taken any action.

– In Sweden small-sized enterprises report difficulties in understanding the provisions. The information appears to reach out to health and safety specialists and associations instead of the main actors of prevention: employers and workers.

– In the United Kingdom an empirical investigation confirmed that employers of small-sized enterprises have difficulties in understanding the information material provided by the authorities responsible for the implementation of occupational safety and health.

The insufficient level of understanding is explained by the nature of the provisions – establishing an objective – without providing at national level the appropriate information to help employers establish the adequate prevention plans addressing the risks detected in the risk assessment. In particular employers of small-sized enterprises report that the development of such prevention plans is a very demanding task.

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[24] Luxembourg, United Kingdom, Ireland.

On the motivation of the employers, the only available empirical study as regards health and safety at work was carried out in the United Kingdom. It leads to the conclusion that complying with the legal regulations is the most important reason for the employer to take new measures (80% of the employers). However, the study allows to distinguish three basic patterns of behaviour:

1. A widely spread attitude amongst employers consists of complying with the legal requirements and to ensure that they pass inspections, but without hardly considering the benefits to be gained of improving occupational safety and health. The so called 'legalistic behaviour' is thus aimed at containing the implementation costs as low as possible to meet the legal requirements.

2. A second category of employers is genuinely interested in the costs and benefits of occupational safety and health and considers them together with optimising production processes and integrated management systems and introduce them on the basis of what can be called 'intrinsic motivation'. However, this group is rather small. As a consequence, programmes based on ”best practice examples“ have only very limited reach.

3. A third group consists of enterprises that are dealing with occupational safety and health because it is connected to the requirements expressed by important customers, public tender conditions, and sanctions imposed by enforcement authorities, etc. In other words, there is an additional so called 'external impetus' to commit to occupational health and safety standards.

4.3. Risk assessment, documentation and supervision

One of the most important new developments of the European Union health and safety legislation was the introduction of risk assessment and the documentation of the results as a foundation for the establishment of a prevention programme of technical and/or organisational measures to combat the risks. These tasks also include the regular supervision of the efficiency of the measures taken and the continuous improvement of the situation according to the provisions of Framework Directive 89/391. The exercise must be dynamic with the prevention programmes continuously updated as long as the risk situations persist.

It is reported that the tasks of risk assessment, documentation and supervision is not universally spread, including in Member States with a tradition based on prevention. Below are some empirical results:

– In Denmark, a study from 1998 showed that almost half of the enterprises had not carried out any risk assessment. Among the enterprises with 5 to 19 workers, only 27% had conducted a study on the evaluation of risks. Among the enterprises with 20 to 49 workers the percentage was already 61% and in enterprises with 50 to 199 workers 67%. Among the large-sized enterprises with 200 and more workers, 95% had conducted studies on the conditions at the workplace.

– Studies in Germany indicate that between a quarter and a third of the enterprises has carried out systematic and comprehensive risk assessments. Given the size of these companies, this nevertheless covers 75% of all workplaces.

– In the Netherlands, 58% of the enterprises fulfil the newly introduced obligation to analyse the risks present at the workplace. In enterprises with more than 20 workers

this figure amounts to more than 80% and in enterprises with more than 100 workers to 96%. The percentage for small-sized enterprises is lower. Amongst the smallest enterprises with 2 to 9 workers only 52% have fulfilled their obligations. The reasons for refusing to carry out risk assessments are as follows: 30% of the employers are of the opinion that this is not necessary, 21% so far have not yet found the time, 9% did not know about their obligation, 8% had never ever heard about this before and 7% expressed the view that it was too time-consuming and too expensive. For the Netherlands, data concerning the measures set in place on the basis of the risk assessment was also submitted. According to this information, approximately two thirds of the enterprises that had carried out risk assessments have started to work out the appropriate measures and also two thirds of the enterprises have already set in place concrete measures for occupational safety and health.

– In the United Kingdom, 30% of the enterprises that were familiar with the new provisions had analysed the conditions at the workplace even before the European provisions were implemented. Approximately half of the enterprises have conducted risk assessments for the first time after the implementation of the European Directives. In total, more than 80% of all the enterprises have carried out risk assessments. 22% of the enterprises do not have any documentation on the most important findings of these assessments. Amongst them, there are many of the smallest enterprises with less than 5 workers which were discharged from the documentation obligation. But also 3% of the large-sized enterprises and 24% of the enterprises with less than 50 workers do not fulfil their documentation obligation.

In relation to the quality of the risk assessments, the evaluations of the conditions at the workplace and its documentation as well as the supervision of the efficiency of measures taken are clearly geared to meeting the legal obligations.

The supervision within the enterprises of the efficiency of the measures taken shows a rather ambiguous situation. For instance, the results for Germany show that 84% of the enterprises with more than 250 workers supervise the effects of the measures taken for occupational safety and health. However, this is true for less than 30% of the enterprises with under 10 workers.

In short, the points to be improved concerning the practical implementation of the provisions related to the risk assessment are the following:

– In the course of superficial, schematic procedures the focus is being put on obvious risks. Long-term effects (e.g. mental factors) as well as risks that are not easily observed, are being neglected, as for example the ones caused by chemical substances.

– There is hardly any consideration of psychosocial risk factors and work organisational factors.

– Risks are not being analysed and evaluated globally. As a consequence, separate measures are being set in place, but there is no integrative approach for the analysis of the conditions at the workplace.

– Risk assessment is often being considered to be a one-time obligation and lacks continuity.

– The efficiency of the measures is not sufficiently supervised by employers.

4.4. Protective and preventive services

Framework Directive 89/391 foresees that each employer shall designate one or more workers to carry out activities related to the protection and prevention of occupational risks for the undertaking and/or establishment and that, if such protective and preventive measures cannot be organised for lack of competent personnel, the employer shall enlist competent external services or persons. In other words, either workers of the undertaking with the necessary aptitudes make the risk assessments and establish the preventive measures or external services are to be used.

The intention of the legislator, in establishing the rule of the priority of the use of an internal preventive service over the use of an external preventive service[25], was to ensure that enterprises already having internal protective and preventive services keep them while giving the possibility to those that do not have such services to have access to protective and preventive services of quality.

The degree of the provision of protective and preventive services constitutes an important indicator for the evaluation of the practical implementation. This refers to the scope, the reach and the quality of the preventive services.

The Advisory Committee on Safety, Hygiene and Health Protection at Work adopted an opinion on multidisciplinary protective and preventive services and health surveillance at work on 15 May 2001[26] stating that Member States must ensure quality control, while employers, who are responsible for implementing the safety measures, must have the capacity to involve workers and enlist qualified competent assistance to perform these tasks.

Although there are still significant deficits in ensuring a broad coverage of the protective and preventive services (safety engineering, health aspects at the workplace, psychological aspects at work) considerable improvements have been made in setting-up external preventive services.

The following information provides a picture of the situation in some Member States:

– Belgium: about 91% of the enterprises has signed contracts with external preventive service providers. In principle, all enterprises, including SMEs, have to sign contracts with external services (there are 27 SEPR - External Protective and Preventive Service). Large-sized enterprises in general organise these services internally.

– Denmark: The Danish Occupational Health Service has conducted an evaluation that reveals that only 12% of companies with less than 10 workers used an occupational Health Service in 1994 (Danish Working Environment Service, 1995). In a study carried-out in 1999, 38% of small-sized enterprises did not make use of preventive services at all and another 21% used these services less than once a year.[27]

– Germany: In approximately half of the German SMEs with less than 20 workers there is no safety engineer and/or occupational health expert. These SMEs account

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25 see, in this sense, the judgement of the Court of Justice in case C-441/01, Commission v. the Netherlands.

26 COM(2003) 346 final du 12.06.2003

27 Tyberg, A. et al: Evaluation of experiences with the current Occupational Health Service-system, Tastrup 2000.

for 90% of all German enterprises. Roughly 20% to 25% of the workers in the private sector work in these enterprises.

– For Greece, experts indicate that the prevention services to enterprises with more than 150 workers are considered satisfactory. Small- and medium-sized enterprises (with up to 150 workers) have no access to preventive services.

– Finland: The overwhelming majority of workers are covered by preventive services. Only 8 % of the workers are not provided with any medical care at the workplace. There are considerable deficits in particular amongst enterprises with less than 10 workers where no services are provided in roughly 44% of them.

– Until recently France claimed that the existing occupational medicine which was created in 1946, fulfilled the requirements of Article 7 of the Framework Directive. Therefore only occupational health services for workers have been considered here, which is formally guaranteed for approximately 85% of the workforce.

– In Luxembourg almost all the large-sized enterprises provide protective and preventive services to their workers. On the other hand, experts estimate that approximately half of the enterprises with 50 to less than 250 workers and the majority of the small-sized enterprises with less than 50 workers do not make use of preventive services to the extent stipulated by law. As a consequence of this, approximately 100,000 out of the total of 190,000 workers are reported not to be sufficiently covered with protective and preventive services.

– In the Netherlands 97% of the enterprises have signed the prescribed contract for the provision of services with a certified external company providing occupational safety and health care.

– Austria: 70% of all workers have access to preventive services, this coverage being rather superficial in small enterprises.

– Portugal: only a minority of enterprises is being provided with preventive expertise.

– Sweden reported that 72 % of the enterprises and public institutions are being provided with preventive services. Amongst the small-sized enterprises with less than 10 workers a respectable number of 45 % are taken care of. This figure amounts to 88 % for enterprises with more than 50 workers.

– In Spain, the national Labour Survey of working conditions (1999) reported that 24% of firms had no organised prevention activity[28].

– In the United Kingdom 85 % of the enterprises are covered by a specialist for occupational safety and health working at the enterprise or based on a contract with a provider of these services.

As preliminary conclusions it shall be noted that not all enterprises implement this provision either by designating a worker to carry out the activities dealing with the prevention of occupational risks or, in the case of lack of competent personnel, by making appeal to an

[28] Report: resultados Estadisticos del Plan de Visitas a Empresas (statistical results from enterprise inspections)

external protective and preventive service. There are problems in particular with small- and medium-sized enterprises in all the European countries.

One of the problems concerning the organisation of protective and preventive services is the lack of appropriately qualified personnel. This holds especially true for services organised externally as well as for the health aspects at the workplace. The Framework Directive does not define the aptitudes and competencies of preventive services leaving it up to the Member States. However, it follows logically from the provisions of the Framework Directive that the preventive services have to be of a multidisciplinary nature.

Member States have defined these aptitudes and capabilities differently, which is reflected on the quality of the services provided in the different Member States.

The quantitative coverage of the enterprises, public institutions and the workers is not sufficient in itself to evaluate the provision of protective and preventive services. Qualitative aspects (training schemes for the workers, the intensity of services provided, successful improvements) should be included as well. In this context, there are significant deficits, *inter alia* a one-sided focus on technical aspects, medical surveillance being too much focused on the provision of preventive care only and the tendency on the part of the employers to reduce the level of the services to a minimum.

It is very difficult to evaluate the quality of the preventive services provided. There is no generally accepted standard for the evaluation of quality. In this context, the question could be put as to whether the minimum periods, which were determined in the individual Member States, will actually suffice for an effective provision of services. One should take into account that the employers almost exclusively consider the minimum periods for the provision of services to workers as a general rule and are hardly willing to organise the provision of any additional services.

The certification of providers of preventive services constitutes one possibility to ensure a high level of quality. In some of the Member States all the providers of external services have to have a certification in order to be able to provide these services, as for example in Belgium (since 2002), Greece, Portugal and the Netherlands. Other countries do without any kind of certification and simply ask for evidence of good qualifications in the form of for instance references and diplomas. Voluntary certification constitutes a kind of compromise, which was recently introduced in Germany.

The discussion about the certification as a tool to guarantee a high level of quality has not yet come to an end. It should be taken into consideration that certificates only help to analyse the structures but do not serve as a basis to evaluate the quality of processes and results.

In any case, it should be noted that the certification of protective and preventive services could also contribute to guarantee the free movement of persons and services in this regard.

To sum up:

– There is not yet a systematic access of all enterprises to protective and preventive services in Europe at the moment. The problems are especially significant in relation to small- and medium-sized enterprises throughout the whole of Europe. In addition to that, especially in the countries of Southern Europe and in Ireland, a large number of enterprises are working without any preventive services being provided to them.

– There are significant difficulties due to the fact that the number of preventive service providers is far too limited to meet the demand in some countries such as Greece and Portugal, namely in terms of occupational medicine.

– Practically all Member States have problems with the quality of external services. One of the most important reasons for this is the tendency on the part of the enterprises to try to purchase these services as cheaply as possible. They do not value the quality of these services.

– It appears that the existing protective and preventive services have a reduced capacity to deal in a holistic approach with the occupational risks (multidisciplinary services).

– It seems to be necessary to strengthen the measures to ensure the quality of external preventive service providers: the labour inspectorate could have an important role to play here.

4.5. Information, consultation, participation and training

The information, consultation, participation and training of workers represents one of the cornerstones of the prevention policy established by the EU Health and Safety legislation. Detailed rules on information, consultation and training are laid down in the directives concerned. In this respect, the important role that education at all levels should play in view of giving to every human being knowledge on occupational health and safety should be highlighted.

In the field of information very little data has been collected so far. However, two examples can be described:

– In Finland, workers associations and the enforcement authorities mention that there are significant differences between the enterprises and complain of problems relating to the information of workers. There are also deficits regarding workplaces with workers from different enterprises. The views on the quality of the instruction and training of the workers are very diverging. Whereas the employers and political administrations are of the opinion that the level reached is acceptable, the trade unions and the enforcement authorities think that it is not.

– Three quarters of the enterprises in the United Kingdom stated that, after the implementation of the new provisions, they provided much more information to the workers, and half of the enterprises carry out further-training schemes. Concerning the five first individual Directives, the demand for information was the highest for the provisions on the use of personal protective equipment and the manual handling of loads. The number of enterprises having reported problems with information and qualification amounts to less than 20%. These are first and foremost problems in relation to the time-schedule for the compilation of material and the organisational structures for giving instructions.

– Italy and Portugal reported that there are considerable deficits in connection with the information and instruction of the workers, including a lack of sufficient fulfilment of basic requirements.

Whereas it is difficult to collect data on the part of the employers or the persons responsible for the implementation of occupational safety and health regulations that allow to draw conclusions about the level of information, this is even more true for collecting data from workers. Only a few Member States have relevant data on this subject, which can be summarised as follows:

– In North Rhine Westphalia (Germany) only one third of the workers were able to give a positive answer when being asked whether a risk assessment had been conducted at their workplace. Approximately one third gave a negative answer and almost one third was not able to answer this question at all. It can be assumed that this last group has no knowledge about its rights and obligations in relation to occupational safety and health provisions. One fourth of the German occupational doctors were not able to provide any information in this context.

– In Spain, 90% of the employers have stated during interviews carried out in 1999 that they had not informed their workers. A Spanish survey from 1999 confirmed that only 11% of the employers have informed or instructed their workers.

– The information and qualification of workers was also seen as a problem in enterprise case studies that have been carried out. Finnish enterprise case studies show that the workers have shown very little interest in being informed and instructed since they did not perceive obvious incentives or benefits.

The obligations to inform workers also refer to the workers from other enterprises working on the same premises. The practical implementation of this provision is lagging far behind the average of the other categories of employers' obligations. This problem occurs in practically all the industrial sectors, in all Member States and in all the different enterprises of diverging sizes and is of particular importance in the case of temporary workers.

In the majority of cases temporary workers are being used for less qualified jobs with heavy physical burdens. Since these temporary workers, frequently switch jobs changing from one enterprise to another, they do not know about the potential risks and operational processes.

Many employers do not think it is necessary or they simply forget to inform and train temporary workers. The fact that these workers work for the enterprise only for a short period of time, the effort that has to be made to inform and instruct these workers or simply the fact that “everything has worked out well so far” are only some of the reasons that can explain the reluctance of many employers to take the necessary measures in this field.

As far as the participation of workers is concerned, their general participation in the enterprises has still not been organised in a satisfactory manner.

Greater opportunities for the participation of the workers were opened up by the Framework Directive, which makes the worker an equal actor in the prevention strategy and imposes on him the obligation of co-operation with the employer in the continuous improvement of the health and safety conditions. Thus the possibilities of the institutions representing the interests of the workers to participate have been significantly increased in many Member States. This is also true for countries in which the participation of workers has traditionally been given a high priority, as in Germany and the Netherlands.

As to works councils, empirical studies and interviews also indicate that they only seize these new opportunities with a certain reluctance.

The reasons for the deficit of the participation of the workers are very diverging and can be summarised as follows:

– There is a general lack of knowledge about the new rights of participation.

– The concentration on practical solutions and day-to-day business: the persons responsible for the representation of workers' interests in the enterprises are very pragmatic, and fail to develop an holistic approach concentrating instead only on obvious problems.

– Additional efforts are being seen as too time-consuming and there is the fear that there will be more administrative charges.

– The delegation of responsibility to workers' representatives and/or health and safety committees. This reduces the willingness on the part of individual workers to show an interest in occupational safety and health and to take on responsibility themselves.

– Imbalances between expertise and general knowledge: members of the works councils normally have to make a considerable effort to acquire the necessary expertise and knowledge to catch up with their employers or the specialist for occupational safety and health working for the enterprise. In general, workers or their occupational health and safety representatives are not prepared to discuss the subject with the employer.

– Workers lack of interest in matters concerning their own safety.

Special reference should be made here of the institutions specifically responsible for occupational health and safety. These can be committees in which in addition to the workers, the employers or the persons responsible for occupational health and safety are also represented or institutions in which only the workers are represented. Very little is known about the activities of these organisations in relation to all countries of the EU. French experts estimate that only one fifth of the existing Health, Safety and Working Conditions Committees make effective preventive efforts.

In Member States with a clearly defined culture in co-management, a negative trend has been observed concerning the institutionalised representation of interests. The more clearly defined employment relationships and the higher the number of institutions and committees dealing with occupational safety and health, the less likely workers themselves actively participate in the definition of the prevention policy in the enterprise.

As regards training, the levels of education and training in large companies are considered adequate. However, there is a general lack of education and training of workers, safety representatives and employers on health and safety risk management in small and medium-sized companies. This situation impairs an effective application of the health and safety legislation.

4.6. Organisation and management of health and safety at work

Occupational health and safety protection is an ongoing and complex obligation, which requires a transparent and systematic approach.

Increasingly complex work processes and changes in working conditions, together with the resulting new or changing types of risks, necessitate a new and comprehensive approach to

health and safety at work. Intelligent and methodical solutions are needed, which allow the employer to take account of occupational health and safety principles at all operational levels and for all activities and to convert them into appropriate measures. Such measures must play an increasingly important role in shaping working conditions, optimising processes and procedures and influencing attitudes, so as to prevent work-related health hazards and further develop health promotion in organisations.

The management of occupational health and safety has to form an integral part of the overall management of the enterprise.

Very often enterprises excuse the absence of health and safety management because of implementation costs. However, the legislator did not call for sophisticated management systems, but simply encouraged applying basic management principles also in the field of occupational health and safety.

In Germany, for instance a campaign was started in the textile industry to help enterprises to integrate occupational health and safety into the overall management of the companies. At the end of the campaign, four fifths of the enterprises had integrated occupational safety and health completely into their operational management processes. This is on average only the case with approximately one third of the enterprises.

With the exception of large companies, there is a lack of proper organisation and management of occupational health and safety considering it as an integrated feature throughout the organisation. This constitutes an important obstacle for an adequate implementation of the health and safety legislation.

4.7. Enforcement

According to Article 4 of the Framework Directive 89/391/EEC, Member States should take the necessary steps to ensure that employers, workers and workers' representatives are subject to the legal provisions necessary for the implementation of the Directive and, in particular shall ensure adequate controls and supervision. Therefore, the effective equivalent enforcement in all Member States is essential not only to fulfil the obligations imposed by Article 4 of the Framework Directive but also to ensure that the provisions of the Directives are uniformly applied guaranteeing the same level of protection for workers throughout the European Union. It is therefore important to analyse the enforcement efforts devoted by Member States and the impact of the new EU legislation on the Labour Inspectorates and the efficiency of the enforcement action.

Labour Inspectorates constitute the major body for enforcement of health and safety. In addition, there are other specialised inspection bodies which have responsibilities in particular sectors of activity or whose action also impacts on the health and safety implementation (mines inspectorates, nuclear inspectorates, maritime inspectorates, work equipment market surveillance, etc.).

Generally used indicators to measure the enforcement effort are the number of labour inspectors in each Member State and the number of inspections performed per year. In the European Union, approximately 12 000 inspectors perform each year 1 400 000 inspections. The available data on the inspection effort and on the coverage of the working population (inspectors/working population) varies markedly from country to country depending on the socio-economic structure and the different nature of enforcement systems in place. In effect, the relative importance of particular sectors of economic activity and the specificity of risks in

those sectors has originated in most countries the creation of specialised inspection bodies (nuclear, mines, maritime, etc, inspections) which enforce different aspects of the EU health and safety legislation.

On the other hand, generalist inspections enforce not only health and safety legislation but also other aspects of labour and social security laws. Oftenly, several inspection bodies are responsible for the enforcement of the different provisions of the same national piece of legislation. Therefore it is particularly difficult to differenciate the effective inspection effort devoted to health and safety matters in the different Member States.

The entry into force of the new EU health and safety legislation did not seem to represent an increase in the inspection effort devoted by the different Member States. Consequently, the national reports indicate a chronic lack of resources of Labour Inspectorates to cover all aspects of the new legislation, with particular attention to SMEs.

To respond in a constructive way to the insufficient resources, Labour Inspectorates have adopted innovative approaches of inspection, including by planning the inspections according to the level of risk and by considering the willingness and the aptitude of the companies to implement the regulations. In some cases, a strict separation has been introduced between inspections and provision of information and consultation, for which separate institutions have been created and held responsible.

Member States report about the investment in the training of inspectors to cope with the multidisciplinary approach of prevention required by the EU health and safety legislation and needed to control risks due to new technology or new forms of work organisation.

In this sense, it is important to note the evolution observed on the two traditional forms of Labour Inspectorates: generalists dealing with all aspects of Labour Law and specialists enforcing exclusively health and safety at work.

The need to control the implementation of prevention plans based on risk assessments, which include not only technological risks (like those due to work equipment), but also others which are due to work relations or work organisation, have caused that specialist inspections started to care more about control of risks of work organisation whereas the generalistic inspections have intensified their surveillance on the technological risks. This in turn, has created the need for an increase of the inspectors' competencies and impacted on the recruitment, education levels and training of inspectors.

It is difficult to determine mathematically the efficiency of the Inspectorates action in terms of contribution to the reduction of occupational accidents and diseases. Only the effect of concrete actions like inspection campaigns or specific programmes provide some indication of the efficiency, although even in those cases it is difficult to differentiate the effects due to awareness-raising from those produced by the improvement notices issued or sanctions applied.

It seems therefore essential that an appropriate methodology together with criteria and indicators for the measuring of the efficiency of the inspection are established at the European level. This would also provide an indication of the most effective ways and means to be applied as well as an appropriate justification for the need of additional inspection resources. The results of the work initiated in this area by the Senior Labour Inspectorates Committee (SLIC) are of particular importance.

The efficiency of the Labour Inspectorates needs to be measured not only by the quantity and quality of inspections but also by its impact in the increasing of knowledge of actors and the changes brought about in attitudes and organisation of companies for the improvement in the working environment. In particular, it is essential that the workers' and/or their representatives' right of appeal to the enforcement authority and the opportunity for the workers' representatives to submit their observations during inspections, are fully implemented.

The analysis performed shows that the action of the EU Labour Inspectorates actively contributes to the reduction of absenteeism due to occupational accidents and diseases but also to the behavioural changes of the actors of prevention at workplace level.

Some complaints received by the Commission provide some indication that improvements are still needed to improve inspection action as regards SMEs and high risk sectors of activity as well as to increase the dissuasive power of the improvement notices and sanctions. In this sense, it would be advisable that the analysis between the proportion of sanctions proposed, imposed and confirmed is performed and the reasons leading to high disproportionality investigated.

A closer co-operation between the Labour Inspectorates and the Judicial authorities would contribute to lower the proportion of unsuccessful proceedings or facilitate the application of sanctions in transnational situations.

The co-ordination between the different authorities in charge of the different inspections at national level and the Member States Labour Inspectorates need to be strengthened in order to ensure minimum standards of inspection across the EU. The Common Principles for Inspection of Health and Safety at the workplace established by SLIC should be the foundation for reaching effective and uniform enforcement of the EU Health and Safety legislation and avoiding competitive advantages for some companies.

4.8. Two specific cases

The practical implementation of the Framework Directive 89/391 and its five first individual directives 89/654, 89/655, 89/656, 90/269 and 90/270 in the small and medium sized enterprises (SMEs) and in the public sector deserve particular attention.

EU health and safety directives apply to SMEs and their specific needs were taken into consideration in order to facilitate the application and to avoid administrative burdens.

Also the public sector was explicitly brought into the scope of the directives concerned. This was an innovation with far reaching effects for the workers concerned as well as for the national administrations.

4.8.1. Small and medium sized enterprises (SMEs)

Over the last decade the average size of enterprises in the EU has been getting smaller with 90% of them employing less than 20 workers. Not only is the number of SMEs growing but there is also a huge turnover in these companies and what can be qualified as an associated instability in labour conditions.

Most of these small firms also have an informal organisational structure. Often, the owner/manager of the firm manages all aspects of the business and has to deal with sales, marketing, finance, production, people, stock control and much besides – as well as being

responsible for health and safety. Health and safety may often be seen as a costly extra rather than an integral part of managing a good business properly.

A key to reducing the level of accidents in these small firms must therefore be to successfully communicate all necessary information to those who run small businesses and persuade them that managing health and safety is an integral part of managing their business.

Unlike larger firms, many of the small firms have less history behind them and will not have experienced accidents. However, when accidents happen in very small firms, they often involve a worker who is a friend or relative and given the size of the company a key member of staff. Accidents may have severe consequences to the firm – possibly even putting it out of business.

A sector by sector comparison of small companies with larger companies in the same sector showed that risk levels were similar. The analysis performed showed that the risks were more dependent on the type of activity than on the size of the company. In other words, the size of a company is irrelevant for the intrinsic risk hazard.

Evidence shows that there are major shortcomings in complying with essential elements of EU Health and Safety legislation in SMEs, in particular as regards risk assessment, workers' participation and training, and in the traditionally high risk sectors of agriculture and construction.

The main reasons for these low levels of compliance observed are ascribed to:

- lack of specific and comprehensible information and guidance
- poor ability and skills to manage health and safety
- lack of resources to ensure adequate basic training of staff and managers
- difficult access to specific and specialised competent technical assistance.

When consulted on these issues, SMEs indicated that they can subscribe to these views. They also added the following comments:

- current legislation in health and safety assumed all companies had a management structure similar to large companies
- health and safety should cover all workplaces and all those who work (i.e. there should be no derogation based on small size)
- management skills (of which health and safety is seen to be a part) needed development
- all training must be at local level
- training and advice should be given by people who know the business and not by experts in "Ivory Towers"
- intermediaries, for example trade organisations, banks, insurance companies, etc. should play a major role in providing information and assistance

– there is no shortage of information available. What is needed is easily accessible, sector specific, targeted and jargon free information.

The level of information and knowledge on the part of the employers is of extreme significance for the implementation of the new national regulations transposing the EU Directives. Empirical studies as well as case studies have shown that the level of application is extremely low amongst SMEs. In most of the Member States there is no problem with the availability of information, but with the ability on the part of employers to understand the information provided. Often information material specifically intended for SMEs suffers from a high level of abstraction. It is claimed that it can therefore not be understood by the employers of SMEs.

Nevertheless, according to the national reports elaborated by the Member States, one of the most widespread actions of Member States with regard to SMEs has been to issue more specific and comprehensible information, in order to ease the implementation of regulations. Some Member States[29] have additionally eliminated certain administrative formalities or reduced certain obligations where companies with very few workers are involved, without adversely affecting worker protection.

At the same time, several national reports stressed the economic difficulties encountered by SMEs for adapting existing work equipment to the requirements of Directive 89/655 or to replace it to meet the essential safety requirements of the internal market directive (old Directive 89/392 now Directive 98/37).

For this reason some Member States have taken specific measures in order to mitigate or reduce the economic cost of the implementation of these directives. Germany has developed programmes for overhauling old machinery and France and Belgium are proposing investment plans as well as granting loans for the acquisition of new machinery. Some Member States also report difficulties posed by the craft sector, both from the information as well as the financial points of view, for which there is an initiative[30] to create joint plans by the industrial sector.

The Commission Communication on a new strategy on health and safety at work 2002-2006[31], already recommended a combination of instruments to help to ensure high levels of compliance of SMEs with the Health and Safety legislation:

– spreading of good practices at local level

– training of managers and workers

– development of simple tools to facilitate risk assessment

– the provision of information and guidance easy to follow, easy to get hold of and in plain language

– better publicity and access to sources of advice

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29 United Kingdom, Austria, Greece, Portugal

30 France.

31 COM(2002) 118

– ensuring access to external protective and preventive services of quality and at affordable costs

– using Labour inspectors as agents of change to promote better compliance in SMEs, first through education, persuasion and encouragement and through increase of enforcement, where necessary.

4.8.2. The public sector

The inclusion of the public sector in the scope of the Health and Safety Legislation constitutes a novelty in the majority of Member States.

Despite some problems in certain Member States (in particular with the military sector)[32], that are still being dealt with by the Commission, the transposition of the EU health and safety legislation to the public sector can be generally considered correct. However, problems arise with the level of application of such rules, which turn out to be often defective.

In effect, the generalised belief in the public administration that the risk levels are insignificant in comparison to the same levels in industry coupled with a very hierarchical work organisation where the principle of the responsibility of the employer is diluted, leads to the paradoxical situation where Member States do not apply to their administrations the rules agreed by them and adopted for the well-being of the workers at work. This also holds true for the European Institutions and their services.

Nevertheless, the risks addressed by the Framework Directive 89/391 and its five first individual Directives 89/654, 89/655, 89/656, 90/269 and 90/270 are present in the public sector at the same levels as in the private sector. It cannot be disputed that the risks linked to ergonomic aspects, workplace conditions, the handling of loads, the use of display screen equipment or the organisational aspects including the psychosocial risks, are widely present in the public sector. The complaints received by the Commission from workers from the public sector confirm the poor working conditions related to these risks and the poor level of implementation.

In the majority of Member States there is a lack of safety culture, awareness and motivation of workers and their hierarchy for the improvement of the health and safety conditions in the public sector. In addition, the availability of adequate resources for the implementation of the provisions of the health and safety legislation is often impaired by the limitations imposed in the national budgets.

It is rare to find national administrations performing risk assessments, possessing preventive services or implementing systematic training, information and workers' participation mechanisms as regards health and safety at work.

The enforcement of the health and safety legislation in the public sector represents an additional problem as regards the assurance of the respect of this legislation. In the majority of Member States, the Labour Inspectorate is either not competent to enforce health and safety legislation in the public administration, this function being performed by an internal service lacking the necessary hierarchical independence, or its enforcement powers are diminished by the difficulties to make the improvement notices or sanctions imposed applicable and effective.

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[32] e.g. Spain.

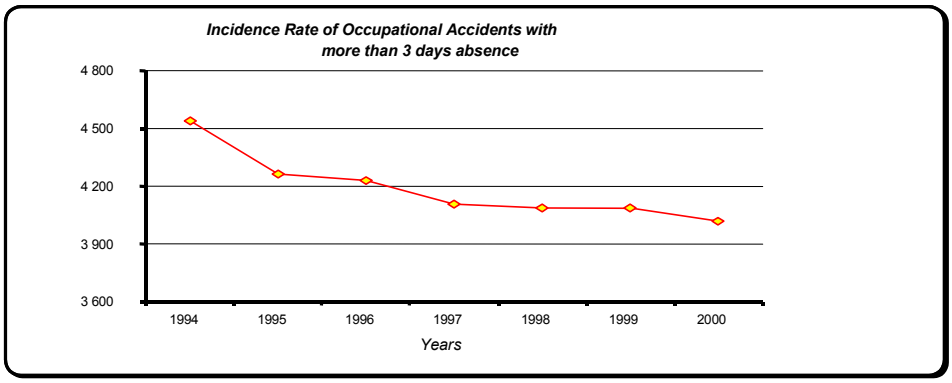
The proportion of workers in the civil service, the fact that traditionally civil servants will pass their entire career working for the public sector and will thus be exposed to the same risks, the impact of their working conditions and workplaces (schools, hospitals, public services) to the health and safety of others and the moral obligation of the public sector to set the example, deserve that increased efforts are deployed by Member States to improve the level of compliance with the health and safety standards.

5. ASSESSMENT OF EFFECTIVENESS

It results from the national reports that the majority of Member States[33] consider that the necessary amount of time has not elapsed to make a proper and full assessment of effectiveness. Although nearly all Member States believe there has been a positive impact[34], they do not have the data or statistical results available yet to demonstrate the practical impact of the Directive in a direct way. However, the evaluation that the legislation has contributed to making the workplace safer is supported by general statistical data on occupational health and safety.

5.1. Effects on accidents at work and occupational diseases

The most recent figures[35] on accidents at work that are available are for the year 2000[36]. According to that information the number of accidents per 100,000 workers (incident rate) in comparison with 1994 has declined from 4,539 to about 4,016.[37]



As far as the incident rates of fatal accidents at work are concerned there is a clear improvement during the period 1994-2000 at European level: the incident rate of the fatal accidents have been constantly reduced since 1994 to attain a reduction of 25%. The absolute figures were also reduced in the same period from 6.423 to 5.237.

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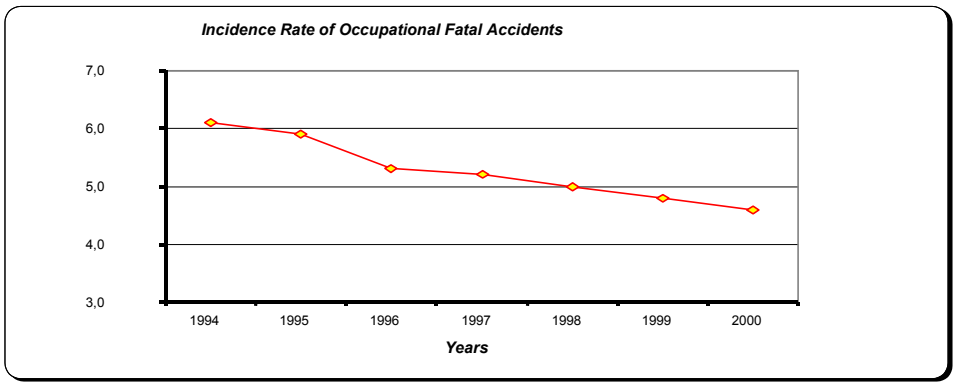
33 Germany, Belgium, Denmark, the United Kingdom, Ireland, etc.

34 Special repercussions in Greece

35 It should be noted that the information is not entirely comparable due to the fact that the criteria for the collection of data are not completely compatible and the fact that in voluntary systems for the registration of accidents at work the actual scope of the problem remains underestimated.

36 ESAW-European statistics on accidents at work.. For occupational diseases, Eurostat developed the European occupational disease statistics (EODS).

37 Personal computations based on the (preliminary) data from the Eurostat data base NewCronos.



By contrast, activities employing a large proportion of women saw an increase, albeit small, of accidents. This is the case for textiles and clothing industry, commerce and repairs, hotels and restaurants and financial and businesses activities.

Another source of information, this time providing subjective data (perception of workers and employers) on the developments in the field of labour conditions, are the 1999 Labour Force Survey and the surveys carried out by the European Foundation for the Improvement of Living and Working Conditions.

Contrary to the statistical data that show a continuous decrease in the number and severity of accidents at work, the feeling of the working population is that working conditions in general have not improved. The most important results from the surveys are the following:

More and more workers declare to suffer from back pain, even when Directive 90/269 on the manual handling of loads and Directive 90/270 on work with display screen equipment should have had a preventive impact. It is also reported that the number of workers having to manually deal with heavy loads has increased. This appears to be in contradiction with en effective application of directive 90/269 that would imply a decrease in the number of workers concerned. In any case, Member States still consider the manual handling of loads as a problem of great concern.[38]

All these indications may indicate that Directive 90/269 as well as Directive 90/270 are not being fully implemented. However, there is no definitive evidence to quantify as to what extent the increase in back pain reporting is due to improper implementation of the legislation or is due to non occupational activities or to risks not addressed by these directives. In any case, the complaint of workers deserves further investigation in order to identify the real causes.

Another still very severe problem consists of repetitive movements, which is also confirmed by Member States and the European Agency[39]. The number of illnesses caused by these types of movements has risen, although improved planning and organisation could very often help to avoid these disorders.

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38 Europäische Agentur für Sicherheit und Gesundheitsschutz am Arbeitsplatz (European Agency for occupational health and safety at the workplace): Der Stand von Sicherheit und Gesundheitsschutz bei der Arbeit in der Europäischen Union – Pilotstudie (The state of occupational health and safety at the workplace in the European Union), Luxembourg 2000, summary report p. 29.

39 Ibid, p. 30.

The organisation of operational processes is apparently not in line with the requirements to reduce significantly the number of workers suffering from unfavourable working conditions. In connection with special types of strain, such as painful or tiring physical positions, now more workers seem to be affected than was the case five or ten years ago. Especially workers in atypical or delicate employment situations suffer from these strains.

Additionally, in their national reports the Member States have indicated that in relation to Directive 90/270 proper implementation of the regulations should lead to an improvement in the ergonomic suitability of these workstations. The subject of disorders caused by working with display screen is controversial. Some Member States[40] consider that the risks of work which includes display screens are of a secondary nature. They are of the opinion that certain eyesight problems are unfairly ascribed to screen work and that the disorders peculiar to this work (eye fatigue and postural pains) are easily reversible by breaks in screen work or making adjustments to the working environment. Other Member States acknowledge certain symptoms such as stress, headaches, eye irritation and general tiredness, as well as other more serious problems of electromagnetic radiation, lasers and magnetic fields relating to terminals[41].

In conclusion, the feeling of the working population indicates that much still needs to be done as regards work control and work organisation preventing high cadences and repetitive work and also psychosocial risks. This suggests an insufficient application of some of the general principles of prevention foreseen in the Framework Directive 89/391 and its five first individual Directives.

5.2. Costs and benefits in the enterprises

Enterprises know that accidents cost money. When people are injured, plant and machinery damaged or product wasted, organisations lose money. Good occupational health and safety is economically beneficial. Models have been developed to help in quantifying the precise costs and benefits for enterprises. However, these models turn out to be highly complex and do not allow for immediate practical application. As a result, only in a limited number of cases the enterprises were able to carry out an economic analysis on occupational safety and health.

Member States have indicated in their national reports that due to the lack of indicators they consider that it is not possible to make a full assessment, although a reduction in accidents at work and worker absenteeism brings about a clear reduction in business costs, which should be accompanied by an increase in productivity.

Empirical studies have shown that economic indicators still need to be developed to give more in depth evidence for the efficiency of occupational safety and health to the enterprises. It has also become clear that the benefits are to be found in the so called ”soft“ factors:

– In Germany the employers were asked about their requirements for a modern system of occupational health and safety: 26% expected a reduction of the costs for workers on sick leave and an equally high number was hoping for a guarantee for the smooth-running of the operational processes without any interference, 25% expected an increase of the motivation on the part of the workers and 13% expected an improvement of the production processes and the services provided in the enterprises. The remaining 10% had several other expectations.

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40 France and the United Kingdom

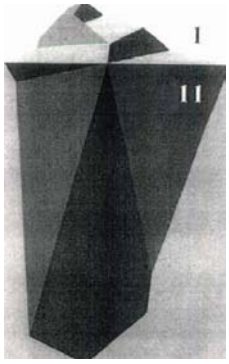
41 Finland and the Netherlands

– A survey conducted in the Netherlands in the year 1996 leads to the conclusion that 36% of the enterprises interviewed are of the opinion that investments for the improvement of the working conditions have lead to a (significant) increase of the productivity. In certain industrial sectors, such as the food industry or the processing industry, this figure amounts to even more than 40%. At the same time, 32% of the interviewees stated that the improvement of the working conditions of their workers have (considerably) contributed to a boost of revenue.

– The United Kingdom reported that only 15% of the employers said that the legal provisions have had an impact on the cost / benefit indicators. Most of the employers stated that there have been positive repercussions especially concerning the motivation of the workers. The subjective assessment of the employers leads to the conclusion that the benefits are higher than the costs in relation to the provisions of Directive 90/269 on the manual handling of loads, Directive 90/270 on work with display screen equipment, Directive 89/655 on the use of work equipment and Directive 89/656 on the use of personal protective equipment. Concerning the provisions of the workplaces Directive 89/654 and the organisational provisions contained in the Framework Directive 89/391, the costs and benefits are considered to be almost equally high.

Large scale losses such as those arising from major fires or explosions, or involving loss of life, are very visible and some have been costed on an individual basis. Less well understood, however, is the nature and extent of loss from accidents of a more routine nature: those accidents which injure but do not kill people, which damage plant and interrupt processes. The cost of these sorts of accident can often be hidden in sick pay, increased insurance premiums or maintenance budgets. Few enterprises have the mechanisms to identify them separately and fewer still actually identify and examine the costs of accidents systematically.

Case studies undertaken in the United Kingdom show that the ratio between insurance costs and hidden costs is in the order of 1 to 11(iceberg effect).



Accident iceberg
the hidden cost of accidents

Many employers mistakenly believe that they are covered by insurance for most of the costs arising from accidents: in practice, uninsured costs far exceed insured costs.

Additionally, there are also intangible costs due for example to loss of business image, customer satisfaction, employee morale, or goodwill. These intangibles are hard, if not impossible, to be quantified in financial terms.

For these reasons, it remains often too difficult for the employers to properly assess the benefits of accident reduction when comparing apparent accident costs with prevention costs.

5.3. General economic effects

The findings presented so far by scientists and researchers are too limited to make it possible to analyse in a comprehensive way the direct effects of regulations on occupational safety and health. However, the costs which can be influenced by changes in occupational safety and health can be analysed. This refers to the costs incurred on the part of the workers, the employers or the general public, irrespective of whether they are financed with tax revenues or contributions.

In the European Union the costs for accidents at work and work-related illnesses are estimated between 2.6 and 3.8% of the gross national product (GNP).

– In Germany the workers absent from work owing to sickness account for a macroeconomic loss of production of 64 billion Euro (1999). The number of work-related illnesses, occupational diseases and accidents at work amounts to approximately one third of that, namely a figure of close to 22 billion Euro.

– In Portugal in the year 1994 the direct costs for accidents at work amounted to approximately 274 million Euro and an additional 30 million Euro were spent on occupational diseases. This does not include the costs of materials, losses of production or other costs. Moreover, these figures only refer to the registered accidents at work.

– In the United Kingdom the costs for the workers in 1995/96 amounted to 5.6 billion pounds per year, representing approximately 1,2-1,4% of the UK GNP. Taking into consideration costs to be incurred in the future, this figure amounted to approximately 7 billion pounds. The costs for the employers were estimated to add up to respectively 3.5 billion and 7.3 billion pounds. The macroeconomic expenditure (taking into consideration future expenses) amounted to between 2.1 % and 2.6 % of GNP.

– The macroeconomic costs for accidents at work, occupational diseases and work-related illnesses are a very important topic on the political agenda in the Netherlands. It represents approximately 2.6% of the Dutch GNP per year. This amounts to 1,250 Euro per capita of the population in gainful employment.

– In Spain the number of days workers were absent from work owing to accidents at work increased by 4.7% every year between 1997 and 1999. Approximately 20 million working days were lost due to accidents at work. The costs for these accidents at work and work-related diseases amounted to 2,051 million Euro.

In the European Union, in the year 2000, a total of 158 million days' work were lost, corresponding to an average of 20 days per accident. Around 350.000 workers were obliged to change their job as a consequence of an accident. Nearly 300.000 workers have various degrees of permanent disabilities and 15.000 are entirely excluded from the labour market[42].

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42 Source: Eurostat.

On the other hand, it has been estimated that the overall reduction of occupational accidents since the entry into force of the EU legislation has produced savings in the order of 25 million working days, showing the economic benefits deriving from the, albeit not fully satisfactory, implementation.

5.4 Effects on employment and competitiveness

The implementation of the minimum requirements contained in the EU Directives across the European Union establish a level playing field and prevent competition on low standards of working conditions. There are significant differences between the Member States concerning the adjustments and investments that were needed for occupational safety and health due to very diverging national levels of occupational safety and health before the implementation of the Directives.

The positive effects of investments into occupational safety and health tend to become tangible after a certain period, which calls for a cost-benefit analysis taking into account the short and long term dimensions. Therefore it is very difficult at the present moment to make any conclusive statements about the influence of the concerned occupational safety and health legislation on the competitiveness of the enterprises. For instance, in the Scandinavian countries, the effects on the enterprises were very limited, given the prior standards already in place. In contrast, many enterprises in the Southern Europe, especially SMEs, needed to make more investments**.** As measures for the improvement of occupational safety and health in the beginning create more costs than benefits, the trade-off between short term costs and long term benefits are more outspoken.

Member States in their national reports, nevertheless signal that health and safety at work measures contribute towards improved working conditions, boosting productivity, competitiveness and employment.

As far as the effects that the new provisions might have on the employment situation, specific reference should be made of the fact that they have opened up new employment possibilities for specialists in the field of occupational safety and health and for the provision of external preventive services. Indeed, in most of the Member States a new, rapidly growing market has been created to provide services in the area of information, consultation and training.

For instance, if we consider the investments in the Netherlands as an example, the total turnover for preventive services amount to 11.7 billion Euro. Even if half of this turnover is due to medical care, already provided before the entry into force of the new legislation, the net effect of the provision of preventive services will still amount to approximately 6 billion Euro.**]** These figures indicate that there is a considerable potential for the employment of specialists in the field of occupational safety and training.

With regards to the effect of the individual directives, there is a divergence of opinions between the Member States regarding the effects of Directive 89/654 on competitiveness and employment. Whereas some Member States consider that the implementation of the Directive has meant an increase in productivity and in parallel with it, competitiveness and employment, other Member States[43] believe the measures necessary to eliminate or reduce

[43] Austria and Belgium.

risks detected in the workplace, albeit to a limited extent, had adverse consequences for employment and competitiveness[44].

As far as Directive 89/655 is concerned, Member States have indicated that, regarding effects on productivity and employment, the results have been quite favourable, given that modernisation of equipment to adapt it to the new regulations, together with overhauling existing equipment, accompanied by rationalisation of the production process, had favourable effects by way of increases in productivity.

As far as Directive 89/656 is concerned, Member States did not provide any conclusive data on the direct effectiveness of this Directive. It is difficult to differentiate between the impact of the Directive and the overall trend of improving health and safety at work resulting from the new EU legislation in general and other developments. It is however possible to assume that increased use of personal protective equipment (PPE) must have had positive consequences indirectly for employment in the PPE manufacturing industry and in the notified bodies, due to the obligations imposed by the Directive as regards manufacturing.

Regarding Directive 90/269 some Member States[45] which have conducted appropriate studies consider that the costs and benefits of the measures adopted in this respect, result in a negative outcome overall. This assertion must be analysed with caution, since other Member States[46] believe that automation of equipment has been accompanied by a clear increase in productivity. Regarding employment, it is inferred that this automation has meant the loss of a number of jobs, although it has improved the quality of others.

The national reports show that some Member States consider that there is no evidence that Directive 90/270 has had an impact on employment. On the other hand, they also indicated that a boost of productivity can be expected due to a better ergonomic layout of workstations.

As an overall conclusion, Member States in their national reports generally indicate that health and safety at work measures contribute towards improved working conditions, boosting productivity, employment and competitiveness. Despite this, certain Member States[47] have made the point that they believe that the high level of protection at work and environmental protection create a situation which is not very competitive relative to Eastern European countries unless the fully transposition of the acquis and the effective application is also ensured there.

6. OVERALL APPRECIATION OF IMPLEMENTATION

6.1. Main positive effects of implementation reported by directive

Member States expressed in their national reports that the main positive aspect of the EU legislation was the general increase in awareness of employers and workers with regard to the obligation to adopt necessary and appropriate measures to comply with health and safety at work regulations. The improvement in working practices and the change in attitudes of employers reflect the effectiveness of the new regulations. The introduction of the obligation

44 They do not provide any data on this.
45 The Netherlands in particular.
46 France in particular.
47 Austria

to establish a risk assessment, as well as the increase in responsibilities on the part of employers has been deemed highly positive in all Member States.

Employers, initially reluctant due to upfront business costs at the time of implementing the new measures, have seen themselves compensated by the cost reduction as a result of the drop in accidents at work and in absenteeism as well as by increased productivity.

This downward trend in the number of accidents at work and the aforementioned increase in awareness of employers is considered by the Member States to be a great achievement of Directive 89/391/EEC.

As regards the five first individual Directives, Member States indicated the following achievements:

Directive 89/654 (Workplaces):

- regulation of various situations which would not have been given the required attention, had they not been dealt with by the European Directive, such as, windows, translucent partitions, doors or gates opening upwards, emergency routes and exits, etc.;
- consolidation and simplification of existing national regulations, which has contributed towards modernisation of premises and an overall improvement in levels of safety and comfort;
- reinforcing regulations on the obligations of employers relating to workplaces used for the first time, and workplaces already in use. Some Member States have introduced the obligation to notify changes, extensions or conversion of buildings that house or might house workplaces.

Directive 89/655 (Work equipment):

- national legislation on the use of modernised work equipment, consistent with current trends concerning integration of health and safety;
- minimum safety level for work equipment defined;
- national regulations unified and harmonised, which has contributed towards simplification;
- scope extended to a greater number of items of work equipment;
- standards generally clearer and more specific;
- employer awareness raised with regard to the safety level of work equipment;
- substantial effects with regard to requirements on work equipment in use, contributing towards its adaptation, official approval and modernisation;
- more active prevention of risks associated with the use of work equipment;
- increase in analysis of factors to be taken into account when acquiring new equipment.

Directive 89/656 (Personal protective equipment):

– national legislation has been unified and co-ordinated;

– simplification, which contributes towards practical implementation;

– regulation extended to new sectors;

– new work equipment incorporated;

– obligation on the employer to assess risks before selecting individual protection equipment together with a widespread increase in awareness as regards the conditions to be met by this equipment;

– greater detail in the regulations, which entail, for instance, knowing the exact type of activities in which certain individual protection equipment are mandatory[48].

Directive 90/269 (Manual handling of loads):

– new impetus for monitoring and improving working conditions;

– support for existing regulations on manual handling of loads in some Member States;

– regulations which are clear and have been generally applied without problems;

– increase in the awareness level of employers, who understand and accept the ergonomic focus of risk management adopted by the Directive;

– these obligations have been put into practice in all sections of industry;

– exporting companies have gained an advantage where common provisions exist in different countries for the assessment of manual handling[49].

Directive 90/270 (Display screen equipment):

– new impetus for monitoring and improving the ergonomic aspects of VDU workstations, thus enhancing the level of protection;

– introduction of rest periods and the workers' right to reinforced health surveillance, in particular to eyesight examinations;

– increase in the level of awareness of employers who understand and accept the ergonomic focus of risk management adopted by the Directive;

– these obligations have been put into practice in all sectors of the industry.

In summary, the positive aspects, as seen by Member States and social partners, of the Framework Directive 89/391 and its five first individual directives are in general the following:

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48 Belgium on the mandatory nature of the use of reflective clothing.

49 Denmark.

– Emphasis on a prevention philosophy.

– Enlarged field of application.

– Obligation for the employers to perform risk assessment and provide documentation.

– Introduction of organisational structures.

– Obligation for the employer to provide information and training of workers.

– Rights and obligations of the workers.

– Opportunity to consolidate, rationalise and simplify the national existing regulations on the different matters covered by the directives.

– The directive on work with display screen equipment was new in its kind and predated national provisions in the field.

6.2. Main difficulties of implementation reported by directive

Member States report as main difficulty of the Framework Directive 89/391 the problems for the practical implementation of the legislation in SMEs, which are ascribed to the existence of specific administrative obligations, formalities and financial burdens, as well as the time required to develop appropriate measures, which gives rise to a certain negative reaction from SMEs in respect of the directives[50].

Additionally, the difficulty in understanding certain provisions of the Framework Directive 89/391 and their five first individual directives[51], can cause confusion and uncertainty. Other difficulties of the implementation of the Framework Directive 89/391 can be mentioned such as the effective priority to be given to the internal preventive services or to attain an efficient enforcement.

As regards the five first individual directives, Member States report the following difficulties:

Directive 89/654:

– excessively detailed in some aspects[52], which has been detrimental to its correct transposition into the relevant national legislation;

– the distinction made by the Directive between workplaces used for the first time and those already in use [53];

– the investment required to adopt the new provisions in SMEs.

Directive 89/655:

– excessive cost for SMEs that do not have the necessary financial resources available;

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50 This idea has been underlined mainly by Belgium, Denmark, Germany, the Netherlands, Sweden and the United Kingdom.

51 Germany points out that there is no co-ordination between the individual directives.

52 It is precisely this aspect that some Member States consider to be a positive one, hence the divergence in opinion.

53 Sweden.

– the need to carry out long-term investment to adapt work equipment;

– the practical distinction between the Directive on safety in the use of work equipment and the Machinery Directive has not been made sufficiently clear[54];

– the definition of various safety levels for a machine already in use and for a new machine makes it difficult to adapt it to the requirements of the Directive[55].

Directive 89/656:

– lack of assistance for SMEs, which have difficulty in selecting suitable protection equipment by themselves;

– economic burden for small companies, who in many cases are unable to bear the cost of the new equipment;

– some employers indicate that there is still a lack of awareness among workers regarding the use of individual protection equipment.

Directive 90/269:

– job losses could result from a high level of mechanisation and costs;

– the Directive is considered to be too detailed in some aspects[56] (this is relative since it is a positive aspect in some Member States);

– the possibility that a series of workplaces may cease to be considered as suitable for women;

– the absence of standards other than those of load weight and distance, regarding rest periods and rest intervals.

Directive 90/270:

– certain issues are difficult to resolve, such as managing natural light, seating ergonomics, the impossibility of neutralising certain electromagnetic fields[57];

– lack of clarity regarding who is to carry out the eyesight tests (ophthalmologist or optician)[58];

– problems linked to teleworking and the monitoring working conditions.

Additional difficulties include:

– The absence of effective participation of the workers in the operational processes.

– The absence in the directives of detailed binding provisions on health surveillance creating national divergences on the health surveillance levels in the different

54 Finland.
55 Belgium.
56 Sweden's opinion.
57 France
58 Problem raised in Austria

Member States and difficulties for the recognition of medical certificates in transnational work activities.

– The absence of criteria for the evaluation of the national labour inspectorates originating non uniform enforcement of the provisions of health and safety.

– The lack of coherence of certain provisions of the directives, originating the need to harmonise certain provisions like those concerning the information, consultation, participation and training of workers as well as the provisions related to the national implementation reports.

– The difficulty to make existing provisions effective in relation to SMEs.

– The lack of a harmonised European statistical information system on occupational accidents and diseases.

6.3 Suggestions for improvement

It is widely accepted that an extensive revision of the legislative corpus cannot take place unless full implementation is achieved, comparable analytical data is available, to allow for proper assessment of the causes and circumstances of accidents permitting to identify ineffective provisions in the Directives, and all instruments supporting the application of the provisions of the Directives, have been put in place.

The following efforts should be deployed to improve the level of implementation of the Framework Directive 89/391 and its five first individual directives:

– To increase the level of application of the Directives in SMEs.

– To ensure the availability of complete and harmonised statistics on occupational accidents.

– To provide access to information and support to both employers and workers so that they are aware of their rights and obligations and capable of exercising and following them.

– To step up actions and to allocate the necessary ressources to guarantee uniform, efficient and equivalent enforcement of the Health and Safety legislation across the EU.

– To identify the provisions of the Directives that have been outdated by technological development and need to be revisited.

– To pay particular attention to the specificities of temporary workers as regards information, consultation, participation and training.

In particular, the Member States suggest in the national reports for the five first individual directives the following elements to improve proper application of the legislation and to make further progress on health and safety protection at the workplace:

Directive 89/654:

– the need for a co-ordinated approach to the problems regarding environmental conditions notably by exchange of relevant experience among Member States;

– the establishment of guidelines and recommendations (with actual data, charts and figures) in order to clarify certain aspects (ventilation, lighting, temperature, dimensions of the workplace, etc.);

– the appropriateness to study the requirements for teleworking, since it is a form of work which is becoming increasingly common.

Directive 89/655:

– clarification of the various safety levels for a machine in use and for a new machine. These differences can cause problems. It is therefore requested that the same criteria be applied as far as possible;

– the necessary related measures should be taken to implement the Directive, these measures being understood to be financial assistance, loans etc., to enable SMEs to carry out the investment necessary to adapt their work equipment;

– avoiding analysis of general issues (general obligations on employers, informing and training workers, etc.) in individual directives which have already been covered in the Framework Directive;

– publication of guidelines on the practical part of the provisions.

Directive 89/656:

– the Commission should publish specific guidelines and codes of good practice, which would include selection criteria for personal protective equipment;

– annexes to the Directive should be completed to facilitate selection by companies of personal protective equipment;

– articles already set out in the Framework Directive (e.g. Article 5) should be removed in order to simplify regulations and facilitate implementation;

– implementation reports should be synchronised and simplified.

Directive 90/269:

– several Member States are of the opinion that limit values should be set, since the margin for interpretation allowed as regards manual handling of loads is excessive;

– the Commission should provide details of assessment models and guidelines for the various Member States on handling loads manually, including the factors to be considered (of importance in international transport for co-ordination purposes);

– consideration should be given to the application of ergonomic principles of materials handling in the broadest sense, as part of the ergonomic development of tasks and organisation of work.

Directive 90/270:

– it would be advisable to specify the provisions on changes of activity or rest periods, as well as the persons to whom they should apply;

– the problems caused by electromagnetic radiation from terminals, lasers and magnetic fields should be examined[59];

– various Member States consider a review of the Directive to be appropriate, in order to adapt it to technological development.

7. CONCLUSIONS

This report presented the state of play of the implementation and the practical application of the provisions of the Framework Directive 89/391 and of the individual Directives 89/654, 89/655, 89/656, 90/269 and 90/270.

It provided evidence that the EU legislation has had clearly a positive influence on the national standards for occupational safety and health. This does not only refer to the sphere of legislation, but also to the practical application in the enterprises and the institutions of the public sector. In general, the EU legislation has contributed to instilling a culture of prevention.

At the same time, however, the report pinpointed miscellaneous flaws in the application, holding back the achievement of the full potential of this legislation. In several Member States attitudinal changes concerning the behaviour and the awareness of the persons concerned still have to take place before the concept of occupational safety and health will be fully implanted.

Despite the accomplishments observed, the urgent need for a reinforced commitment emerges from the analysis in order to have a total and thorough application of the provisions throughout the European economy.

On the key characteristics of the legislation described in this report, various imperfections have been detected.

– Publicising and flanking of the new legislation is generally considered to be well advanced, although several Member States underline themselves already a need to step up information and advice activities to extend the application of the legislation.

– The need for specific and comprehensible information and guidance as well as for easy access to specific and adequate technical assistance is particularly relevant for all types of enterprises, in particular SMEs.

– A major innovation in the legislation consisted of the introduction of systematic risk assessments. The report underlines that the tasks of risk assessment, documentation and supervision are not universally spread. At the same time, there are concerns about the incomplete and superficial nature of the execution of the above mentioned tasks.

[59] Proposal by Finland

– Despite the possibility created to work with internal and external protective and preventive systems, the evidence shows that there is not yet a general and adequate access of all enterprises across the European Union to protective and preventive services. Furthermore, given the fact that the aptitudes and competencies are not defined by EU legislation, but have been left up to the Member States, such services, in particular the external ones, lead to a great variety of quality provided.

– For a preventive strategy to be successful, constructive participation of all actors is required. This implies that without the commitment of workers, the risk prevention potential remains unfulfilled. Despite the strong emphasis on information, consultation, participation, and training further support to extend the involvement of workers is required. Specific attention is needed for workplaces with workers from different enterprises.

– Increasingly complex work processes and changes in working conditions create new risks, coexisting with the traditional ones, or changing types of hazard that call for occupational health and safety to form part of the overall management of enterprises. This report points to a deficit in the organisational structures for the improvement of health and safety in many enterprises.

It appears that the necessary adjustments for the practical implementation of the new provisions and the time period which is required to bring about a change in the patterns of behaviour take longer than expected. However, very often there is also a lack of willingness to commit oneself to the improvement of occupational safety and health.

In particular, the largely insufficient situation in SMEs deserves immediate attention. Particularly as evidence shows the gravity of this situation in the much greater rate of accidents in comparison with big companies and by the large number of employers who are not well informed. Specific problems were also highlighted for the public sector, where the improvement of the conditions for occupational safety and health is not considered to be a task that needs to be worked on continuously. There are also problems in industrial sectors with a high number of temporary workers or other so called 'atypical' employment contracts.

An intensification of efforts to ensure correct application throughout the economy is therefore necessary. A range of approaches and instruments are available to accomplish this task and hence bring further down work-related accidents and diseases through the full and correct application of the legislation. The report shows that there is already a good basis to build on.

To pursue a horizontal approach and to consider occupational safety and health to be a cross-sectional task is crucial in this regard. This should be done more intensively in connection with the qualification of specific target groups from the labour market, in relation to projects for the improvement of the employability of persons or the promotion of entrepreneurs. This will strengthen awareness, provide up-to date information and should enhance the active participation of enterprises and workers.

In several Member States there is a strong demand for the qualification of personnel in order to establish the necessary organisational structures. This relates to the qualification of the specialists needed as well as to the education and further training of workers. Very often the workers and their representatives do not have the competencies and necessary skills in order to deal with occupational safety and health effectively and to represent the workers interests in this field vis-à-vis the employers. The experiences in the textile industry in Germany provides an inspiring example to remedy this situation.

To overcome the current barriers in the application, it is also essential to integrate occupational safety and health much more into the policies of the European Union. In this context the European employment strategy as well as the structural funds, in particular the ESF, could play an important role, through encouraging and supporting new approaches. .The development of a uniform, stringent monitoring system would be essential to observe and compare the policies and the trends in relation to occupational safety and health The current data deficit may lead to a risk of too much generalisation and a lack of insight into the specific dimensions.

The introduction of a “benchmarking” could be useful to overcome the observed and reported deficit of the activities of the enforcement authorities in some countries. However, it should be acknowledged from the outset that the enforcement authorities alone are not in a position to bring about equal conditions. Nevertheless, the labour inspectors have a crucial role to play as agents of change to promote better compliance, in particular in SMEs, first through education, persuasion and encouragement and through increase of enforcement, where necessary. Also the use of guidelines, as indicated in the national reports can play a role of stepping up compliance.

In connection with the further development of the European policies on occupational safety and health, the report underlines the need to co-ordinate the individual Directives more effectively in order to avoid overlaps and to clarify some of the terms used. The aim is to increase the consistency and the stringency of the provisions more than to change the substance. An analysis and debate will be performed to identify the provisions that could be subject of such exercise.

The Commission will continue its works towards a simplification and rationalisation of the Community legal framework by making the necessary legislative proposals for, on the one hand, the consolidation of existing directives to make them more comprehensible and, on the other, for the simplification of the provisions of the various Directives related to the implementation reports in view to foresee a single report on their implementation.

It should be clear, however, that also in the future a certain degree of flexibility should be maintained to give the social partners and the persons responsible for occupational safety and health the necessary leeway and scope for adapting the implementation and application to a specific workplace. At the same time, it should also be taken into consideration that self-regulation and self-activation are not equal to lean legal regulations and provisions. The experience made in for instance the Netherlands shows that the agreements between the social partners and other organisations alone may not suffice to guarantee the compliance with the provisions. Therefore, it will remain necessary for the independent enforcement authorities to carry out controls on the objectives reached in such settings.

All of this calls for a reinforced commitment of all actors and stakeholders to implement in full the measures already outlined in the Communication "Adapting to change in work and society: a new Community strategy on health and safety at work 2002-2006". Only such a commitment and urgent action will bring about the changes that will improve the implementation and application levels of the Health and Safety Directives and make the health and safety protection a tangible reality contributing in this way to the improvement of productivity and quality of work. The Commission also expects that this review of the implementation will trigger a large and public debate on the ways to further create and respect a level playing field for businesses throughout an enlarged European Union and improve the well-being of all workers at the workplace.

ANNEX

NATIONAL PROVISIONS COMMUNICATED BY THE MEMBER STATES CONCERNING:

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

Belgium:

1. Arrêté royal du 14/09/1992 portant exécution de la directive du Conseil des Communautés européennes du 12/06/1989 concernant la mise en oeuvre de mesures visant à promouvoir l'amélioration de la sécurité et de la santé des travailleurs au travail - Koninklijk besluit van 14/09/1992 tot uitvoering van de richtlijn van de Raad van de Europese Gemeenschappen van 12/06/1989 betreffende de tenuitvoerlegging van maatregelen ter bevordering van de verbetering van de veiligheid en de gezondheit van de werknemers op het werk ref: MB du 30/09/1992, page 20822.

2. Loi du 10/06/1952 concernant la santé et la sécurité des travailleurs, ainsi que la salubrité du travail et des lieux de travail - Wet van 10/06/1952 betreffende de gerondheid en de veiligheid van de arbeiders, alsmede de salubriteit van het werk en van de werkplaatsen ref: MB du 19/06/1952, page 4610.

3. Loi du 16/11/1972 concernant l'inspection du travail - Wet van 16/11/1972 betreffende de arbeidsinspectie ref: MB du 08/12/1972, page 13647.

4. Loi du 03/07/1978 relative aux contrats de travail - Wet van 03/07/1978 betreffende de arbeidsovereenkomsten ref: MB du 22/08/1978, page 9277.

5. Loi du 28/12/1977 garantissant la protection des médecins du travail - Wet van 28/12/1977 tot bescherming van de arbeidsgeneesheren ref: MB du 18/01/1978, page 447.

6. Arrêté royal du 10/08/1978 déterminant la formation complémentaire imposée aux chefs des services de sécurité, d'hygiène et d'embellissement des lieux de travail et à leurs adjoints - Koninklijk besluit van 10/08/1978 tot vaststelling van de aanvultende vorming opgelegd aan de diensthoofden voor veiligheid, gezondheit en verfraaiing van de werkplaatsen en aan hun adjuncten ref: MB du 03/10/1978, page 11353.

7. Koninklijk besluit van 10/01/1979 relatif aux organes de sécurité, d'hygiène et d'embellissement des lieux de travail concernant les mines, minières et minières souterraines - Koninklijk besluit van 10/01/1979 betreffende de organen voor veiligheid en verfraaiing der werkplaatsen in de mijnen, graverijen en ondergrandse groeven ref: MB du 08/03/1979.

8. Arrêté royal du 11/03/1987 relatif à la sécurité et aux conditions de travail du personnel occupé dans les exploitations de terrils de cuivre - Koninklijk besluit van 11/03/1987 betreffende de veiligheid en de arbeidsvoorwaarden van het personeel tewerkgesteld in de ontginningen van steenbergen van mijnen ref: MB du 25/03/1987, page 4435.

9. Arrêté royal du 21/04/1989 relatif à la sécurité et aux conditions de travail du personnel occupé dans les exploitations à ciel ouvert des minières et des carrières, ainsi que dans leurs dépendances - Koninkijk besluit van 21/04/1989 betreffende de veiligheid en de arbeidsvoorwaarden van het personeel tewerkgesteld in de ontginningen in open lucht van de graverijen en de groeven en in hun aanhougheden ref: MB du 10/05/1989, page 7913.

10. Arrêté royal du 12/08/1994, MB du 02/08/1994.

11. Loi du 04/08/1996 relative au bien-être des travailleurs lors de l'exécution de leur travail - Wet van 04/08/1996 betreffende het welzijn van de werknemers bij de uitvoering van hun werk ref: MB du 18/09/1996, page 21507.

Denmark:

1. Bekendtgørelse nr. 235 af 10/04/1991, Lovtidende A 1991 haefte 52 s. 909.

2. Søfartsstyrelsens tekniske forskrift nr. 7 af 15/12/1992.

3. Bekendtgørelse af 18/12/1992 om arbejdets udførelse

4. Arbejdsministeriets bekendtgørelse nr. 1181 af 18/12/1992 om virsomhedernes sikkerheds- og sundhedsarbejde. Arbejdsministeriet j.nr. 1992-2113-21.

5. Bekendtgørelse nr. 746 af 28/08/1992 om brug af personlige vaernemidler.

6. Bekendtgørelse nr. 889 af 28/12/1987 om bedriftssundhedstjeneste.

7. Bekendtgørelse nr. 693 af 14/10/1991 om byggepladsers og lignende arbejdssteders indretning

8. Arbejdsministeriets bekendtgørelse nr. 540 af 02/09/1982 om stoffer og materialer. Arbejdsmin. 3.kt. j.nr. 1981-3240-3.

9. Arbejdstilsynets bekendtgørelse af 15/12/1992 om anvendelse af tekniskehjaelpemidler. Arbejdstilsynet, j.nr. 1992-20-5.

10. Bekendtgørelse af 16/12/1992 om arbejdsmedicinske undersøgelse efter lov om arbejdsmiljø

11. Bekendtgørelse af 16/12/1992 om faste arbejdssteders indretning.

12. Bekendtgørelse nr. 469 af 06/10/1983 om sikkerhedsuddannelse m.v.

13. Lov om arbejdsmiljø, jf. lovbekendtgørelse nr. 184 af 22/03/1995, som aendret ved lov nr.458 af 12/06/1996 og lov nr. 1196 af 27/12/1996

14. Bekendtgørelse nr. 646 af 18/12/1985 med senere aendringer.

15. Bestemmelser om sikkerhed og sundhed for besaetningsmedlemmer under tjeneste på luftfartøj af 16/06/94.

16. Tekniske forskrift nr. 8 af 10/10/1994.

17 Lov nr. 379 af 10/06/1997 om aendring af lov om arbejdsmiljø. Arbejdsmin.,j.nr. 97-2100-121.

18. Arbejdsministeriets bekendtgørelse nr. 183 af 15/05/1975 om forbud mod anvendelse af visse cadmiumholdige loddemidler. Arbejdsmin. 3 kt. j. nr. 13-35-69.

19. Arbejdstilsynets bekendtgørelse nr. 661 af 28/11/1983 om vandopløseligt chromat i cement. Arbejdstilsynets journal nr. 82-344-106.

20. Arbejdstilsynets bekendtgørelse nr. 199 af 26/03/1985 om epoxyharpikser og isocyanater m.v.. Arbejdstilsynet, j.nr. 82-365-71.

21. Arbejdsministeriets bekendtgørelse nr. 562 af 16/12/1985 om arbejde med metallisk bly og dettes ionforbindelse. Arbejdsmin. 3. kt. j.nr. 1985-3240-62.

22. Arbejdsministeriets bekendtgørelse nr.600 af 24/09/1986 om asbest. Arbejdsmin.,j.nr. 1986-3240-60.

23. Arbejdstilsynets bekentgørelse nr. 993 af 1/12/1986 om registrering m.m. af asbest. Arbejdstilsynets j.nr. 86-362-357.

24. Arbejdsministeriets bekendtgørelse nr. 139 af 23/03/1987 om aendring af bekendtgørelse om asbest. Arbejdsmin. 3.kt. j.nr. 86-3240-60.

25. Arbejdsministeriets bekendtgørelse nr. 984 af 11/12/1992 om aendring af bekendtgørelse om asbest. Arbejdsmin. 3.kt. j.nr. 2141-9.

26. Arbejdstilsynets bekendtgørelse nr. 52 af 13/01/1988 om materialer med indhold af flygtige stoffer herunder organiske opløsningsmidler. Arbejdstilsynets j. nr. 87-361/K71-4.

27. Arbejdstilsynets bekendtgørelse nr. 344 af 9/06/1988 om arbejde med momtering og nedrivning af isoleringsmaterialer indeholdende syntetiske mineralfibre. Arbejdstilsynets j. nr. 88-361/k55-16.

28. Arbejdstilsynets bekendtgørelse nr. 302 af 13/05/1993 om arbejde med kodenummerede produkter. Arbejdstilsynets j.nr. 1993-30-20.

29. Arbejdsministeriets bekendtgørelse nr. 1017 af 15/12/1993 om indretning af byggepladser og lignende arbejdssteder efter lov om arbejdsmiljø. Arbejdsmin.3.kt.j.nr. 93-2122-2.

30. Arbejdstilsynets bekendtgørelse nr. 561 af 24/06/1994 om indretning af tekniske hjaelpemidler. Arbejdstilsynets j.nr. 1994-29-46.

31. Arbejdsministeriets bekendtgørelse nr. 867 af 13/10/1994 om arbejdets udførelse. Arbejdsmin.,j.nr. 92-5232-1.

32. Arbejdstilsynets bekendtgørelse nr. 1062 af 15/12/1994 om arbejde med asfaltmaterialer. Arbejdsmin./Arbejdstilsynets j.nr. 1992-843-52.

33. Arbejdsministeriets bekendtgørelse nr. 485 af 16/06/1995 om aendring af bekendtgørelse om stoffer og materialer. Arbejdsmin.,j.nr. 1992-2141-2.

34. Arbejstilsynets bekendtgørelse om foranstaltninger til forebyggelse af kraeftrisikoen ved arbejde med stoffer og materialer. Arbejdsmin./Arbejdstilsynet, j.nr. 1996-30-63.

35. Arbejdsministeriets bekendtgørelse nr. 739 af 22/09/1997 om virksomhedernes sikkerheds- og sundhedsarbejde. Arbejdsmin., 3 kt., j.nr. 97-2210-26. Base i statsbasen: ABEK.

36. Arbejdsministeriets bekendtgørelse nr. 1017 af 17/12/1997 om aendring af bekendtgørelse om arbejdets udførelse. Arbejdsmin., j.nr. 97-2100-136. Base i statsbasen: ABEK.

37. Bekendtgørelse om ændring af bekendtgørelse om virksomhedernes sikkerheds- og sundhedsarbeide; nr 383 af 22 juni 1998.

38. Bekendtgørelse om sikkerhedsgruppens qrbejdsæiljøuddannelse ref: Statistente, 14/06/1999, nr 457.

39. Lov nr. 331 om aendring af lov om arbejdsmiljø og lov om visse havanlaeg (§§ 17 a-c i) ref: nr 331 af 16/05/2001.

40. Teknisk forskrift om arbejdsmiljo i skibe ref: Meddelelser fra Søfartsstyrelsen A du 01/07/2002

Germany:

1. Verordnung über bergbauliche Unterlagen, Einwirkungsbereiche und die Bergbau-Versuchsstrecke vom 11/11/1982, Bundesgesetzblatt Teil I vom 30/11/1982 Seite 1553.

2. Gesetz zur Umsetzung der EG-Rahmenrichtlinie Arbeitsschutz und weiterer Arbeitsschutz-Richtlinien vom 07/08/1996, Bundesgesetzblatt Teil I vom 20/08/1996 Seite 1246.

3. Seemannsgesetz vom 26/07/1957, Bundesgesetzblatt Teil II vom 07/08/1957 Seite 713.

4. Gesetz zur Einordnung des Rechts der gesetzlichen Unfallversicherung in das Sozialgesetzbuch (Unfallversicherungs-Einordnungsgesetz -UVEG) vom 07/08/1996, Bundesgesetzblatt Teil I vom 20/08/1996 Seite 1254.

5. Reichsversicherungsordnung (April 1992).

6. Bundesberggesetz (BBergG) (Februar 1992).

7. Unfallverhütungsvorschriften für Unternehmen der Seefahrt (UVV See) (November 1989).

8. Gesetz zur Regelung der gewerbsmäßigen Arbeitnehmerüberlassung (Arbeitnehmerüberlassungsgesetz - AÜG) vom 07/08/1972, Bundesgesetzblatt Teil I Seite 1393, zuletzt geändert durch Gesetz vom 20//07/1995 (BGBl I S.946).

9. Arbeitsförderungsgesetz vom 25/06/1969, Bundesgesetzblatt Teil I Seite 582, zuletzt geändert durch des Gesetzes vom 15/12/1995 (BGBl. S. 1824).

10. Drittes Gesetz zur Änderung der Gewerbeordnung und sonstiger gewerberechtlicher Vorschriften vom 24/08/2002 ref: BGBl. n° 62 du 30/08/2002 p. 3412.

Greece:

1. Loi n° 1568 du 11/10/1985 ref: FEK A n°177 du 18/10/1985 Page 3335.
2. Loi n° 1836 du 14/03/1989 ref: FEK A n° 79 du 14/03/1989 Page 1071.
3. Loi n° 1767/88 du 04/04/1988 ref: FEK A n° 63 du 06/04/1988 Page 709.
4. Décret présidentiel n° 368/89 ref: FEK A n° 163 du 16/06/1989 Page 3917.
5. Décret présidentiel n° 369/89 ref: FEK A n° 164 du 16/06/1989 Page 3981.
6. Décret présidentiel n° 436 du 16/10/1991 ref: FEK A n° 159 du 24/10/1991 Page 2125.
7. Loi n° 2224 du 05/07/1994 ref: FEK A n° 12 du 06/07/1994 Page 1469.
8. Décret présidentiel n° 294 du 17/06/1988 ref: FEK A n° 138 du 21/06/1988 Page 2781.
9. Décret présidentiel n° 70a du 11/02/1988 ref: FEK A n° 31 du 17/02/1988 Page 263.
10. Décret présidentiel n° 94 du 10/04/1987 ref: FEK A n° 54 du 22/04/1987 Page 503.
11. Décret présidentiel n° 85 du 05/03/1991 ref: FEK A n° 38 du 18/03/1991 Page 619.
12. Loi n° 1837 du 03/1989 ref: FEK A n° 85 du 23/03/1989 Page 1105.
13. Décision ministérielle n° 130627 du 07/03/1990 ref: FEK A n° 27 du 08/03/1990 Page 187.
14. Décret présidentiel n° 61 du 02/07/1975 ref: FEK A n° 132 du 07/07/1975 Page 763.
15. Décision ministérielle n° A2/st/1539/85 ref: FEK B n° 280 du 13/05/1985 Page 2769.
16. Décret présidentiel n° 149 du 14/03/1934 ref: FEK A n° 112 du 22/03/1934.
17. Décret présidentiel n° 17/96 du 18/01/1996 ref: FEK A n° 11 du 18/01/1996 Page 93.
18. Décret présidentiel n° 259/88 ref: FEK A n° 117 du 03/06/1988 Page 2313.
19. Décret présidentiel n° 12/93 ref: FEK A Page 33.
20. Décret présidentiel n° 1348 du 10/12/1981 ref: FEK A n° 117 du 03/06/1988.
21. Décret présidentiel n° 376 du 1995 ref: FEK A n° 206 du 05/10/1995 Page 6167.
22. Décret présidentiel n° 259/81 du 1981 ref: FEK A n° 72 du 26/03/1981 Page 705.
23. Décret présidentiel n° 363/84 du 1984 ref: FEK A n° Z82 du 1984 Page 23.

24. Décret présidentiel n° 379/96 du 1996 ref: FEK A n° 250 du 04/11/1996 Page 4611.

25. Décret présidentiel n° 236/96 du 26/07/1996 ref: FEK A du 31/07/1996 Page 3062.

26. Décret présidentiel n° 1349/81 du 26/11/1981 ref: FEK A Page 4516.

Spain:

1. Ley n° 31/95 de 08/11/1995, de Prevención de Riesgos Laborales ref: BOE n° 269 de 10/11/1995 Página 32590 (Marginal 24292).

2. Instrucción de 26/02/1996, de la Secretaría de Estado para la Administración Pública, para la aplicación de la Ley 31/95, de 8 de noviembre, de Prevención de Riesgos Laborales en la Administración del Estado ref: BOE n° 59 de 08/03/1996 Página 9421 (Marginal 5486).

3. Orden de 16/12/1987, por la que se establecen nuevos modelos para la notificación de accidentes de trabajo y se dan instrucciones para su cumplimentación y tramitación ref: BOE n° 311 de 29/12/1987 Página 38065.

4. Real Decreto n° 39/97 de 17/01/1997, por el que se aprueba el Reglamento de los Servicios de Prevención ref: BOE n° 27 de 31/01/1997 Página 3031 (Marginal 1853).

5. Ley 8/80 de 10/03/1980, sobre el Estatuto de los Trabajadores ref: BOE n° 64 de 14/03/1980.

6. Real Decreto n° 396/1996 de 01/03/1996, por el que se aprueba el Reglamento sobre procedimiento para la imposición de sanciones por infracciones en el orden social.

7. Ley n° 14/94 de 01/07/1994, que regula las empresas de trabajo temporal.

8. Real Decreto n° 780/98 de 20/04/1998, por el que se modifica el Real Decreto 39/1987, de 17 de enero, por el que se aprueba el Reglamento de los servicios de prevención ref: BOE n° 104 de 01/05/1998 Página 14698 (Marginal 10209).

France:

1. Loi n° 91-1414 du 31/12/1991 modifiant le code du travail et le code de la santé publique en vue de favoriser la prévention des risques professionnels et portant transposition de directives européennes relatives à la santé et à la sécurité du travail ref: JO du 07/01/1992, page 319.

2. Décret n° 92-158 du 20/02/1992 complétant le code du travail (2ème partie: décrets en Conseil d'Etat) et fixant les prescriptions particulières d'hygiène et de sécurité applicables aux travaux effectués dans un établissement par une entreprise extérieure ref: JO du 22/02/1992, page 2779

3. Décret n° 92-333 du 31/03/1992 modifiant le code du travail (2ème partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé applicables aux lieux de travail que doivent observer les chefs d'établissements utilisateurs ref: JO du 01/04/1992, page 4614.

4. Loi n° 97-1051 du 18/11/1997 d'orientation sur la pêche maritime et les cultures marines ref: JO du 19/11/1997, page 16723.

5. Decret n° 98-588 ref: JORF du 11/07/1998.

6. Ordonnance n° 2001-175 du 22/02/2001 relative à la transposition de la directive 89/391/CEE du Conseil du 12/06/1989 concernant la mise en oeuvre des mesures visant à promouvoir l'amélioration de la sécurité et de la santé des travailleurs réf: JO n° 258 du 07/11/2001 p. 17523.

7. Loi de modernisation sociale du 17/01/2002 ; article 193 réf: JO du 18/01/2002 p. 1008.

8. Décret n° 2001/1016 du 5/11/2001 portant création d'un document relatif à l'évaluation des risques pour la santé et la sécurité des travailleurs, prévue par l'article L.230-2 du code du travail et modifiant le code du travail réf: JO n° 258 du 07/11/2001 p. 17523 ref: JO du 24/02/2001, page 3022.

9. Décret n° 82-453 du 28/05/1982 relatif à l'hygiène et à la sécurité du travail, ainsi qu'à la prévention médicale dans la fonction publique, modifié par le décret 84-1029 du 23/11/1984, par le décret 95-680 du 9/05/1995 et par le décret 2001-232 du 12/03/2001 ref: Pas de mention (SG(2002)A/10391).

10. Arrêté du 3 mai 2002 relatif à la formation préalable à la prise de fonction et à la formation continue des agents chargés de la mise en ouvre des règles d'hygiène et de sécurité dans la fonction publique territoriale ref: 03/05/2002 (SG(2002)A/10391).

11. Décret 85-603 du 10/06/1985 relatif à l'hygiène et à la sécurité du travail ainsi qu'à la médecine professionnelle et préventive dans la fonction publique territoriale ref: JORF du 18/06/1985 (SG(2002)A/10391).

12. Décret 2000-542 du 16/06/2000 modifiant le décret 85-603 du 10/06/1985 relatif à l'hygiène et à la sécurité du travail ainsi qu'à la médecine professionnelle et préventive dans la fonction publique territoriale ref: JORF n° 141 du 20/06/2000 p. 9249 (NOR : FPPA0010011D) (SG(2002)A/10391).

13. Arrêté du 15/03/2001 portant détermination des missions de sécurité des personnes et des biens incompatibles avec l'exercice du droit de retrait dans la fonction publique territoriale ref: JORF n° 71 du 24/03/2001 p. 4643 (NOR : FPPA0110020A) (SG(2002)A/10391).

14. Arrêté du 26/12/1995 relatif à la création d'une structure fonctionnelle en matière de sécurité et de santé au travail dans les mines ref: JORF du 13/01/1996 (NOR INDB9501272A) (SG(2002)A/10391).

15. Arrêté du 10/04/1972 relatif aux séances d'information professionnelle des délégués mineurs ref: 10/04/1972 (SG(2002)A/10391).

Ireland:

1. The Safety, Health and Welfare at Work (General Application) Regulations, 1993 ref: S.I. n° 44 of 1993.

2. The Safety, Health and Welfare at Work Act, 1989.

3. The Fire Services Act 1981 ref: S.I. n° 30 of 1981.

4. The Dangerous Substances (Retail and Private Petroleum Stores) Regulations, 1979 ref: S.I. n° 311 of 1979.

5. The Dangerous Substances (Oil Jetties) Regulations, 1979 ref: S.I. n° 312 of 1979.

6. The Dangerous Substances (Petroleum Bulk Stores) Regulations, 1979 ref: S.I. n° 313 of 1979.

Italy:

1. Decreto legislativo del 19/09/1994 n. 626, attuazione delle direttive 89/391/CEE, 89/654/CEE, 89/655/CEE, 89/656/CEE, 90/269/CEE, 90/270/CEE, 90/394/CEE e 90/679/CEE riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n. 141 alla GURI - Serie generale - del 12/11/1994 n. 265.

2. Decreto legislativo del 19/03/1996 n. 242, modifiche ed integrazioni al decreto legislativo 19 settembre 1994, n. 626, recante attuazione di direttive comunitarie riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n .75 alla GURI - Serie generale - del 06/05/1996 n. 104 pag. 3.

3. Decreto Legislativo n° 195 del 23/6/2003 -Modifiche ed integrazioni al decreto legislativo 19/9/1994, n. 626, per l'individuazione delle capacità e dei requisiti professionali richiesti agli addetti ed ai responsabili dei servizi di prevenzione e protezione dei lavoratori, a norma dell'articolo 21 della legge 1/3/2002, n. 39. ref: GURI Serie generale n° 174 del 29/7/2003 p. 4 (SG(2003)A/08174 du 28/08/2003).

Luxembourg:

1. Loi du 17/06/1994 concernant les services de santé au travail ref: Mémorial grand-ducal A n° 55 du 01/07/1994, page 1054.

2. Loi du 08/06/1994 1) portant application aux personnes morales du secteur public de la directive cadre 89/391/CEE du Conseil du 12/06/1989 concernant la mise en oeuvre de mesures visant à promouvoir l'amélioration de la sécurité et de la santé des travailleurs au travail; 2) modifiant et complétant la loi du 19/03/1988 concernant la sécurité dans les administrations et services de l'Etat ref: Mémorial grand-ducal A n° 55 du 01/07/1994, page 1050.

3. Loi du 17/06/1994 concernant la sécurité et la santé des travailleurs au travail ref: Mémorial Grand-Ducal A n° 55 du 01/07/1994, page 1060.

4. Règlement grand-ducal du 06/10/1995 portant 1. adaptation à l'ensemble de la fonction publique de l'Etat et des communes du règlement grand-ducal du 13/06/1979 concernant les directives en matière de sécurité dans les écoles; 2. continuation de la transposition dans le droit luxembourgeois pour le compte du secteur public des directives communautaires afférentes à la sécurité au travail ref: Mémorial grand-ducal A n° 87 du 20/10/1995, page 2008.

5. Loi du 06/03/1998 modifiant la loi du 17/06/1994 concernant la sécurité et la santé des travailleurs au travail ref: Mémorial A, page 260.

Netherlands:

1. Arbeidsomstandighedenwet, Staatsblad nr 757.

2. Besluit arbodiensten van 28/12/1993, Staatsblad nr 782.

3. Besluit bedrijfshulpverlening arbeidsomstandighedenwet van 28/12/1993, Staatsblad nr 783.

4. Ministeriële regeling certificatie arbodiensten van 28/12/1993, Staatscourant nr 252 van 30/12/1993 blz. 38.

5. Ministeriële regeling deskundigheidseisen arbodiensten van 28/12/1993, Staatscourant nr 252 van 30/12/1993 blz. 38.

6. Besluit arbeidsomstandighedenwet, Staatsblad nr 782.

7. Aanpassingsbesluit van 08/07/1994, Staatsblad nr 562 van 1994.

8. Besluit van 17/08/1995, Staatsblad nr 434 van 21/09/1995 blz. 1.

9. Beschikking van de Minister van Justitie van 21/02/1996, houdende plaatsing in het Staatsblad van de tekst van de Arbeidsomstandighedenwet, zoals deze laatstelijk is gewijzigd bij de wet van 21/12/1995, Stb. 691, Staatsblad nr 133 van 1996.

10. Regeling houdende bepalingen ter uitvoering van bij en krachtens de Arbeidsomstandighedenwet en enige andere wetten gestelde regels van 12/03/1997, uitgegeven als supplement bij de Staatscourant nr 63 van 02/04/1997.

11. Besluit houdende regels in het belang van de veiligheid, de gezondheid en het welzijn in verband met de arbeid (Arbeidsomstandighedenbesluit) van 15/01/1997, Staatsblad nr 60 van 1997.

12. Besluit van de Staatssecretaris van Sociale Zaken en Werkgelegenheid, Directie Arbeidsomstandigheden, Arbo/AIS 9701436 tot vaststelling van beleidregels op het gebied van de Arbeidsomstandighenwetgeving (Beleidsregels arbeidsomstandighedenwetgeving) van 27/06/1997, uitgegeven als supplement bij de Staatscourant van 27/06/1997.

13. Wet van 13 december 2000 tot wijziging van de Arbeidsomstandighedenwet 1998 (Technische verbeteringen en aanpassingen) ref: Staatsblad nr 595 van 2000 (28/12/2000).

Austria:

1. Landarbeitsordnung, ref: Landesgesetzblatt für Niederösterreich, Nr. 9020-15.

2. Bundesgesetz über Sicherheit und Gesundheitsschutz bei der Arbeit (ArbeitnehmerInnenschutzgesetz-ASchG) und mit dem das Allgemeine Sozialversicherungsgesetz, das Arbeitvertragsrechts-Anpassungs-gesetz, das

Arbeitsverfassungsgesetz, das Berggesetz 1975, das Bauern-Sozialversicherungsgesetz, das Arbeitsmarktförderungsgesetz, das Arbeitslosenversicherungsgesetz 1977 und das Ausländerbeschäftigungsgesetz geändert werden, ref: Bundesgesetzblatt für die Republik Österreich Nr. 450/1994, vom 17/06/1994, in der Fassung der Bundesgesetze BGBl. I Nr. 47/1997 und der Kundmachung BGBl. Nr. 457/1995.

3. Verordnung des Bundesministers für Arbeit und Soziales über die Aufsichtsbezirke und den Wirkungsbereich der Arbeitsinspektorate, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 237/1993.

4. Bundesgesetz über die Arbeitsinspektion (Arbeitsinspektionsgesetz 1993 - ArbIG), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 27/1993, i.d.F BGBl. Nr. 754/1996.

5. Bundesgesetz vom 14/12/1973 betreffend die Arbeitsverfassung (Arbeitsverfassungsgesetz - ArbVG), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 22/1974 i.d.F BGBl. Nr. 360/1975, BGBl. Nr. 387/1976, BGBl. Nr. 519/1978, BGBl. Nr. 47/1979 (VfGH), BGBl. Nr. 354/1981, BGBl. Nr. 48/1982, BGBl. Nr. 199/1982, BGBl. Nr. 55/1985, BGBl. Nr. 204/1986, BGBl. Nr. 394/1986, BGBl. Nr. 563/1986, BGBl. Nr. 321/1987, BGBl. 617/1987, BGBl. Nr. 196/1988, BGBl. Nr. 282/1990, BGBl. 408/1990, BGBl. Nr. 411/1990, BGBl. 475/1990, BGBl. 473/1992, BGBl. Nr. 833/1992, BGBl. 460/1993, BGBl. Nr. 502/1993, BGBl. Nr. 450/1994, BGBl. Nr.624/1994, BGBl. Nr. 417/1996, BGBl. Nr. 601/1996, BGBl. Nr. 754/1996.

6. Bediensteten-Schutzgesetz, ref: Landesgesetzblatt für Niederösterreich, Nr. 2015-1.

7. Verordnung des Bundesministers für Arbeit und Soziales über die Sicherheitsvertrauenspersonen (SVP-VO), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 172/1996 , vom 12/04/1996.

8. Verordnung über die Fachausbildung der Sicherheitsfachkräfte (SFK-VO), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 277/1995, vom 21/04/1995.

9. Bundesgesetz vom 23/03/1977 über den Schutz des Lebens und der Gesundheit der in Dienststellen des Bundes beschäftigten Bediensteten (Bundesbediensteten-Schutzgesetz - BSG), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 164/1977,vom 21/04/1977.

10. Änderung des NÖ Landesbediensteten-Schutzgesetzes vom 21/02/1991, ref: Landesgesetzblatt für Niederösterreich, Nr. 49/1991, vom 24/04/1991.

11. Gesetz vom 17/12/1986 über den Schutz des Lebens und der Gesundheit der in den Dienststellen des Landes beschäftigten Bediensteten (Burgenländisches Landesbedienstetenschutzgesetz), ref: Landesgesetzblatt für das Burgenland, Nr. 21/1987, vom 18/03/1987.

12. Gesetz vom 24/11/1980 über den Schutz des Lebens und der Gesundheit der in Dienststellen des Landes, der Gemeinden und Gemeindeverbände beschäftigten Bediensteten (Kärntner Bedienstetenschutzgesetz), ref: Landesgesetzblatt für Kärnten, Stück 3 Nr. 5/1981.

13. Gesetz vom 01/07/1981 über den Schutz des Lebens und der Gesundheit der in Dienststellen des Landes beschäftigten Bediensteten (O.ö. LbSG.), ref: Landesgesetzblatt für Oberösterreich, Nr. 54/1981, vom 31/08/1981.

14. Gesetz vom 09/03/1984 über den Schutz des Lebens und der Gesundheit der in Dienststellen des Landes, der Gemeinden und Gemeindeverbände beschäftigten Bediensteten (O.ö.GbSG.), ref: Landesgesetzblatt für Oberösterreich, Nr. 36/1984,vom 15/06/1984.

15. Gesetz vom 11/06/1991 über den Schutz des Lebens und der Gesundheit der Bediensteten des Landes (Landesbediensteten-Schutzgesetz LSG), ref: Landesgesetzblatt der Steiermark, Nr. 78/1991, vom 13/09/1991.

16. Gesetz vom 03/07/1991 über den Schutz der Bediensteten in Dienststellen des Landes, der Gemeinden und Gemeindeverbände (Tiroler Bedienstetenschutzgesetz), ref: Landesgesetzblatt für Tirol, Nr. 71/1991,vom 13/09/1991.

17. Verordnung der Bundesregierung über die Zuordnung von Dienststellen und Dienststellenteilen zu Gefahrenklassen (Gefahrenklassen-Verordnung), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 637/1995 vom 20/09/1995.

18. Bundesgesetz, mit dem das Bundesbediensteten-Schutzgesetz geändert wird, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 631/1994,vom 19/08/1994.

19. Verordnung über Einrichtungen in den Betrieben für die Durchführung des Arbeitnehmerschutzes, ref: BGBl für die Republik Österreich, Nr. 2/1984 , zuletzt geändert durch BGBl. Nr.450/1994.

20. Verordnung über gesundheitliche Eignung von Arbeitnehmern für bestimmte Tätigkeiten, ref.: Bundesgesetzblatt für die Republik Österreich, Nr. 39/1974 , i.d.F. BGBl. Nr.358/1988

21. Verordnung über den Nachweis der Fachkenntnisse für bestimmte Arbeiten, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 441/1975.

22. Verordnung über die Betriebsbewilligung nach dem Arbeitnehmerschutzgesetz, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 116/1976.

23. Verordnung über den Nachweis der Fachkenntnisse für die Vorbereitung und Organisation von bestimmten Arbeiten unter elektrischer Spannung über 1 kV, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 10/1982.

24. Allgemeine Arbeitnehmerschutzverordnung - AAV, ref: BGBl für die Republik Österreich, Nr. 218/1983, zuletzt geändert durch BGBl. Nr.450/1994.

25. Verordnung des Bundesministeriums für soziale Verwaltung vom 10/11/1951 über allgemeine Vorschriften zum Schutze des Lebens und der Gesundheit der Dienstnehmer (Allgemeine Dienstnehmerschutzverordnung), ref: BGBl für die Republik Österreich, Nr. 265/1951, zuletzt geändert durch BGBl. Nr. 450/1994.

26. Maschinen-Schutzvorrichtungsverordnung, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 43/1961.

27. Verordnung über Beschäftigungsverbote und -beschränkungen für weibliche Arbeitnehmer, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 696/1976.

28. Heimarbeitsgesetz 1960 in der Fassung, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 836/1992.

29. Wiener Bedienstetenschutzgesetz vom 26/06/1979, ref: Landesgesetzblatt für Wien, Nr. 90/1979.

30. Verordnung des Bundesministers für Arbeit und Soziales über arbeitsmedizinische Zentren (AMZ-VO), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 441/1996,vom 21/08/1996.

31. Verordnung des Bundesministers für Arbeit und Soziales über die Sicherheits- und Gesundheitsschutzdokumente (DOK-VO), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 478/1996, vom 10/09/1996.

32. Verordnung des Bundesministers für Arbeit und Soziales, mit der die Verordnung über die Sicherheits- und Gesundheitsschutzdokumente (DOK-VO) geändert wird, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 53/1997, vom 20/02/1997.

33. Bundesgesetz, mit dem das ArbeitnehmerInnenschutzgesetz (ASschG), das Arbeitsvertragsrechts- Anpassungsgesetz und das Mutterschutzgesetz 1979 geändert werden, ref; Bundesgesetzblatt für die Republik Österreich, Nr. 9/1997, vom 10/01/1997.

34. Verordnung des Bundesministers für Arbeit und Soziales über die Geschäftsordnung des Arbeitnehmerschutzbeirates, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 30/1995, vom 10/01/1995.

35. Verordnung des Bundesministers für wirtschaftliche Angelegenheiten und des Bundesministers für Arbeit und Soziales über die Sicherheit von Aufzügen (Aufzüge-Sicherheitsverordnung 1996 -ASV 1996), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 780/1996, vom 30/12/1996.

36. Verordnung des Bundesministers für Arbeit und Soziales, mit der Vorschriften zum Schutz der Sicherheit und der Gesundheit von ArbeitnehmerInnen vor Gefahren durch den elektrischen Strom erlassen werden und mit der die Bauarbeiterschutzverordnung geändert wird (Elektroschutzverordnung 1995 - ESV 1995), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 706/1995 vom 25/10/1995.

37. Verordnung des Bundesministers für wirtschafliche Angelegenheiten über verantwortliche Personen, Sicherheitsvertrauenspersonen, Präventivdienste und Schießbefugte beim Bergbau (Bergpolizeiverordnung über verantwortliche Personen- BPV-Personen), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 108/1997 vom 24/04/1997.

38. Bundesgesetz vom 13/05/1975 über den Bergbau und die Änderung der Gewerbeordnung 1973 (Berggesetz 1975), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 259/1975 in der Fassung der Bundesgesetze BGBl. Nr. 124/1978, 520/1982, 399/1988, 355/1990, 450/1994, 633/1994, 297/1995, 518/1995, 219/1996 und der Kundmachung BGBl. Nr. 193/1993.

39. Bundesgesetz , mit dem arbeitsvertragsrechtliche Bestimmungen an das EG-Recht angepaßt (Arbeitsvertragsrechts-Anpassungsgesetz - AVRAG) und das Angestelltengesetz, das Gutsangestelltengesetz und das Hausgehilfen- und Hausangestelltengesetz geändert werden, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 459/1993 , i.d.F BGBl. Nr. 917/1993, 450/1994, 895/1995, 754/1996, 9/1997.

40. Bundesgesetz über die Beschäftigung von Kindern und Jugendlichen 1987 - KJBG, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 599/1987 (WV) i.d.F BGBl. 175/1992, BGBl. Nr. 257/1993, BGBl.Nr.410/1996.

41. Mutterschutzgesetz 1979 - MSchG, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 221/1979 (WV), BGBl. Nr. 409/1980, BGBl. Nr. 577/1980 (DFG), BGBl. Nr. 213/1984, BGBl. Nr. 563/1986, BGBl. Nr. 617/1987, BGBl. Nr. 651/1989, BGBl. Nr. 76/1990 DFB), BGBl. Nr. 408/1990, BGBl. Nr. 450/1990, BGBl. 277/1991, BGBl. Nr. 628/1991, BGBl. Nr. 315/1992, BGBl. Nr. 833/1992, BGBl. Nr. 257/1993, BGBl. Nr. 434/1995, BGBl. I Nr. 9/1997.

42. Verordnung des Bundesministers für Handel und Verkehr über allgemeine Bergpolizeivorschriften für die Betriebe zur Aufsuchung und Gewinnung von Erdöl und Erdgas durch Bohrungen (Erdöl- Bergpolizeiverordnung), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 278/1937 , in der Fassung der Verordnungen Verordnungs- und Amtsblatt für den Reichsgau Wien Nr. 47 und 48/1994, der Verordnung BGBL. Nr. 125/1961, der Kundmachung GBGl. Nr. 265/1961 und der Elektrotechnikverordnung für den Bergbau, BGBl. Nr. 12/1984.

43. Verordnung des Bundesministers für Soziale Verwaltung vom 24. Juni 1974 über die Geschäftsführung der Betriebs(Gruppen-, Betriebshaupt)versammlung, des Betriebsrates, des Betriebsausschusses, der Betriebsräteversammlung, des Zentralbetriebsrates, de.

44. Gesetz, mit dem das Wiener Personalvertetungsgesetz (5. Novelle zum Wiener Per.

45. Land- und forstwirschaftliche Sicherheits- und Gesundheitsschutz- Verordnung ref: LGBI Nr. 96/2001 vom 13/11/2001, Seite 463.

46. NÖ Landarbeitsordnung 1973 ref: LGBI.

47. Verordnung der Bundesregierung, mit der.

48. Verordnung der Wiener Landesregierung, mit der Anforderungen an Arbeitsstätten in der Land- und Forstwirtschaft festgelegt werden (Wiener Arbeitsstättenverordnung in der Land- und Forstwirtschaft - Wr. AStV Land- und Forstwirtschaft) ref: LGBl. für Wien n° 27 vom 03/07/2003 p. 105 (SG(2003)A/07224 du 31/07/2003).

Portugal:

1. Decreto-Lei n 441/91 de 14/11/1991. Estabelece o regime jurídico do enquadramento da segurança, higiene e saúde no trabalho ref: Diário da República I Série A n. 262 de 14/11/1991 Página 5826.

2. Declaração de rectificação n. 65/91. De ter sido rectificado o Decreto-Lei n. 72/91, do Ministério das Finanças, que regula a autorização de introdução no mercado, o fabrico, a comericialização e a comparticipação de medicamentos de uso humano publicado no Diário da República, n. 33, de 8 de Fevereiro de 1991 ref: Diário da República I Série A n. 99 de 30/04/1991 Página 2380-(2).

3. Decreto-Lei n 26/94 de 01/02/1994. Estabelece o regime de organização das actividades de segurança, higiene e saúde no trabalho ref: Diário da República I Série A n. 26 de 01/02/1994 Página 480.

4. Lei n 7/95 de 29/03/1995. Alteração, por ratificação do Decreto-Lei n 26/94, de 1 de Fevereiro ref: Diário da República I Série A n. 75 de 29/03/1995 Página 1710.

5. Decreto-Lei n. 191/95 de 28/07/1995. Regulamenta o regime da segurança, higiene e saúde no trabalho ref: Diário da República I Série A n. 173 de 28/07/1995 Página 4838.

6. Decreto-Lei n. 49408/69 de 24/11/1969. Aproba o Regime jurídico do contrato individual do trabalho ref: Diário da República I Série A de 24/11/1969.

7. Decreto-lei n° 133-99 ref: Diaro da Republica n° 93 du 21/04/1999, 2090.

Finland:

1. Työturvallisuuslaki (299/58) 28/06/1958, muutos (144/93) 29/01/1993.

2. Laki työsuojelun valvonnasta ja muutoksenhausta työsuojeluasioissa (131/73) 16/02/1973.

3. Asetus työsuojelun valvonnasta (954/73) 21/02/1973.

4. Työterveyshuoltolaki (743/78) 29/09/1978.

5. Laki yhteistoiminnasta yrityksissä (725/78) 22/09/1978.

6. Laki rikoslain muuttamisesta / Lag om ändring av strafflagen (578/95) 21/04/1995.

7. Vahingonkorvauslaki (412/74) 31/05/1974.

8. Kuntalaki (354/95) 17/03/1995.

9. Valtion virkamieslaki (750/94) 19/08/1994.

10. Valtioneuvoston päätös terveystarkastuksista erityistä sairastumisen vaaraa aiheuttavissa töissä (1672/92) 30/12/1992.

11. Sisäasiainministeriön määräys 7/94, 19/12/1994: Varautuminen kemikaalionnettomuuksiin.

12. Sisäasiainministeriön määräys 18/91, 30/10/1991: Yritysten ja laitosten suojelujärjestelyt.

13. Yleissopimus yhteistoimintamenettelystä soveltamisohjeineen.

14. Asetus työturvallisuuslain ja työterveyshuoltolain soveltamisesta työturvallisuuslain 2 §:ssä tarkoitettuun työhön (475/88) 27/05/1988.

15. Valtioneuvoston päätös alusten lastauksessa ja purkamisessa noudatettavista järjestysohjeista (915/85) 28/11/1985.

16. Tapaturmavakuutuslaki / Lag om olycksfallsförsäkring (608/48) 20/08/1948.

17. Ammattitautilaki / Yrkessjuksdomslag (1343/88) 29/12/1988.

18. Ammattitautiasetus / Yrkessjukdomsförordning (1347/88) 29/12/1988.

19. Työsopimuslaki / Lag om arbetsavtal (320/70) 30/04/1970.

20. Vahingonkorvauslaki / Skadeståndslag (412/74) 31/05/1974.

21. Rikoslaki / Strafflag (39/1889) 19/12/1889.

22. Laki työturvallisuuslain 22 §:n muuttamisesta / Lag om ändring av 22 § lagen om skydd i arbete (461/97) 23/05/1997.

23. Valtioneuvoston päätös velvollisuudesta antaa tietoja työpaikan terveysvaaroista / Statsrådets beslut om skyldighet att informera om hälsorisker på arbetsplatsen (210/87) 19/02/1987.

24. Laki palo- ja pelastustoimesta / Lag om brand- och räddningsväsendet (559/75) 04/07/1975.

25. Asetus palo- ja pelastustoimesta / Förordning om brand- och räddningsväsendet (1089/75) 31/12/1975.

26. Väestönsuojelulaki / Lag om befolkningsskydd (438/58) 31/10/1958.

27. Väestönsuojeluasetus / Författning om befolkningsskydd (237/59) 22/05/1959.

28. Sisäasiainministeriön määräys yritysten ja laitosten suojelujärjestelyistä (18/1991) 01/11/1991 (Dnro 3002/701/91), Sisäasiainministeriön määräyskokoelma.

29. Sisäasiainministeriön määräys talosuojelun järjestelyistä (4/1995) 16/06/1995 (Dnro 4/010/95), Sisäasiainministeriön määräyskokoelma.

30. Laki työturvallisuuslain muuttamisesta / Lag om ändring av lagen om skydd i arbete (1132/97) 11/12/1997.

31. Työturvallisuuslaki ref: Työturvallisuuslaki n° 738 du 23/08/2002 (SG(2002)A/10805 du 30/10/2002).

32. Työturvallisuuslaki ref: Työturvallisuuslaki n° 1383 du 21/12/2001(SG(2002)A/10805 du 30/10/2002).

Sweden:

1. Arbetsmiljölag, Svensk författningssamling ref: (SFS) 1977:1160.

2. Arbetsmiljöförordning, Svensk författningssamling ref: (SFS) 1977:1166.

3. Arbetarskyddsstyrelsens kungörelse med föreskrifter om larm och utrymning, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1993:56.

4. Arbetarskyddsstyrelsens författningssamling ref: (AFS) 1984:14.

5. Arbetarskyddsstyrelsens författningssamling ref: (AFS) 1992:6.

6. Arbetarskyddsstyrelsens författningssamling ref: (AFS) 1996:6.

7. Arbetarskyddsstyrelsens författningssamling ref: AFS 1999:7 av 1/12/1999 - SG(2000)A/06847.

8. Systematiskt arbetsmiljöarbete : Arbetsmiljöverkets föreskrifter om systematiskt arbetsmiljöarbete, 15/02/2001 ref: AFS 2001:1 av 16/03/2001 (SG(2001)A/10150 du 17/09/2001).

9. Lag om andring i arbetsmiljölagen (1997:1160) ref: SFS 2002/585 av 19/06/2002.

10. Arbetsmiljöverkets föreskrifter om ändring i Arbetsmiljöverkets föreskrifter (AFS 2001:1) om systematiskt arbetsmiljöarbete. ref: AFS 2003:4 av 30/06/2003 (SG(2003)A/6982 du 24/07/2003).

United Kingdom:

1. The Management of Health and Safety at Work Regulations 1992 ref: S.I. n° 2051 of 1992.

2. The Workplace (Health, Safety and Welfare) Regulations 1992 ref: S.I. n° 3004 of 1992.

3. The Provision and Use of Work Equipement Regulations 1992 ref: S.I. n° 2932 of 1992.

4. The Personal Protective Equipment at Work Regulations 1992, Statutory Instruments number 2966 of 1992.

5. The Manual Handling Operations Regulations 1992 ref: S.I. n° 2793 of 1992.

6. The Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979 ref: S.R. Northern Ireland n° 437 of 1979.

7. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ref: S.R. Northern Ireland n° 459 of 1992.

8. The Health and Safety at Work Order (Northern Ireland) 1978 ref: S.R. Northern Ireland n° 1039 of 1978.

9. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1986 ref: S.R. Northern Ireland n° 247 of 1986.

10. The Personal Protective Equipment at Work Regulations (Northern Ireland) 1993 ref: S.R. Northern Ireland n° 20 of 1993.

11. The Health and Safety (First-Aid) Regulations (Northern Ireland) 1982 ref: S.R. Northern Ireland n° 429 of 1982.

12. The Fire Service (Northern Ireland) Order 1984 ref: S.R. Northern Ireland n° 1821 of 1984

13. The Industrial Relations (Northern Ireland) Order 1976 ref: S.R. Northern Ireland n° 1043 of 1976.

14. The Health and Safety at Work Act 1974.

15. The Safety Representatives and Safety Committees Regulations 1977 ref: S.I. n° 500 of 1977.

16. The Employment Protection (Consolidated) Act 1978.

17. The Health and Safety (First-Aid) Regulations 1981 ref: S.I. n° 917 of 1981.

18. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 ref: S.I. n° 2023 of 1985.

19. The Trade Union Reform and Employment Rights Act 1993 (Commencement) (No. 3) and Transitional Provisions Order 1993 ref: S.I. n° 2503 of 1993.

20. The Managment of Health and Safety at Work Regulations 1996 Legal notice number 11 of 1996 ref: Gibraltar Gazette n° 2894 of 25/01/1996.

21. The Health and Safety (Consultation with Employees) Regulations 1996 ref: S.I. n° 1513 of 1996.

22. The Employment (Maternity and Health and Safety) Regulations 1996 Legal notice number 14 of 1996 ref: Gibraltar Gazette n° 2894 of 25/01/1996.

23. The Factories (Safety) Regulations 1996, Legal Notice No. 10 of 1996 ref: Gibraltar Gazette n° 2,894 of 25/01/1996.

24. The Fire Precautions (Workplace) Regulations 1997 ref: S.I. n° 1840 of 1997.

25. Police (Health and Safety) Act, 1997

NATIONAL PROVISIONS COMMUNICATED BY THE MEMBER STATES CONCERNING:

Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC).

Belgium:

1. Arrêté royal du 18/06/1993 complétant les dispositions du Règlement général pour la protection du travail relatives aux prescriptions minimales de sécurité et de santé pour les lieux de travail - Koninklijk besluit van 18/06/1993 tot aanvulling van de bepalingen van het Algemeen Reglement voor de arbeidsbescherming betreffende

minimum vorschriften inzake veiligheid en gezondheid voor arbeidsplaatsen ref: Moniteur belge du 08/07/1993, page 16166.

Denmark:

1. Bekendtgørelse af 16/12/1992 om faste arbejdssteder indretning.

2. Bekendtgørelse af 18/12/1992 om arbejdets udførelse.

3. Bekendtgørelse af 18/12/1992 om virksomhedernes sikkerheds- og sundhedsarbejde.

4. Bekendtgørelse af 15/12/1992 om anvendelse af tekniskehjaelpemidler.

5. Bekendtgørelse nr. 694 af 07/08/1992 om indretning af tekniskehjaelpemidler.

6. Bekendtgørelse nr. 505 af 19/11/1980 om sikkerhedsskiltning.

7. Bekendtgørelse nr. 746 af 28/08/1992 om brug af personligevaeremidler.

8. Lov om arbejdsmiljø.

9. Bekendtgørelse nr. 646 af 18/12/1985 med senere aendringer.

10. Bekendtgørelse nr. 357 af 03/06/1993.

11. Bekendtgørelse ag byggelov, Boligsministeriets lovbekendtgørelgse nr. 805 af 09/10/1995, Boligmin., Dep. 1, j.nr. D1-6613-7, Bygge- og Boligstyrelsen 4 kt., j.nr. B4-6611-5.

Germany:

1. Unfallverhütungsvorschrift vom 01/04/1977.

2. Unfallverhütungsvorschrift vom 01/04/1979.

3. Arbeitsstättenverordnung vom 20/03/1975.

4. Unfallverhütungsvorschrift vom 01/01/1981.

5. Verordnung zur Ablösung von Verordnungen nach § 24 der Gewerbeordnung vom 27/02/1980, Bundesgesetzblatt Teil I vom 01/03/1980 Seite 173.

6. Unfallverhütungsvorschrift vom 01/12/1978.

7. Unfallverhütungsvorschrift vom 01/04/1989.

8. Unfallverhütungsvorschrift vom 01/04/1987.

9. Unfallverhütngsvorschrift vom 01/04/1988.

10. Bekanntmachug der Neufassung der Gewerbeordnung vom 01/01/1987, Bundesgesetzblatt Teil I vom 29/01/1987 Seite 425.

11. Verordnung zur Novellierung der Gefahrstoffverordnung, zur Aufhebung der Gefährlichkeitsmerkmaleverordnung und zur Änderung der Ersten Verordnung zum Sprengstoffgesetz vom 26/10/1993, Bundesgesetzblatt Teil I vom 30/10/1993 Seite 1782.

12. Unfallverhütungsvorschrift vom 01/08/1978.

13. Unfallverhütungsvorschrift vom 01/09/1988.

14. Unfallverhütungsvorschrift vom 01/05/1978.

15. Druckluftverordnung vom 04/10/1972, Bundesgesetzblatt Teil I vom 14/10/1972 Seite 1909.

16. Bekanntmachung der Neufassung des Schwerbehindertengesetz vom 26/08/1986, Bundesgesetzblatt Teil I vom 02/09/1986 Seite 1421.

17. Unfallverhütungsvorschrift vom 01/10/1985.

18. Verordnung zur Umsetzung von EG-Einzelrichtilinien zur EG-Rahmenrichtlinie Arbeitsschutz vom 04/12/1996, Bundesgesetzblatt Teil I vom 10/12/1996 Seite 1841.

19. Verordnung über elektrische Anlagen in explosionsgefährdeten Bereichen (ElexV), Bundesgesetzblatt Teil I vom 19/12/1996 Seite 1932.

Greece:

1. Loi n° 1568 du 11/10/1985 ref: FEK A n° 177 du 18/10/1985 Page 3335.

2. Décret présidentiel n° 149 du 14/03/1995 ref: FEK A n° 112 du 22/03/1995.

3. Décret présidentiel n° 16 du 18/01/1996 ref: FEK A n° 10 du 18/01/1996 Page 77.

Spain:

1. Orden de 31/10/1973, del Ministerio de Industria y Energía por la que se modifica las Instrucciones complementarias del Reglamento Electrotécnico para Baja Tensión ref: BOEn° 313 de 31/12/1973 Página 4031.

2. Orden de 30/09/1980, por la que se dispone que las normas une que se citan sean consideradas como de obligado cumplimiento, incluyéndolas en la Instrucción MI BT 044 complementaria del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 250 de 17/10/1980 Página 23152.

3. Orden de 24/07/1992, por la que se adapta al progreso técnico la instrucción complementaria del Reglamento Electrotécnico para Baja Tensión MI BT 026 ref: BOE n° 186 de 04/08/1992 Página 27124 (Marginal 18501).

4. Orden de 19/12/1977, del Ministerio de Industria y Energía por la que se modifica la Instrucción Complementaria MI BT 025 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 11 de 13/01/1996 Página 81.

5. Orden de 19/12/1977, del Ministerio de Industria y Energía por la que se modifican las Instrucciones Complementarias MI. BT. 004, 007 y 017 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 22 de 26/01/1978.

6. Orden de 28/07/1980, del Ministerio de Industria y Energía que modifica la Instrucción MI BT 040 complementaria del Reglamento Electrotécnico para Baja Tensión sobre instaladores autorizados ref: BOE n° 194 de 13/08/1980 Página 2449.

7. Decreto n° 2413/73 de 20/09/1973, por el que se aprueba el Reglamento Electrotécnico para Baja Tensión ref: BOE n° 242 de 09/10/1973 Página 19482.

8. Decreto n° 3151/68 de 28/11/1968, por el que se aprueba el Reglamento de líneas eléctricas aéreas de alta tensión ref: BOE n° 311 de 27/12/1968 Página 18767.

9. Real Decreto n° 1942/93 de 05/11/1993, del Ministerio de la Industria y Energía por el que se aprueba el Reglamento de instalaciones de protección contra incendios ref: BOE n° 298 de 14/12/1993 Página 35159 (Marginal 29581).

10. Real Decreto n° 279/91 de 01/03/1991, del Ministerio de Obras Públicas y Urbanismo. Construcción, Norma Básica de la Edificación NBE-CPI/97: Condiciones de protección contra incendios en los edificios ref: BOE n° 58 de 08/03/1991 Página 1576.

11. Orden de 11/07/1983, del Ministerio de Industria y Energía que modifica la Instrucción Técnicas Complementaria MI BT 008 del Reglamento Electrotécnico para Baja Tensión y declaran de obligado cumplimiento diversas normas UNE ref: BOE n° 174 de 22/07/1983 Página 2424 (Marginal 1583).

12. Real Decreto n° 486/97 de 14/04/1997, por el que se establecen las disposiciones mínimas de seguridad y salud en los lugares de trabajo ref: BOE n° 97 de 23/04/1997 Página 12918 (Marginal 8669).

13. Ley n° 21/92 de 16/07/1992, de Industria ref: BOE n° 176 de 23/07/1992 Página 25498 (Marginal 17363).

14. Real Decreto n° 2200/95 de 28/12/1995, por el que se aprueba el Reglamento de la Infraestructura para la Calidad y la Seguridad Industrial ref: BOE n° 32 de 06/02/1996 Página 3929 (Marginal 2468).

15. Real Decreto n° 2177/96 de 04/10/1996, por el que se aprueba la Norma Básica de la Edificación «NBE-CPI/96: Condiciones de protección contra incendios de los edificios» ref: BOE n° 261 de 29/10/1996 Página 32378 (Marginal 23836).

16. Real Decreto n° 1618/80 de 04/07/1980, por el que se aprueba el Reglamento de Instalaciones de calefacción, climatización y agua caliente sanitaria con el fin de racionalizar su consumo energético ref: BOE n° 188 de 06/08/1980 Página 17701.

17. Real Decreto n° 2637/85 de 18/12/1985, por el que se declaran de obligado cumplimiento las especificaciones técnicas de los componentes de alta tensión, incorporados en equipos que incluyan tubos de rayos catódicos y de los circuitos impresos y su homologación por el Ministerio de Industria y Energía ref: BOE n° 20 de 23/01/1986 Página 3241.

18. Orden de 31/10/1973, por la que se aprueban las Instrucciones complementarias denominadas Instrucciones MI BT, con arreglo a lo dispuesto en el Reglamento Electrotécnico para Baja Tensión ref: BOE n° 310 de 27/12/1973 Página 25065.

19. Orden de 06/04/1974, por la que se dictan normas sobre las Instrucciones complementarias del Reglamento Electrotécnico de Baja Tensión ref: BOE n° 90 de 15/04/1974 Página 7658.

20. Orden de 19/12/1977, por la que se modifica la Instrucción complementaria MI.BT.025 del vigente Reglamento Electrotécnico para Baja Tensión ref: BOE n° 11 de 13/01/1978 Página 845.

21. Orden de 19/12/1977, sobre modificación parcial y ampliación de las Instrucciones complementarias MI.BT.004, 007 y 017, anexas al vigente Reglamento Electrotécnico para Baja Tensión ref: BOE n° 22 de 26/01/1978 Página 1931.

22. Orden de 23/07/1979, por la que se prorroga parcialmente el plazo concedido a la Orden de 19 de diciembre de 1977, que modifica la Instrucción Complementaria MI.BT.025 del vigente Reglamento Electrotécnico para Baja Tensión en lo referente a establecimientos sanitarios ref: BOE n° 188 de 07/08/1979 Página 18529.

23. Orden de 30/07/1981, por la que se modifica el apartado 7.1.2 de la Instrucción técnica complementaria MI BT 025 del vigente Reglamento Electrotécnico para Baja Tensión, relativa a suministros complementarios en locales de pública concurrencia ref: BOE n° 193 de 13/08/1981 Página 18620.

24. Orden de 05/06/1982, por la que se dispone la inclusión de las normas UNE que se relacionan en la Instrucción MI.BT.044 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 140 de 12/06/1982 Página 15950.

25. Real Decreto n° 2295/85 de 09/10/1985, por el que se adiciona un nuevo párrafo al artículo 2 del Reglamento Electrotécnico para Baja Tensión aprobado por Decreto 2413/73, de 20 de septiembre ref: BOE n° 297 de 12/12/1985 Página 39186.

26. Orden de 13/01/1988, por la que se modifica la instrucción complementaria MI BT 026 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 22 de 26/01/1988 Página 2640.

27. Orden de 26/01/1990, por la que se adaptan al progreso técnico la Instrucción complementaria MI BT 026 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 35 de 09/02/1990 Página 3985.

28. Orden de 18/07/1995, por la que se adapta al progreso técnico la Instrucción complementaria MI BT 026 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 179 de 28/07/1995 Página 23082.

29. Orden de 22/11/1995, por la que se adapta al progreso técnico la Instrucción complementaria MI BT 044 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 289 de 04/12/1995 Página 35071.

30. Corrección de erratas de la Orden de 22/11/1995, por la que se adapta al progreso técnico la Instrucción complementaria MI BT 044 del Reglamento Electrotécnico para Baja Tensión ref: BOE n° 47 de 23/02/1996 Página 6946.

France:

1. Arrêté ministériel du 04/11/1993 modifiant l'arrêté du 19/11/1990 relatif aux solvants d'extraction utilisés dans la fabrication des denrées alimentaires ou de leurs ingrédients ref: Journal Officiel du 17/12/1993, page 17581.

2. Décret n° 92-332 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé que doivent observer les maîtres d'ouvrage lors de la construction de lieux de travail ou lors de leurs modifications, extensions ou transformations ref: Journal Officiel du 01/04/1992, page 4610.

3. Décret n° 92-333 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé applicables aux lieux de travail que doivent observer les chefs d'établissements utilisateurs ref: Journal Officiel du 01/04/1992, page 4614.

4. Loi n° 91-1414 du 31/12/1991 modifiant le code du travail et le code de la santé publique en vue de favoriser la prévention des risques professionnels et portant tranposition de directives européennes relatives à la santé et à la sécurité du travail ref: Journal Officiel du 07/01/1992, page 319.

5. Décret n° 91-451 du 14/05/1991 relatif à la prévention des risques liés au travail sur des équipements comportant des écrans de visualisation ref: Journal Officiel du 16/05/1991, page 6497.

6. Décret n° 92-958 du 03/09/1992 relatif aux prescriptions minimales de sécurité et de santé concernant la manutention manuelle de charges comportant des risques, notamment dorso-lombaires, pour les travailleurs et transposant la directive (CEE) Numéro 90-269 du Conseil du 29/05/1990 ref: Journal Officiel du 09/09/1992, page 12420.

7. Arrêté ministériel du 29/01/1993 portant application de l'article R.231-68 du Code du travail relatif aux éléments de référence et aux autres facteurs de risque à prendre en compte pour l'évaluation préalable des risques et l'organisation des postes de travail lors des manutentions manuelle de charges comportant des risques, notamment dorso-lombaires ref: Journal Officiel du 19/02/1993, page 2729.

8. Décret n° 93-41 du 11/01/1993 relatif aux mesures d'organisation, aux conditions de mise en oeuvre et d'utilisation applicables aux équipements de travail et moyens de protection soumis à l'article L-233-5-1 du Code du travail et modifiant ce code (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 691.

9. Arrêté ministériel du 04/06/1993 complétant l'arrêté du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire des vérifications générales périodiques prévues à l'article R.233-11 du code du travail en ce qui concerne le contenu desdites vérifications ref: Journal Officiel du 15/06/1993, page 8504.

10. Arrêté ministériel du 09/06/1993 fixant les conditions de vérification des équipements de travail utilisés pour le levage de charges, l'élévation de postes de

travail ou le transport en élévation de personnes ref: Journal Officiel du 30/06/1993, page 9277.

11. Décret n° 93-40 du 11/01/1993 relatif aux prescriptions techniques applicables à l'utilisation des équipements de travail soumis à l'article L-233-5-1 du Code du travail, aux règles techniques applicables aux matériels d'occasion soumis à l'article L-233-5 du même code et à la mise en conformité des équipements existants et modifiant le code du travail (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 689.

12. Arrêté ministériel du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire l'objet des vérifications générales périodiques prévues à l'article R.233-11 du Code du travail ref: Journal Officiel du 17/03/1993, page 4149.

13. Arrêté ministériel du 19/03/1993 fixant la liste des équipements de protection individuelle qui doivent faire l'objet des vérifications générales périodiques prévues à l'article R.233-42-2 du code du travail ref: Journal Officiel du 28/03/1993, page 5354.

Ireland:

1. The Safety, Health and Welfare at Work (General Application) Regulations, 1993 ref: S.I. n° 44 of 1993.

2. The Building Regulations (Amendment) Regulations, 1994 ref: S.I. n° 154 of 1994.

3. The Building Regulations, 1991 ref: S.I. n° 306 of 1991.

4. The Building Control Regulations, 1991 ref: S.I. n° 305 of 1991.

5. The Building Control Act, 1990, No. 3 of 1990.

6. The Fire Services Act, 1981, (Prescribed Premises) Regulations, 1989 ref: S.I. n° 319 of 1989.

7. The Fire Services Act, 1981, No. 30 of 1981.

8. The Organisation of Working Time Act, 1997, No. 20 of 1997.

9. The Safety, Health and Welfare at Work (Miscellaneous Welfare Provisions) Regulations, 1995 ref: S.I. n° 358 of 1995.

10. The Safety, Health and Welfare at Work (Signs) Regulations, 1995 ref: S.I. n° 132 of 1995.

Italy:

1. Decreto legislativo del 19/09/1994 n. 626, attuazione delle direttive 89/391/CEE, 89/654/CEE, 89/655/CEE, 89/656/CEE, 90/269/CEE, 90/270/CEE, 90/394/CEE e 90/679/CEE riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n. 141 alla GURI - Serie generale - del 12/11/1994 n. 265.

2. Decreto legislativo del 19/03/1996 n. 242, modifiche ed integrazioni al decreto legislativo 19 settembre 1994, n. 626, recante attuazione di direttive comunitarie riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n .75 alla GURI - Serie generale - del 06/05/1996 n. 104 pag. 3.

Luxembourg:

1. Règlement grand-ducal du 04/11/1994 concernant les prescriptions minimales de sécurité et de santé pour les lieux de travail ref: Mémorial grand-ducal A n° 96 du 17/11/1994, page 1816.

Netherlands:

1. Besluit arbeidsplaatsen van 08/10/1993, Staatsblad nummer 534.

2. Regeling houdende bepalingen ter uitvoering van bij en krachtens de Arbeidsomstandighedenwet en enige andere wetten gestelde regels van 12/03/1997, uitgegeven als supplement bij de Staatscourant nummer 63 van 02/04/1997.

3. Besluit houdende regels in het belang van de veiligheid, de gezondheid en het welzijn in verband metde arbeid (Arbeidsomstandighedenbesluit) van 15/01/1997, Staatsblad nummer 60 van 1997.

4. Besluit van de Staatssecretaris van Sociale Zaken en Werkgelegenheid, Directie Arbeidsomstandigheden, Arbo/AIS 9701436 tot vaststelling van beleidregels op het gebied van de Arbeidsomstandighenwetgeving (Beleidsregels arbeidsomstandighedenwetgeving) van 27/06/1997, uitgegeven als supplement bij de Staatscourant van 27/06/1997.

5. Besluit van 17/04/2002, houdende wijziging van het Bouwbesluit en enige andere algemene maatregelen van bestuur (correcties en aanvullingen van het Bouwbesluit en aanpassing van andere besluiten aan het Bouwbesluit) ref: Staatsblad n° 534 du 17/04/2002.

Austria:

1. Landarbeitsordnung , Landesgesetzblatt für Niederösterreich, Nr. 9020-15.

2. Gesetz vom 15/12/1994 , mit dem das Gesetz über den Mutterschutz und den Karenzurlaub geändert und das EWR-Recht angepasst wird, Landesgesetzblatt für Kärnten, Nr. 21/1995.

3. Bundesgesetz über Sicherheit und Gesundheit bei der Arbeit (ArbeitnehmerInnenschutzgesetz - ASchG) und mit dem das Allgemeine Sozialversicherungs-Gesetz, das Arbeitvertragsrechts-Anpassungs-Gesetz, das Arbeitsverfassungsgesetz, das Berggesetz 1975, das Bauern-Sozialversicherungsgesetz, das Arbeitsmarktförderungsgesetz, das Arbeitslosenversicherungsgesetz 1977 und das Ausländerbeschäftigungsgesetz geändert werden, Bundesgesetzblatt für die Republik Österreich Nr. 450/1994, ausgegeben am 17/06/1994.

4. Allgemeine Arbeitnehmerschutzverordnung, Bundesgesetzblatt für die Republik Österreich, Nr. 218/1983.

5. Bediensteten-Schutzgesetz, Landesgesetzblatt für Niederösterreich Nr. 2015-1.

6. Gesetz , mit dem die Vertragsbedienstetenordnung 1995 geändert wird (2. Novelle zur Vertragsbedienstetenordnung 1995), Landesgesetzblatt für Wien, Nr. 32/1996 , ausgegeben am 23/07/1996.

7. Gesetz , mit dem die Dienstordnung 1994 geändert wird (2. Novelle zur Dienstordnung 1994), Landesgesetzblatt für Wien, Nr. 33/1996 , ausgegeben am 24/07/1996.

8. Elektroschutzverordnung 1995-ESV 1995, Bundesgesetzblatt für die Republik Österreich, Nr. 237/1995 Seite 8381.

9. Betrieb von Starkstromanlagen - grundsätzliche Bestimmungen, Österreichische Bestimmungen für die Elektrotechnik ÖVE-E 5, Teil 1/1989, Nr. 47 Seite 696.

10. Sonderbestimmungen für den Betrieb elektrischer Anlagen in explosionsgefährdeten Betriebstätten, Österreichische Bestimmungen für die Elektrotechnik ÖVE-E 5, Teil 9/1982 seite 721.

11. Betrieb elektrischer Bahnanlagen, Österreichische Bestimmungen für die Elektrotechnik ÖVE-T 5, Teil 5/1990 seite 1770.

12. Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und - 1500 V, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 1/1989 seite 913.

13. Nachtrag A zu den Bestimmungen über Errichtung von Starkstromanlagen bis ~ 1000 V und 1500, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 3 (41a)/1986 seite 1031.

14. Nachtrag A und Nachtrag B zu den Bestimmungen über Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und 1500 V, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 3(42a)/1985 seite 1052.

15. Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und 1500 V, Teil 4 : Anlagen besonderer Art, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 4(43 nis 50) und (51)/1980 seite 1063.

16. Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und 1500 V, Teil 4 : besondere Anlagen, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 4 seite 1078.

17. Errichtung von elektrischer Anlagen in explosionsgefährdeten Bereichen, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EX 65/1981 seite 1276.

18. Nachtrag A zu den Bestimmungen über die Errichtung elektrischer Anlagen in explosionsgefährdeten Bereichen, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EX 65a/1985 seite 1303.

19. Errichtung von Starkstromanlagen mit Nennspannung über 1 kV, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EH 1/1982 seite 823.

20. Nachtrag A zu den Bestimmungen über die Errichtung von Starkstromanlagen mit Nennspannungen über 1kV, Österreichische Bestimmungen für die Elektrotechnik ÖVE-EH 1a/1987 seite 861.

21. Gesetz vom 11/12/1997, mit dem das Tiroler Mutterschutzgesetz 1993 geändert wird, Landesgesetzblatt für Tirol, Nr. 29/1998 herausgegeben und versendet am 25/02/1998.

22. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen des Landes beschäftigten Bediensteten (Oö. Landesbediensteten-Schutzgesetz 1998 - Oö. LBSG), Landesgesetzblatt für Oberösterreich, Nr. 13/1998 ausgegeben und versendet am 27/02/1998.

23. Gesetz vom 04/12/1996, mit dem das Landesbeamtengesetz 1985 geändert wird (11. Novelle zum Landesbeamtengesetz 1985) und Regelungen über eine Einmalzahlung für den öffentlichen Dienst in den Jahren 1996 und 1997 getroffen werden, Landesgesetzblatt für das Burgenland, Nr. 11/1997.

24. Änderung des Niederösterreichischen Mutterschutz-Landesgesetzes (6. Novelle) von 25/01/1996, Nr. 2039-6, Landesgesetzblatt für Niederösterreich, Nr. 40/1996.

25. Verordnung des Wiener Landesregierung, mit der die Verordnung der Wiener Landesregierung über Fleischuntersuchungsgebühren geändert wird. Landesgesetzblatt für Wien 20/04/1999, nr 25, s. 99..

26. Bundesgesetz über Sicherheit und Gesundheitsschutz der in Dienststellen des Bundes beschäftigten Bediensteten und mit dem das Beamten-Dienstrechtgesetz 1979, das Vertragsbedienstetengesetz 1948, das Richterdienst gesetz, das Bundes- Personal vertretungsgesetz, das Mutterschutzgesetz 1979 und das Arbeitnehmer Inenschutzgesetz geändert werden. BGB für die Republik österreich. 30/04/1999, s. 54.

27. NÖ-Mutterschutz-Landesgesetz, 13/03/2000 ref : LGBl. Nr. 2039-7, 27/06/2000; SG(2000)A/10668.

28. Gesetz, mit dem die Salzburger Landarbeitsordnung 1995 und die Salzburger Land- und Forstwirtschaftliche Berufsausbildungsordnung 1991 geändert werden ref : LGBl. Nr. 126/2000, 28. Stück, 28/12/2000 page 297; SG(2001)3134 du 14/03/2001.

29. Gesetz vom 12. Juli 2001 über den Schutz des Lebens, der Gesundheit und der Sicherheit der in Dienststellen des Landes, der Gemeinden und der Gemeindeverbände beschäftigten Bediensteten (Burgenländisches Bedienstetenschutzgesetz 2001 - Bgld. BSchG 2001) ref : Landesgesetzblatt für das Burgenland Nr. 37/2001, 01/10/2001, 23. Stück, seite 199 (SG(2001)A/11419 du 17/10/2001).

30. Land- und forstwirschaftliche Sicherheits- und Gesundheitsschutz- Verordnung ref: LGBI Nr. 96/2001 vom 13/11/2001, Seite 463.

31. Gesetz vom 22/01/2002, mit dem ein Steiermärkisches Mutterschutz- und Karenzgesetz St. - MSchKG erlassen wird sowie das jeweils als Landesgesetz geltende Karenzurlaubsgeldgesetz, Vertragsbedienstetengesetz, Gehaltsgesetz und Pensionsgesetz sowie als Landesgesetz geltende Dienstpragmatik geändert werden. ref: LGBl N° 52 du 31/05/2002 p. 203.

32. Gesetz vom 10/07/2002, mit dem ein Kärntner Mutterschutz- und Eltern-Karenzgesetz (K-MEKG 2002) erlassen wird ref: LGBl. n° 63 du 25/10/2002 p. 341 (SG(2002)A/11340 du 20/11/2002).

33. Gesetz vom 20/11/2001 über das Arbeitsrecht in der Land- und Forstwirtschaft - Steiermärkische Landarbeitsordnung 2001 ref: LGBl. n° 39 du 12/04/2002 p.95 (SG(2003)A/1209 du 03/02/2003).

34. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen der Gemeinden und Gemeindeverbände beschäftigen Bediensteten (Oö.Gemeindebediensteten- Schutzgesetz 1999 - Oö GbSG) ref: LGBl n° 15 vom 15/02/2000 Seite 21.

35. Verordnung der Wiener Landesregierung, mit der Anforderungen an Arbeitsstätten in der Land- und Forstwirtschaft festgelegt werden (Wiener Arbeitsstättenverordnung in der Land- und Forstwirtschaft - Wr. AStV Land- und Forstwirtschaft) ref: LGBl. für Wien n° 27 vom 03/07/2003 p. 105 (SG(2003)A/07224 du 31/07/2003).

Portugal:

1. Decreto-Lei n. 347/93 de 01/10/1993. Transpõe para a ordem jurídica interna a Directiva n. 89/654/CEE, do Conselho, de 30 de Novembro, relativa às prescrições mínimas de segurança e de saúde nos locais de trabalho ref: Diário da República I Série A n. 231 de 01/10/1993 Página 5552.

2. Portaria n. 987/93 de 06/10/1993. Estabelece as prescrições mínimas de segurança e de saúde nos locais de trabalho ref: Diário da República I Série B n. 234 de 06/10/1993 Página 5596.

3. Decreto-lei n 109/91, de 15 de Março, alterado pelo Decreto-lei n 282/93.

4. Regulamento Geral de Higiene e Segurança do Trabalho nos Estabelecimentos Industriais.

5. Regulamento Geral de Higiene e Segurança do Trabalho nos Estabelecimentos Comerciais, de Escritórios e Serviços.

6. Decreto-Lei n 26/94 de 01/02/1994. Estabelece o regime de organização e funcionamento das actividades de segurança, higiene e saúde no trabalho ref: Diário da República I Série A n. 26 de 01/02/1994 Página 480.

7. Decreto regulamentar n. 25/93 de 17/08/1993 ref: Diário da República I Série B n. 192 de 17/08/1993 Página 4390.

8. Decreto-lei n. 282/93 de 17/08/1993 ref: Diário da República I Série A n. 192 de 17/08/1993 Página 4374.

Finland:

1. Työturvallisuuslaki (299/58) 28/06/1958.

2. Rakennuslaki (370/58) 16/08/1958.

3. Rakennusasetus (266/59) 26/06/1959.

4. Markanvändnings- och bygglag. nr 132 Författningssamling 12/02/1999.

5. Lag om räddningsväsendet. Författningssamling 06/05/1999, p. 1353.

6. C55a - Valtioneuvoston päätös työpaikkojen terveys- ja turvallisuusvaatimuksista 10.6.1999/728.

Sweden:

1. Arbetsmiljölag, Svensk författningssamling ref: (SFS) 1977:1160.

2. Arbetsmiljöförordning, Svensk författningssamling ref: (SFS) 1977:1166.

3. Plan- och bygglag, Svensk författningssamling refg: (SFS) 1987:10.

4. Lag innefattande vissa bestämmelser om elektriska anläggningar, Svensk författningssamling ref: (SFS) 1902:71.

5. Förordning om elektrisk materiel, Svensk författningssamling ref: (SFS) 1989:420.

6. Räddningstjänstlag, Svensk författningssamling ref: (SFS) 1986:1102.

7. Arbetarskyddsstyrelsens kungörelse med föreskrifter om larm och utrymning, Arbetarskyddsstyrelsens författningssamling ref: (AFS) 1993:56.

8. Boverkets byggregler 94, Boverkets författningssamling ref: (BFS) 1993:57.

9. Arbetarskyddsstyrelsens kungörelse om åtgärder mot luftföroreningar, Arbetarskyddsstyrelsens ref: (AFS) 1980:11.

10. Arbetarskyddsstyrelsens kungörelse om skyddsåtgärder mot skada genom fall, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1981:14.

11. Arbetarskyddsstyrelsens kungörelse om skyddsåtgärder mot skada genom ras, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1981:15.

12. Arbetarskyddsstyrelsens kungörelse om arbetsställningar och arbetsrörelser, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1983:6.

13. Arbetarskyddsstyrelsens kungörelse om takarbete, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1983:12.

14. Arbetarskyddsstyrelsens kungörelse med föreskrifter om första hjälpen vid olycksfall och akut sjukdom, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1984:14.

15. Arbetarskyddsstyrelsens kungörelse med föreskrifter om rulltrappor och rullramper, ref: (AFS) 1986:16, ändring AFS 1987:6, 1989:14, 1993:43.

16. Arbetarskyddsstyrelsens kungörelse med föreskrifter om vissa arbeten på fartyg, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1986:26.

17. Arbetarskyddsstyrelsens kungörelse med föreskrifter om belysning ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1991:8.

18. Arbetarskyddsstyrelsens kungörelse med föreskrifter om personalutrymmen, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1992:1.

19. Arbetarskyddsstyrelsens kungörelse med föreskrifter om buller, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1992:10.

20. Arbetarskyddsstyrelsens kungörelse med föreskrifter om varselmärkning på arbetsplatser, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1992:15.

21. Arbetarskyddsstyrelsens kungörelse med föreskrifter om ventilation och luftkvalitet arbetslokaler ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1993:5.

22. Arbetarskyddsstyrelsens kungörelse med föreskrifter om maskiner och vissa andra tekniska anordningar, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1993:10.

23. Arbetarskyddsstyrelsens föreskrifter om arbetslokaler, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1995:3.

24. Arbetarskyddsstyrelsens föreskrifter om personalutrymmen, ref: Arbetarskyddsstyrelsens författningssamling (AFS) 1997:6.

25. Arbetarskyddsstyrelsens författningssamling ref: AFS 1999:7 av 01/12/1999 - SG(2000)A/06847.

26. Arbetsplatsens Utformning : Arbetarskyddsstyrelsens föreskrifter om arbetsplatsens utformning (15/12/2000) ref : AFS 2000:42 av 15/12/2000 ; (SG(2001)A/10150 du 17/09/2001 et A/2003/6990 du 24/7/2003).

27. Arbeitsmiljöverkets föreskrifter om ändring i Arbetarskyddsstyrelsens (AFS 2000:42) om arbetsplatsens utformning ref: AFS n° 2003:1 av 22/5/2003 (A/2003/6990 du 24/7/2003).

United Kingdom:

1. The Management of Health and Safety at Work Regulations 1992 ref: S.I. n° 2051 of 1992.

2. The Workplace (Health, Safety and Welfare) Regulations 1992 ref: S.I. n° 3004 of 1992.

3. The Provision and Use of Work Equipement Regulations 1992 ref: S.I. n° 2932 of 1992.

4. The Personal Protective Equipment at Work Regulations 1992 ref: S.I. n° 2966 of 1992.

5. The Manual Handling Operations Regulations 1992 ref: S.I. n° 2793 of 1992.

6. The Noise at Work Regulations (Northern Ireland) 1990 ref: S.R. Northern Ireland n° 147 of 1990.

7. The Health and Safety (First-Aid) Regulations (Northern Ireland) 1982 ref: S.R. Northern Ireland n° 429 of 1982.

8. The Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990 ref: S.R. Northern Ireland n° 374 of 1990.

9. The Electricity at Work Regulations (Northern Ireland) 1991 ref: S.R. Northern Ireland n° 13 of 1991.

10. The Building (Amendment) Regulations (Northern Ireland) 1991 ref: S.R. Northern Ireland n° 169 of 1991.

11. The Building Regulations (Northern Ireland) 1990 ref: S.R. Northern Ireland n° 59 of 1990.

12. The Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979 ref: S.R. Northern Ireland n° 437 of 1979.

13. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ref: S.R. Northern Ireland n° 459 of 1992.

14. The Health and Safety Order (Northern Ireland) 1978 ref: S.R. Northern Ireland n° 1049 of 1978.

15. The Fire Services (Northern Ireland) Order 1984 ref: S.R. Northern Ireland n° 1821 of 1984.

16. The Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993 ref: S.R. Northern Ireland n° 37 of 1993.

17. The Noise at Work Regulations 1989 ref: S.I. n° 1790 of 1989.

18. The Health and Safety (First-Aid) Regulations 1981 ref: S.I. n° 917 of 1981.

19. The Control of Substances Hazardous to Health Regulations 1988 ref: S.I. n° 1657 of 1988.

20. The Electricity at Work Regulations 1989 ref: S.I. n° 635 of 1989.

21. The Building Standards (Scotland) Regulations 1990 ref: S.I. Scotland n° 2179 of 1990.

22. The Building Regulations 1991 ref: S.I. n° 2768 of 1991.

23. The Safety Representatives and Safety Committees Regulations 1977 ref: S.I. n° 500 of 1977.

24. The Health and Safety at Work Act 1974.

25. The Fire Precautions Act 1971.

26. The Health, Safety and Welfare in the Workplace, Legal Notice No. 28 of 1996 ref: Gibraltar Gazette.

27. The Fire Precautions (Workplace) Regulations of 1997 ref: S.I. n° 1840 of 1997.

NATIONAL PROVISIONS COMMUNICATED BY THE MEMBER STATES CONCERNING:

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 (second individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

Belgium:

1. Arrêté royal du 12/08/1993 concernant l'utilisation des équipements de travail - Koninklijk besluit van 12/08/1993 betreffende het gebruik van arbeidsmiddelen ref: Moniteur belge du 28/09/1993, page 21358.

Denmark:

1. Søfartsstyrelsens tekniske forskrift ref: BEK nr. 7 af 15/12/1992.

2. Bekendtgørelse af 16/12/1992 om faste arbejdssteder inretning.

3. Bekendtgørelse af 18/12/1992 om arbejdets udførelse.

4. Bekendtgørelse af 18/12/1992 om virksomhedernes sikkerheds- og sundhedsarbejde.

5. Bekendtgørelse af 15/12/1992 om anvendelse af tekniske hjaelpemidler.

6. Bekendtgørelse om inretning af tekniske hjaelpemidler ref: BEK nr. 694 af 07/08/1992.

7. Lov om arbejdsmiljø.

8. Bekendtgørelse med senere aendringer ref: BEK nr. 646 af 18/12/1985.

9. Bekendtgørelse om anvendelse af tekniske hjaelpemidler på havanlaeg ref: BEK nr. 912 af 19/11/1992.

10. Bekendtgørelse om sikkerhed m.v. på havanlaeg ref: BEK nr. 711 af 16/11/1987.

11. Lov om visse havanlaeg ref: LOV nr. 292 af 10/06/1981.

12. Bekendtgørelse af lov om arbejdsmiljø. Arbejdsministeriets lovbekendtgørelse Arbejdsmin.3. kt.,j.nr. 1992-2100-20 ref: BEK nr. 184 af 22/3/1995.

13. Arbejdsministeriets bekendtgørelse om arbejdets udførelse, Arbejdsmin.,j.nr.92-5232-1 ref: BEK nr. 867 af 13/10/1994.

14. Bekendtgørelse nr. 1164 af 16/12/1992.

15. Bekendtgørelse nr. 1109 af 15/12/1992.

16. Bekendtgørelse nr. 561 af 24/06/1994.

17. Bekendtgørelse nr. 1017 af 15/12/1993.

18. Bekendtgørelse nr. 670 af 07/08/1995.

19. Bekendtgørelse nr. 669 af 07/08/1995.

20. Bekendtgørelse nr. 407 af 18/11/1965.

21. Teknisk forskrift om arbejdsmiljo i skibe Meddelelser fra ref: Søfartsstyrelsen A du 01/07/2002.

22. Bekendtgørelseom aendring af bekendtgørelse om arbejdsmiljoforhold for besaetningsmedlemmer under tjeneste pa luftfartoj og for deres arbejdsgivere. ref: BEK n° 279 af 22/04/2003 (SG(2003)A/6889 du 23/07/2003).

Germany:

1. Bekanntmachug der Neufassung der Gewerbeordnung vom 01/01/1987, Bundesgesetzblatt Teil I vom 29/01/1987 Seite 425.

2. Unfallverhütungsvorschrift vom 01/04/1977.

3. Unfallverhütungsvorschrift vom 01/04/1979.

4. Unfallverhütungsvorschrift vom 01/01/1981.

5. Verordnung zur Novellierung der Gefahrstoffverordnung, zur Aufhebung der Gefährlichkeitsmerkmaleverordnung und zur Änderung der Ersten Verordnung zum Sprengstoffgesetz vom 26/10/1993, Bundesgesetzblatt Teil I vom 30/10/1993 Seite 1782.

6. Neufassung der Zwölften Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (Störfal-Verordnung) vom 20/09/1991, Bundesgesetzblatt Teil I vom 28/09/1991 Seite 1891.

7. Festlandsockel-Bergverordnung vom 21/03/1989.

8. Druckluftverordnung vom 04/10/1972, Bundesgesetzblatt Teil I vom 14/10/1972 Seite 1909.

9. Unfallverhütungsvorschrift vom 01/08/1978.

10. Unfallverhütungsvorschrift vom 01/10/1990.

11. Unfallverhütungsvorschrift vom 01/04/1992.

12. Unfallverhütungsvorschrift vom 01/01/1993.

13. Unfallverhütungsvorschrift vom 01/10/1985.

14. Bekanntmachung der Neufassung der Druckbehälterverordnung vom 21/04/1989, Bundesgesetzblatt Teil I vom 27/04/1989 Seite 843.

15. Verordnung über Gashochdruckleitungen vom 17/12/1974, Bundesgesetzblatt Teil I vom 20/12/1974 Seite 3591.

16. Aufzugsverordnung vom 27/02/1980.

17. Verordnung zur Ablösung von Verordnungen nach § 24 der Gewerbeordnung vom 27/02/1980, Bundesgesetzblatt Teil I vom 01/03/1980 Seite 173.

18 Verordnung über Sicherheit und Gesundheitsschutz bei der Benutzung von Arbeitsmitteln bei der Arbeit (Arbeitsmittelbenutzungsverordnung- AMBV) vom 11/03/1997, Bundesgesetzblatt Teil I vom 19/03/1997 Seite 450.

Greece:

1. Décret présidentiel n° 395 du 17/12/1994 ref: FEK A n° 220 du 19/12/1994 Page 3973.

2. Loi n° 1568 du 11/10/1985 ref: FEK A n° 177 du 18/10/1985 Page 3335.

3. Loi n° 1836 du 14/03/1989 ref: FEK A n° 79 du 14/03/1989 Page 1071

4. Décret présidentiel n° 149 du 14/03/1934 ref: FEK A n° 112 du 22/03/1934.

5. Décret royal du 17/09/1934 ref: FEK A n° 334 du 04/10/1934.

6. Décret royal n° 362 du 18/05/1968 ref: FEK A n° 117 du 27/05/1968.

7. Décret royal n° 464 du 28/06/1968 ref: FEK A n° 153 du 12/07/1968.

8. Décret présidentiel n° 152 du 22/02/1978 ref: FEK A n° 31 du 25/02/1978 Page 252.

9. Décret présidentiel n° 151 du 22/02/1978 ref: FEK A n° 31 du 25/02/1978 Page 250.

10. Décret présidentiel n° 1073 du 12/09/1981 ref: FEK A n° 260 du 16/09/1981 Page 3611.

11. Décret présidentiel n° 395 du 17/12/1994 ref: FEK A n° 220 du 19/12/1994 Page 3973.

Spain:

1. Real Decreto número 1215/97 de 18/07/1997, por el que se establecen las disposiciones mínimas de seguridad y salud para la utilización por los trabajadores de los equipos de trabajo ref: BOE n° 188 de 07/08/1997 Página 24063.

France:

1. Arrêté ministériel du 12/11/1993 modifiant l'arrêté du 19/11/1990 relatif aux solvants d'extraction utilisés dans la fabrication des denrées alimentaires ou de leurs ingrédients ref: Journal Officiel du 17/12/1993, page 17581.

2. Décret n° 92-332 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé que doivent observer les maîtres d'ouvrage lors de la construction de lieux de travail ou lors de leurs modifications, extensions ou transformations ref: Journal Officiel du 01/04/1992, page 4610.

3. Décret n° 92-333 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé applicables aux lieux de travail que doivent observer les chefs d'établissements utilisateurs ref: Journal Officiel du 01/04/1992, page 4614.

4. Loi n° 91-1414 du 31/12/1991 modifiant le code du travail et le code de la santé publique en vue de favoriser la prévention des risques professionnels et portant tranposition de directives européennes relatives à la santé et à la sécurité du travail ref: Journal Officiel du 07/01/1992, page 319.

5. Décret n° 91-451 du 14/05/1991 relatif à la prévention des risques liés au travail sur des équipements comportant des écrans de visualisation ref: Journal Officiel du 16/05/1991, page 6497.

6. Décret n° 92-958 du 03/09/1992 relatif aux prescriptions minimales de sécurité et de santé concernant la manutention manuelle de charges comportant des risques, notamment dorso-lombaires, pour les travailleurs et transposant la directive (CEE) Numéro 90-269 du Conseil du 29/05/1990 ref: Journal Officiel du 09/09/1992, page 12420.

7. Arrêté ministériel du 29/01/1993 portant application de l'article R.231-68 du Code du travail relatif aux éléments de référence et aux autres facteurs de risque à prendre en compte pour l'évaluation préalable des risques et l'organisation des postes de travail lors des manutentions manuelle de charges comportant des risques, notamment dorso-lombaires ref: Journal Officiel du 19/02/1993, page 2729.

8. Décret n° 93-41 du 11/01/1993 relatif aux mesures d'organisation, aux conditions de mise en oeuvre et d'utilisation applicables aux équipements de travail et moyens de protection soumis à l'article L-233-5-1 du Code du travail et modifiant ce code (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 691.

9. Arrêté ministériel du 04/06/1993 complétant l'arrêté du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire des vérifications générales périodiques prévues à l'article R.233-11 du code du travail en ce qui concerne le contenu desdites vérifications ref: Journal Officiel du 15/06/1993 Page 8504.

10. Arrêté ministériel du 09/06/1993 fixant les conditions de vérification des équipements de travail utilisés pour le levage de charges, l'élévation de postes de

travail ou le transport en élévation de personnes ref: Journal Officiel du 30/06/1993, page 9277.

11. Décret n° 93-40 du 11/01/1993 relatif aux prescriptions techniques applicables à l'utilisation des équipements de travail soumis à l'article L-233-5-1 du Code du travail, aux règles techniques applicables aux matériels d'occasion soumis à l'article L-233-5 du même code et à la mise en conformité des équipements existants et modifiant le code du travail (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 689.

12. Arrêté ministériel du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire l'objet des vérifications générales périodiques prévus à l'article R.233-11 du Code du travail ref: Journal Officiel du 17/03/1993, page 4149.

13. Arrêté ministériel du 19/03/1993 fixant la liste des équipements de protection individuelle qui doivent faire l'objet des vérifications générales périodiques prévues à l'article R.233-42-2 du code du travail ref: Journal Officiel du 28/03/1993, page 5354.

14. Décret 2001-110 du 30 janvier 2001 modifiant le décret 80-1091 du 24/12/1980 fixant les conditions d'hygiène et de sécurité auxquelles doivent satisfaire les tracteurs agricoles et forestiers à roues. ref: JORF du 07/02/2001, page 2086.

Ireland:

1. The Safety, Health and Welfare at Work (General Application) Regulations, 1993 ref: S.I. n° 44 of 1993.

2. The Building Regulations (Amendment) Regulations, 1994 ref: S.I. n° 154 of 19940.

3. The Building Regulations, 1991 ref: S.I. n° 306 of 1991.

4. The Building Control Regulations, 1991 ref: S.I. n° 305 of 1991.

5. The Building Control Act, 1990, No. 3 of 1990.

6. The Fire Services Act, 1981, (Prescribed Premises) Regulations, 1989 ref: S.I. n° 319 of 1989.

7. The Fire Services Act, 1981, No. 30 of 1981.

8. The Organisation of Working Time Act, 1997, No. 20 of 1997.

9. The Safety, Health and Welfare at Work (Miscellaneous Welfare Provisions) Regulations, 1995 ref: S.I. n° 358 of 1995.

10. The Safety, Health and Welfare at Work (Signs) Regulations, 1995 ref: S.I. n° 132 of 1995.

Italy:

1. Decreto legislativo del 19/09/1994 n. 626, attuazione delle direttive 89/391/CEE, 89/654/CEE, 89/655/CEE, 89/656/CEE, 90/269/CEE, 90/270/CEE, 90/394/CEE e

90/679/CEE riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n. 141 alla GURI - Serie generale - del 12/11/1994 n. 265.

2. Decreto legislativo del 19/03/1996 n. 242, modifiche ed integrazioni al decreto legislativo 19 settembre 1994, n. 626, recante attuazione di direttive comunitarie riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n .75 alla GURI - Serie generale - del 06/05/1996 n. 104 pag. 3.

Luxembourg:

1. Règlement grand-ducal du 04/11/1994 concernant les prescriptions minimales de sécurité et de santé pour l'utilisation par les travailleurs au travail d'équipements de travail ref: Mémorial grand-ducal A n° 96 du 17/11/1994, page 1826.

Netherlands:

1. Besluit van 14/10/1993, Staatsblad nummer 537 van 1993 bladzijde 1.

2. Regeling houdende bepalingen ter uitvoering van bij en krachtens de Arbeidsomstandighedenwet en enige andere wetten gestelde regels van 12/03/1997, uitgegeven als supplement bij de Staatscourant nummer 63 van 02/04/1997.

3. Besluit houdende regels in het belang van de veiligheid, de gezondheid en het welzijn in verband met de arbeid (Arbeidsomstandighedenbesluit) van 15/01/1997, Staatsblad nummer 60 van 1997.

4. Besluit van de Staatssecretaris van Sociale Zaken en Werkgelegenheid, Directie Arbeidsomstandigheden, Arbo/AIS 9701436 tot vaststelling van beleidregels op het gebied van de Arbeidsomstandighenwetgeving (Beleidsregels arbeidsomstandighedenwetgeving) van 27/06/1997, uitgegeven als supplement bij de Staatscourant van 27/06/1997.

Austria:

1. Landarbeitsordnung , ref: Landesgesetzblatt für Niederösterreich, Nr. 9020-15 vom 18/2/2000 p. 21.

2. Bundesgesetz über Sicherheit und Gesundheit bei der Arbeit (ArbeitnehmerInnenschutzgesetz - ASchG) und mit dem das Allgemeine Sozialversicherungs-gesetz, das Arbeitvertragsrechts-Anpassungs-gesetz, das Arbeitsverfassungsgesetz, das Berggesetz 1975, das Bauern-Sozialversicherungsgesetz, das Arbeitsmarktförderungsgesetz, das Arbeitslosenversicherungsgesetz 1977 und das Ausländerbeschäftigungsgesetz geändert werden, ref: Bundesgesetzblatt für die Republik Österreich Nr. 450/1994, vom 17/06/1994.

3. Allgemeine Arbeitnehmerschutzverordnung, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 21/1983.

4. Bediensteten-Schutzgesetz, ref: Landesgesetzblatt für Niederösterreich Nr. 2015-1.

5. Machinen-Schutzvorrichtungsverordnung, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 43/1961.

6. Verordnung des Bundesministers für wirtschaftliche Angelegenheiten und des Bundesministers für Arbeit und Soziales über die Sicherheit von Aufzügen (Aufzüge-Sicherheitsverordnung 1996 - ASV 1996), ref: Bundesgesetzblatt für die Republik Österreich, Nr. 780/1996 Ausgegeben am 30/12/1996.

7. Elektroschutzverordnung 1995-ESV 1995, ref: Bundesgesetzblatt für die Republik Österreich, Nr. 237/1995 Seite 8381.

8. Betrieb von Starkstromanlagen - grundsätzliche ref: ÖVE-E 5, Teil 1/1989, Nr. 47 Seite 696.

9. Sonderbestimmungen für den Betrieb elektrischer Anlagen in explosionsgefährdeten Betriebstätten, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-E 5, Teil 9/1982 seite 721.

10. Betrieb elektrischer Bahnanlagen, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-T 5, Teil 5/1990 seite 1770.

11. Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und - 1500 V, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 1/1989 seite 913.

12. Nachtrag A zu den Bestimmungen über Errichtung von Starkstromanlagen bis ~1000 V und 1500, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 3 (41a)/1986 seite 1031.

13. Nachtrag A und Nachtrag B zu den Bestimmungen über Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und 1500 V, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 3(42a)/1985 seite 1052.

14. Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und 1500 V, Teil 4: Anlagen besonderer Art, ref: ÖVE-EN 1, Teil 4-43 bis 50 und (51)/1980 seite 1063.

15. Errichtung von Starkstromanlagen mit Nennspannungen bis ~ 1000 V und 1500 V, Teil 4: besondere Anlagen, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EN 1, Teil 4 seite 1078.

16. Errichtung von elektrischer Anlagen in explosionsgefährdeten Bereichen, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EX 65/1981 seite 1276.

17. Nachtrag A zu den Bestimmungen über die Errichtung elektrischer Anlagen in explosionsgefährdeten Bereichen, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EX 65a/1985 seite 1303.

18. Errichtung von Starkstromanlagen mit Nennspannung über 1 kV, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EH 1/1982 seite 823.

19. Nachtrag A zu den Bestimmungen über die Errichtung von Starkstromanlagen mit Nennspannungen über 1kV, ref: Österreichische Bestimmungen für die Elektrotechnik ÖVE-EH 1a/1987 seite 861.

20. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen des Landes beschäftigten Bediensteten (Oö. Landesbediensteten-Schutzgesetz 1998 - Oö. LBSG), ref: LGBl für Oberösterreich, Nr. 13/1998 vom 27/02/1998.

21. Bundesgesetz über Sicherheit und Gesundheitsschutz der in Dienststellen des Bundes beschäftigten Bediensteten und mit dem das Beamten-Dienstrechtgesetz 1979, das Vertragsbedienstetengesetz 1948, das Richterdienst gesetz, das Bundes- Personal vertretungsgesetz, das Mutterschutzgesetz 1979 und das Arbeitnehmer Inenschutzgesetz geändert werden. ref: BGB für die Republik österreich. 30/04/1999, s. 54.

22. Verordnung des Bundesministers für Wirtschaft und Arbeit über den Schutz der ArbeitnehmerInnen bei der Benutzung von Arbeitsmitteln (Arbeitsmittelverordnung-AMVO) und mit der die Bauarbeiterschutzverordnung geändert wird ref : BGBl. für die Republik Österreich Nr. 164/2000, page 1385, 16/06/2000; SG(2000)A/9238.

23. Gesetz, mit dem die Salzburger Landarbeitsordnung 1995 und die Salzburger Land- und Forstwirtschaftliche Berufsausbildungsordnung 1991 geändert werden ref : LGBl. Nr. 126/2000, 28. Stück, 28/12/2000 page 297; SG(2001)3134 du 14/03/2001.

24. Gesetz vom 12. Juli 2001 über den Schutz des Lebens, der Gesundheit und der Sicherheit der in Dienststellen des Landes, der Gemeinden und der Gemeindeverbände beschäftigten Bediensteten (Burgenländisches Bedienstetenschutzgesetz 2001 - Bgld. BSchG 2001) ref : Landesgesetzblatt für das Burgenland Nr. 37/2001, 01/10/2001, 23. Stück, seite 199 (SG(2001)A/11419 du 17/10/2001).

25. Land- und forstwirschaftliche Sicherheits- und Gesundheitsschutz- Verordnung ref: LGBI Nr. 96/2001 vom 13/11/2001, Seite 463.

26. Verordnung der Bundesregierung über den Schutz der Bundesbediensteten bei der Benutzung von Arbeitsmitteln (Bundes-Arbeitsmittelverordnung - B-AM-VO) ref: BGBl. für die Republik Österreich Teil II n° 392 vom 31/10/2002 p. 2857 (SG(2002)A/11828 du 03/12/2002).

27. Gesetz vom 20/11/2001 über das Arbeitsrecht in der Land- und Forstwirtschaft - Steiermärkische Landarbeitsordnung 2001 ref: LGBl. n° 39 du 12/04/2002 p.95 (SG(2003)A/1209 du 03/02/2003).

28. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen der Gemeinden und Gemeindeverbände beschäftigen Bediensteten (Oö.Gemeindebediensteten- Schutzgesetz 1999 - Oö GbSG) ref: LGBl n° 15 vom 15/02/2000 Seite 21.

29. Verordnung der Oö. Landesregierung betreffend Vorschriften zum Schutz des Lebens und der Gesundheit der Landesbediensteten bei Ausführung von Bauarbeiten

(Oö. Landes-Bauarbeiter schutzverordnung-Oö. LBauV) . ref: LGBl n° 9 vom 31/01/2003 Seite 17.

30. Verordnung der Oö. Landesregierung betreffend Vorschriften zum Schutz der Landesbediensteten bei Benutzung von Arbeitsmitteln .(Oö. Arbeitsmittelnverordnung-Oö. AmV) ref: LGBl n° 7 vom 31/01/2003 p. 13.

31. Verordnung der Wiener Landesregierung über den Schutz der in Dienststellen der Gemeinde Wien beschäftigen Bediensteten bei der Benutzung vom Arbeitsmitteln. ref: LGBl n°24 vom 13/6/2003 p. 85 (SG(2003)A/7010 du 24/7/2003).

32. Verordnung der Salzburger Landesregierung- Schutzvorschriften bei der Benutzung von Arbeitsmitteln (Arbeitsmittel-Verordnung-AMV). ref: LGBl Salzburg n° 45 vom 30/5/2003 p. 199 (SG(2003)A/6946 du 24/7/2003).

33. Verordnung der Oö. Landesregierung betreffend Vorschriften zum Schutz des Lebens und der Gesundheit der Bediensteten der Oö. Gemeinden und Gemeindeverbände bei Ausführung von Bauarbeiten (Oö. Gemeinde-Bauarbeiterschutzverordnung - Oö. G-BauV) . ref: LGBl für Oö n° 68 vom 18/06/2003 Seite 171 (SG(2003)A/07226 du 31/07/2003).

34. Verordnung der Oö. Landesregierung betreffend Vorschriften zum Schutz der Bediensteten der Oö. Gemeinden und Gemeindeverbände bei der Benutzung von Arbeitsmitteln (Oö. Gemeinde-Arbeitsmittelverordnung - Oö. G-AmV) ref: LGBl für Oö n° 74 vom 30/06/2003 Seite 193 (SG(2003)A/07226 du 31/07/2003).

Portugal:

1. Decreto-Lei n. 331/93 de 25/09/1993. Transpõe para a ordem jurídica interna a Directiva n. 89/655/CEE, do Conselho, de 30 de Novembro de 1989, relativa às prescrições mínimas de segurança e de saúde para a utilização pelos trabalhadores de equipamentos de trabalho ref: Diário da República I Série A n. 226 de 25/09/1993 Página 5393.

Finland:

1. Työturvallisuuslaki (299/58), muutos (144/93).

2. Työterveyshuoltolaki (743/78).

3. Laki työsuojelun valvonnasta ja muutoksenhausta työsuojeluasioissa (131/73) 16/02/1973, uusi nimi (29/87).

4. Valtioneuvoston päätös työvälineiden turvallisesta käytöstä (1403/93) 22/12/1993.

Sweden:

1. Arbetsmiljölag, Svensk författningssamling (SFS) 1977:1160.

2. Arbetsmiljöförordning, Svensk författningssamling (SFS) 1977:1166.

3. Arbetarskyddsstyrelsens författningssamling (AFS) 1993:36.

United Kingdom:

1. The Management of Health and Safety at Work Regulations 1992 ref: S.I. n° 2051 of 1992.

2. The Workplace (Health, Safety and Welfare) Regulations 1992 ref: S.I. n° 3004 of 1992.

3. The Provision and Use of Work Equipment Regulations 1992 ref: S.I. n° 2932 of 1992.

4. The Personal Protective Equipment at Work Regulations 1992 ref: S.I. n° 2966 of 1992.

5. The Manual Handling Operations Regulations 1992 ref: S.I. n° 2793 of 1992.

6. The Ionising Radiations Regulations 1985 ref: S.I. n° 1333 of 1985, as amended by S.I. n° 2966 of 1992.

7. The Electricity at Work Regulations 1989 ref: S.I. n° 635 of 1989.

8. The Health and Safety at Work Act 1974.

9. The Safety Representatives and Safety Committees Regulations 1977 ref: S.I. n° 500 of 1977.

10. The Control of Absestos at Work Regulations 1987 ref: S.I. n° 2115 of 1987, as amended by S.I. n° 2966 of 1992 and S.I. n° 3068 of 1992.

11. The Control of Lead at Work Regulations 1980 ref: S.I. n° 1248 of 1980, as amended by S.I. n° 2966 of 1992.

12. The Control of Substances Hazardous to Health Regulations 1988 ref: S.I. n° 1657 of 1988, as amended by S.I. n° 2026 of 1990, S.I. n° 2431 of 1991, S.I. n° 2382 of 1992 and S.I. n° 2966 of 1992.

13. The Electricity at Work Regulations (Northern Ireland) 1991 ref: S.R. Northern Ireland n° 13 of 1991.

14. The Ionising Radiations Regulations (Northern Ireland) 1985 ref: S.R. Northern Ireland n° 273 of 1985.

15. The Safety Representatives and Safety Committes Regulations (Northern Ireland) 1979 ref: S.R. Northern Ireland n° 437 of 1979.

16. The Health and Safety Order (Northern Ireland) 1978 ref: S.R. Northern Ireland n° 1049 of 1978.

17. The Control of Lead at Work Regulations (Northern Ireland) 1986 ref: S.R. Northern Ireland n° 36 of 1986.

18. The Control of Absestos at Work Regulations (Northern Ireland) 1988 ref: S.R. Northern Ireland n° 74 of 1988.

19. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ref: S.R. Northern Ireland n° 459 of 1992.

20. The Control of Substances Hazardous to Health Regulations (Northern Ireland) of 1990 ref: S.R. Northern Ireland n° 374 of 1990, as amended by S.R. Northern Ireland n° 61 of 1992.

21. The Provisions and Use of Work Equipment Regulations (Northern Ireland) 1993 ref: S.R. Northern Ireland n° 19 of 1993

NATIONAL PROVISIONS COMMUNICATED BY THE MEMBER STATES CONCERNING:

Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC

Belgium:

1. Arrêté royal modifiant l'arrêté royal du 7 août 1995 relatif à l'utilisation des équipements de protection individuelle.

2. Arrêté royal du 07/08/1995 relatif à l'utilisation des équipements de protection individuelle ref: MB du 15/09/1995, page 26295.

Denmark:

1. Søfartsstyrlesens tekniske forskrift ref: Søfartsstyrlesens nr. 7 af 15/12/1992.

2. Arbejdstilsynets Bekendtgørelse om brug af personlige vaernemidler ref: BEK nr. 746 af 28/08/1992.

3. Lov om arbejdsmiljø.

4. Bekendtgørelse med senere aendringer ref: BEK nr. 646 af 18/12/1985.

5. Bekendtgørelse om anvendelse af personlige vaernemidler på havanlaeg ref: BEK nr. 901 af 11/11/1992.

6. Bekendtgørelse om sikkerhed m.v. på havanlaeg ref: BEK nr. 711 af 16/11/1987.

7. Lov om visse havanlaeg ref: Lov nr. 292 af 10/06/1981.

8. Teknisk forskrift om arbejdsmiljo i skibe Meddelelser fra ref: Søfartsstyrelsen A du 01/07/2002.

9. Bekendtgørelseom aendring af bekendtgørelse om arbejdsmiljoforhold for besaetningsmedlemmer under tjeneste pa luftfartoj og for deres arbejdsgivere. ref: BEK n° 887 af 31/10/2002 (SG(2003)A/6889 du 23/07/2003).

Germany:

1. Unfallverhütungsvorschrift vom 01/04/1977.

2. Unfallverhütungsvorschrift vom 01/04/1979.

3. Bergverordnung zum gesundheitlichen Schutz der Beschäftigten (Gesundheitsschutz-Bergverordnung - GesBergV) vom 31/07/1991, Bundesgesetzblatt Teil I vom 09/08/1991 Seite 1751.

4. Bekanntmachug der Neufassung der Gewerbeordnung vom 01/01/1987, Bundesgesetzblatt Teil I vom 29/01/1987 Seite 425.

5. Unfallverhütungsvorschrift vom 01/01/1981.

6. Verordnung zur Novellierung der Gefahrstoffverordnung, zur Aufhebung der Gefährlichkeitsmerkmaleverordnung und zur Änderung der Ersten Verordnung zum Sprengstoffgesetz vom 26/10/1993, Bundesgesetzblatt Teil I vom 30/10/1993 Seite 1782.

7. Neufassung der Zwölften Verordnung zur Durchführung des Bundes-Immissionsschutzgesetzes (Störfal-Verordnung) vom 20/09/1991, Bundesgesetzblatt Teil I vom 28/09/1991 Seite 1891.

8. Gentechnik-Sicherheitsverordnug - GenTSV vom 24/10/1990, Bundesgesetzblatt Teil I vom 03/11/1990 Seite 2340.

9. Druckluftverordnung vom 04/10/1972, Bundesgesetzblatt Teil I vom 14/10/1972 Seite 1909.

10. Verordnung über den Schutz vor Schäden durch Röntgenstrahlen (Röntgenverordnung- RöV) vom 08/01/1987, Bundesgesetzblatt Teil I vom 14/01/1987 Seite 114.

11. Bekanntmachung der Neufassung der Strahlenschutzverordnung vom 30/06/1989, Bundesgesetzblatt Teil I vom 12/07/1989 Seite 1321.

12. Verordnung zum Gerätesicherheitsgesetz und zur Aufhebung von Vorschriften der Verordnung über besondere Arbeitsschutzanforderungen bei Arbeiten im Freien in der Zeit vom 1. November bis 31. März vom 10/06/1992, Bundesgesetzblatt Teil I vom 17/06/1992 Seite 1019.

13. Unfallverhütungsvorschrift vom 01/01/1990.

14. Verordnung über die Beförderung gefährlicher Güter mit Seeschiffen (Gefahrgutverordnung See - GGV See) vom 24/07/1991, Bundesgesetzblatt Teil I vom 31/07/1991 Seite 1714.

15. Verordnung zur Umsetzung von EG-Einzelrichtilinien zur EG-Rahmenrichtlinie Arbeitsschutz vom 04/12/1996, Bundesgesetzblatt Teil I vom 10/12/1996 Seite 1841.

Greece:

1. Loi n° 1568/85 du 11/10/1985, FEK A n° 177 du 18/10/1985 Page 3335.

2. Loi n° 1836/89 du 14/03/1989, FEK A n° 79 du 14/03/1989 Page 1071.

3. Décret présidentiel n° 225/89 du 25/04/1989, FEK A n° 106 du 02/05/1989 Page 3277.

4. Décret présidentiel n° 212/76, FEK A.

5. Décret présidentiel n° 151/78, FEK A.

6. Décret présidentiel n° 152/78, FEK A.

7. Décret présidentiel n° 95/78, FEK A.

8. Décret présidentiel n° 216/78, FEK A.

9. Décret présidentiel n° 1073/81, FEK A.

10. Décret présidentiel n° 94/87, FEK A.

11. Décret présidentiel n° 70A/88, FEK A.

12. Décret présidentiel n° 225/89, FEK A.

13. Décret présidentiel n° 70/90, FEK A.

14. Décret présidentiel n° 85/91, FEK A.

15. Décret présidentiel n° 396/94 du 17/12/1994, FEK A n° 220 du 19/12/1994 Page 3977.

16. Décret présidentiel n° 149/34 du 14/03/1934, FEK A n° 112 du 22/03/1934.

Spain:

1. 01 . Real Decreto n° 773/97 de 30/05/1997, sobre disposiciones mínimas de seguridad y salud relativas a la utilización por los trabajadores de equipos de protección individual -- ref: BOE n° 140 de 12/06/1997 Página 18000 (Marginal 12735) -- 02. Corrección de erratas del Real Decreto n° 773/97 de 30/05/1997, sobre disposiciones mínimas de seguridad y salud relativas a la utilización por los trabajadores de equipos de protección individual -- ref: BOE n° 171 de 18/07/1997 Página 22094 (Marginal 16026).

France:

1. Arrêté ministériel du 12/11/1993 modifiant l'arrêté du 19/11/1990 relatif aux solvants d'extraction utilisés dans la fabrication des denrées alimentaires ou de leurs ingrédients ref: Journal Officiel du 17/12/1993, page 17581.

2. Décret n° 92-332 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé que doivent observer les maîtres d'ouvrage lors de la construction de lieux de travail ou lors de leurs modifications, extensions ou transformations ref: Journal Officiel du 01/04/1992, page 4610.

3. Décret n° 92-333 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé

applicables aux lieux de travail que doivent observer les chefs d'établissements utilisateurs ref: Journal Officiel du 01/04/1992, page 4614.

4. Loi n° 91-1414 du 31/12/1991 modifiant le code du travail et le code de la santé publique en vue de favoriser la prévention des risques professionnels et portant tranposition de directives européennes relatives à la santé et à la sécurité du travail ref: Journal Officiel du 07/01/1992, page 319.

5. Décret n° 91-451 du 14/05/1991 relatif à la prévention des risques liés au travail sur des équipements comportant des écrans de visualisation ref: Journal Officiel du 16/05/1991, page 6497.

6. Décret n° 92-958 du 03/09/1992 relatif aux prescriptions minimales de sécurité et de santé concernant la manutention manuelle de charges comportant des risques, notamment dorso-lombaires, pour les travailleurs et transposant la directive (CEE) Numéro 90-269 du Conseil du 29/05/1990 ref: Journal Officiel du 09/09/1992, page 12420.

7. Arrêté ministériel du 29/01/1993 portant application de l'article R.231-68 du Code du travail relatif aux éléments de référence et aux autres facteurs de risque à prendre en compte pour l'évaluation préalable des risques et l'organisation des postes de travail lors des manutentions manuelle de charges comportant des risques, notamment dorso-lombaires ref: Journal Officiel du 19/02/1993, page 2729.

8. Décret n° 93-41 du 11/01/1993 relatif aux mesures d'organisation, aux conditions de mise en oeuvre et d'utilisation applicables aux équipements de travail et moyens de protection soumis à l'article L-233-5-1 du Code du travail et modifiant ce code (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 691.

9. Arrêté ministériel du 04/06/1993 complétant l'arrêté du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire des vérifications générales périodiques prévues à l'article R.233-11 du code du travail en ce qui concerne le contenu desdites vérifications ref: Journal Officiel du 15/06/1993, page 8504.

10. Arrêté ministériel du 09/06/1993 fixant les conditions de vérification des équipements de travail utilisés pour le levage de charges, l'élévation de postes de travail ou le transport en élévation de personnes ref: Journal Officiel du 30/06/1993, page 9277.

11. Décret n° 93-40 du 11/01/1993 relatif aux prescriptions techniques applicables à l'utilisation des équipements de travail soumis à l'article L-233-5-1 du Code du travail, aux règles techniques applicables aux matériels d'occasion soumis à l'article L-233-5 du même code et à la mise en conformité des équipements existants et modifiant le code du travail (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 689.

12. Arrêté ministériel du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire l'objet des vérifications générales périodiques prévus à l'article R.233-11 du Code du travail ref: Journal Officiel du 17/03/1993, page 4149.

13. Arrêté ministériel du 19/03/1993 fixant la liste des équipements de protection individuelle qui doivent faire l'objet des vérifications générales périodiques prévues à l'article R.233-42-2 du code du travail ref: Journal Officiel du 28/03/1993, page 5354.

Ireland:

1. The Safety, Health and Welfare at Work (General Application) Regulations, 1993 ref: S.I. n° 44 of 1993.

2. The Building Regulations (Amendment) Regulations, 1994 ref: S.I. n° 154 of 1994.

3. The Building Regulations, 1991 ref: S.I. n° 306 of 1991.

4. The Building Control Regulations, 1991 ref: S.I. n° 305 of 1991.

5. The Building Control Act, 1990, No. 3 of 1990.

6. The Fire Services Act, 1981, (Prescribed Premises) Regulations, 1989 ref: S.I. n° 319 of 1989.

7. The Fire Services Act, 1981, No. 30 of 1981.

8. The Organisation of Working Time Act, 1997, No. 20 of 1997.

9. The Safety, Health and Welfare at Work (Miscellaneous Welfare Provisions) Regulations, 1995 ref: S.I. n° 358 of 1995.

10. The Safety, Health and Welfare at Work (Signs) Regulations, 1995 ref: S.I. n° 132 of 1995.

Italy:

1. 01 . Decreto legislativo del 19/09/1994 n° 626, attuazione delle direttive 89/391/CEE, 89/654/CEE, 89/655/CEE, 89/656/CEE, 90/269/CEE, 90/270/CEE, 90/394/CEE e 90/679/CEE riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro -- ref: Supplemento ordinario n° 141 alla GURI - Serie generale - del 12/11/1994 n° 265 -- 02. Decreto legislativo del 19/03/1996 n° 242, modifiche ed integrazioni al decreto legislativo 19 settembre 1994, n° 626, recante attuazione di direttive comunitarie riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro -- ref: Supplemento ordinario n° 75 alla GURI - Serie generale - del 06/05/1996 n° 104 pag. 3.

Luxembourg:

1. Règlement grand-ducal du 04/11/1994 concernant les prescriptions minimales de sécurité et de santé pour l'utilisation par les travailleurs au travail d'équipements de protection individuelle ref: Mémorial grand-ducal A n° 96 du 17/11/1994, page 1830.

Netherlands:

1. Arbeidsomstandighedenbesluit persoonlijke berschermingsmiddelen van 15/07/1993, Staatsblad nummer 442.

2. Regeling houdende bepalingen ter uitvoering van bij en krachtens de Arbeidsomstandighedenwet en enige andere wetten gestelde regels van 12/03/1997, uitgegeven als supplement bij de Staatscourant nummer 63 van 02/04/1997.

3. Besluit houdende regels in het belang van de veiligheid, de gezondheid en het welzijn in verband met de arbeid (Arbeidsomstandighedenbesluit) van 15/01/1997, Staatsblad nummer 60 van 1997.

4. Besluit van de Staatssecretaris van Sociale Zaken en Werkgelegenheid, Directie Arbeidsomstandigheden, Arbo/AIS 9701436 tot vaststelling van beleidregels op het gebied van de Arbeidsomstandighenwetgeving (Beleidsregels arbeidsomstandighedenwetgeving) van 27/06/1997, uitgegeven als supplement bij de Staatscourant van 27/06/1997.

Austria:

1. Landarbeitsordnung , ref: Landesgesetzblatt für Niederösterreich, Nr. 9020-15.

2. Bundesgesetz über Sicherheit und Gesundheit bei der Arbeit (ArbeitnehmerInnenschutzgesetz - ASchG) und mit dem das Allgemeine Sozialversicherungs-gesetz, das Arbeitvertragsrechts-Anpassungs-gesetz, dasArbeitsverfassungsgesetz, das Berggesetz 1975, das Bauern-Sozialversicherungsgesetz, das Arbeitsmarktförderungsgesetz, das Arbeitslosenversicherungsgesetz 1977 und das Ausländerbeschäftigungsgesetz geändert werden, ref: Bundesgesetzblatt für die Republik Österreich Nr. 450/1994, ausgegeben am 17/06/1994.

3. Bediensteten-Schutzgesetz, ref: Landesgesetzblatt für Niederösterreich, Nr. 2015-1.

4. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen des Landes beschäftigten Bediensteten (Oö. Landesbediensteten-Schutzgesetz 1998 - Oö. LBSG), ref: Landesgesetzblatt für Oberösterreich, Nr. 13/1998 vom 27/02/1998.

5. Bundesgesetz über Sicherheit und Gesundheitsschutz der in Dienststellen des Bundes beschäftigten Bediensteten und mit dem das Beamten-Dienstrechtgesetz 1979, das Vertragsbedien -stetengesetz 1948, das Richterdienst gesetz, das Bundes- Personal vertretungsgesetz, das Mutterschutzgesetz 1979 und das Arbeitnehmer Inenschutzgesetz geändert werden. ref: BGB für die Republik österreich. 30/04/1999, s. 54.

6. Gesetz, mit dem die Salzburger Landarbeitsordnung 1995 und die Salzburger Land- und Forstwirtschaftliche Berufsausbildungsordnung 1991 geändert werden ref: LGBl. Nr. 126/2000, 28. Stück, 28/12/2000 page 297; SG(2001)3134 du 14/03/2001.

7. Gesetz, mit dem die Salzburger Landarbeitsordnung 1995 und die Salzburger Land- und Forstwirtschaftliche Berufsausbildungsordnung 1991 geändert werden ref: LGBl. Nr. 126/2000, 28. Stück, 28/12/2000 page 297; SG(2001)3134 du 14/03/2001.

8. Gesetz vom 12. Juli 2001 über den Schutz des Lebens, der Gesundheit und der Sicherheit der in Dienststellen des Landes, der Gemeinden und der Gemeindeverbände beschäftigten Bediensteten (Burgenländisches Bedienstetenschutzgesetz 2001 - Bgld. BSchG 2001) ref : LGBl für das Burgenland n° 37 vom 01/10/2001, p. 199 (SG(2001)A/11419 du 17/10/2001).

9. Land- und forstwirrtschaftliche Sicherheits- und Gesundheitsschutz- Verordnung ref: LGBI n° 96, Jahrgang 2001, 13/11/2001, 41. Stück, Seite 461.

10. Gesetz vom 20/11/2001 über das Arbeitsrecht in der Land- und Forstwirtschaft - Steiermärkische Landarbeitsordnung 2001 ref: LGBl. n° 39 du 12/04/2002 p.95 (SG(2003)A/1209 du 03/02/2003).

11. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen der Gemeinden und Gemeindeverbände beschäftigen Bediensteten (Oö.Gemeindebediensteten- Schutzgesetz 1999 - Oö GbSG) ref: LGBl n° 15 vom 15/02/2000 Seite 21.

12. Verordnung der Salzburger Landesregierung vom 14/03/2003 über die Sicherheit und den Gesundheitsschutz von Bediensteten auf Baustellen (Baustellen-Verordnung) ref: LGBl. für Salzburg n° 30/2003 (SG(2003)A/4858 du 21/05/2003).

13. Verordnung der Salzburger Landesregierung-Vorschriften über persönichle Schutzausrüstunge. ref: LGBl. für Salzburg n° 46 vom 30/5/2003 p. 199 (SG(2003)A/6947 du 24/07/2003).

Portugal:

1. Decreto-Lei n° 348/93 de 01/10/1993. Transpõe para a ordem jurídica interna a Directiva 89/656/CEE, do Conselho, de 30 de Novembro, relativa às prescrições mínimas de segurança e de saúde para a utilização pelos trabalhadores de equipamentos de protecção individual no trabalho ref: Diário da República I Série A n° 231 de 01/10/1993 Página 5553.

2. Portaria n° 988/93 de 06/10/1993. Estabelece as prescrições mínimas de segurança e saúde dos trabalhadores na utilização de equipamentos de protecção individual ref: Diário da República I Série B n° 234 de 06/10/1993 Página 5599.

3. Regulamento Geral de Higiene e Segurança do Trabalho nos Estabelecimentos Industriais.

4. Decreto-Lei n° 128/93 de 22/04/1993. Transpõe para a ordem jurídica interna a Directiva do Conselho 89/686/CEE, de 21 de Dezembro, relativa aos equipamentos de protecção individual ref: Diário da República I Série A n° 94 de 22/04/1993 Página 1965.

5. Portaria 1131/93 de 04/11/1993. Estabelece as exigências essenciais relativas à saúde e segurança aplicáveis aos equipamentos de protecção individual (EPI) ref: Diário da República I Série B n° 258 de 04/11/1993 Página 6189.

6. Decreto-Lei n° 26/94 de 01/02/1994. Estabelece o regime de organização e funcionamento das actividades de segurança, higiene e saúde no trabalho ref: Diário da República I Série A n° 26 de 01/02/1994 Página 480.

7. Decreto-lei n° 441/97 de 14/11/1991. Estabelece o regime jurídico do enquadramento da segurança, higiene e saúde no trabalho ref: Diário da República I Série A n° 262 de 14/11/1991 Página 5826.

Finland:

1. Valtioneuvoston päätös henkilönsuojainten valinnasta ja käytöstä työssä (1407/93) 22/12/1993.

Sweden:

1. Arbetsmiljölag, Svensk författningssamling (SFS) 1977:1160.

2. Arbetsmiljöförordning, Svensk författningssamling (SFS) 1977:1166.

3. Arbetarskyddsstyrelsens kungörelse med almänna föreskrifter om användning av personlig skyddsutrustning, Arbetarskyddsstyrelsens författningssamling (AFS) 1993:40.

4. Arbetarskyddsstyrelsens författningssamling (AFS) 1996:4.

5. Arbetarskyddsstyrelsens författningssamling (AFS) 1996:13.

United Kingdom:

1. The Management of Health and Safety at Work Regulations 1992 ref: S.I. n° 2051 of 1992.

2. The Workplace (Health, Safety and Welfare) Regulations 1992 ref: S.I. n° 3004 of 1992.

3. The Provision and Use of Work Equipment Regulations 1992 ref: S.I. n° 2932 of 1992.

4. The Personal Protective Equipment at Work Regulations 1992 ref: S.I. n° 2966 of 1992.

5. The Manual Handling Operations Regulations 1992 ref: S.I. n° 2793 of 1992.

6. The Health and Safety at Work Act 1974.

7. The Construction (Head Protection) Regulations 1989 ref: S.I. n° 2209 of 1989.

8. The Noise at Work Regulations 1989 ref: S.I. n° 1790 of 1989.

9. The Control of Lead at Work Regulations 1980 ref: S.I. n° 1248 of 1980.

10. The Ionising Radiations Regulations 1985 ref: S.I. n° 1333 of 1985.

11. The Control of Substances Hazardous to Health Regulations 1988 ref: S.I. n° 1657 of 1988.

12. The Control of Absestos at Work Regulations 1987 ref: S.I. n° 2115 of 1987.

13. The Health and Safety Order (Northern Ireland) 1978 ref: S.R. Northern Ireland n° 1049.

14. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ref: S.R. Northern Ireland n° 459 of 1992.

15. The Construction (Head Protection) Regulations (Northern Ireland) 1990 ref: S.R. Northern Ireland n° 424 of 1990.

16. The Noise at Work Regulations (Northern Ireland) 1990 ref: S.R. Northern Ireland n° 147 of 1990.

17. The Ionising Radiations Regulations (Northern Ireland) 1985 ref: S.R. Northern Ireland n° 273 of 1985.

18. The Control of Lead at Work Regulations (Northern Ireland) 1986 ref: S.R. Northern Ireland n° 36 of 1986.

19. The Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990 ref: S.R. Northern Ireland n° 374 of 1990.

20. The Control of Absestos at Work Regulations (Northern Ireland) 1988 ref: S.R. Northern Ireland n° 74 of 1988.

21. The Personal Protective Equipment at Work Regulations (Northern Ireland) 1993 ref: S.R. Northern Ireland n° 20 of 1993.

22. The Personal Protective Equipment at Work, Legal Notice No. 31 of 1996 ref: Gibraltar Gazette of 29/02/1996.

23. The Merchant shipping and Fishing Vessels (Personnal Protective Equipment) Regulation 1999 ref: S.I. n°2205 of 1999 - SG(2000)A/08425.

NATIONAL PROVISIONS COMMUNICATED BY THE MEMBER STATES CONCERNING:

Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

Belgium:

1. Arrêté royal du 12/08/1993 concernant l'utilisation des équipements de travail - Koninklijk besluit van 12/08/1993 betreffende het gebruik van arbeidsmiddelen ref: Moniteur belge du 29/09/1993, page 21358.

Denmark:

1. Bekendtgørelse af 16/12/1992 om manuel handtering.

2. Bekendtgørelse af 18/12/1992 om arbejdets udførelse.

3. Bekendtgørelse nr. 746 af 28/08/1992 om brug af personlige værnemidler.

4. Lov om arbejdsmiljø, Bekendtgørelse nr. 646 af 18/12/1985.

5. Søfartsstyrelsens tekniske forskrift nr. 7 af 15/12/1992.

6. Bekendtgørelse nr. 60 af 12/02/1993 om manuel handtering af bryder på havanlæg.

7. Bekendtgørelse nr. 711 af 16/11/1987 om sikkerhed m.v. på havanlæg.

8. Lov nr. 292 af 10/06/1981 om visse havanlæg.

9. Bestemmelser om sikkerhed og sundhed for besætnings medlemmer under tjeneste på luftfartøj af 16/06/1994.

10. Teknisk forskrift om arbejdsmiljo i skibe ref: Meddelelser fra Søfartsstyrelsen A du 01/07/2002.

Germany:

1. Unfallverhütungsvorschrift vom 01/04/1977, Bundesgesetzblatt Teil I.

2. Unfallverhütungsvorschrift vom 01/04/1979, Bundesgesetzblatt Teil I.

3. Bergverordnung zum gesundheitlichen Schutz der Beschäftigten (Gesundheitsschutz-Bergverordnung - GesBergV) vom 31/07/1991, Bundesgesetzblatt Teil I vom 09/08/1991 Seite 1751.

4. Unfallverhütungsvorschrift vom 01/10/1982, Bundesgesetzblatt Teil I.

5. Unfallverhütungsvorschrift vom 01/09/1982, Bundesgesetzblatt Teil I.

6. Unfallverhütungsvorschrift vom 01/01/1993, Bundesgesetzblatt Teil I.

7. Verordnung zur Umsetzung von EG-Einzelrichtilinien zur EG-Rahmenrichtlinie Arbeitsschutz vom 04/12/1996, Bundesgesetzblatt Teil I vom 10/12/1996 Seite 1841.

Greece:

1. Décret présidentiel n° 397 du 17/12/1994 ref: FEK A n° 221 du 19/12/1994, page 3985.

2. Loi n° 1568 du 11/10/1985 ref: FEK A n° 177 du 18/10/1985, page 3335.

3. Loi n° 1836 du 14/03/1989 ref: FEK A n° 79 du 14/03/1989, page 1071.

4. Loi n° 1837 du 03/1989 ref: FEK A n° 85 du 23/03/1989, page 1105.

5. Décision ministérielle n° 130627 du 07/03/1990 ref: FEK A n° 27 du 08/03/1990, page 187.

6. Décret présidentiel n° 149 du 14/03/1934 ref: FEK A n° 112 du 22/03/1934.

Spain:

1. Real Decreto número 487/97 de 14/04/1997, sobre disposiciones mínimas de seguridad y salud relativas a la manipulación manual de cargas que entrañe riesgos, en particular dorso lumbares, para los trabajadores ref: BOE n° 97 de 23/04/1997 Página 12926 (Marginal 8670).

France:

1. Arrêté ministériel du 12/11/1993 modifiant l'arrêté du 19/11/1990 relatif aux solvants d'extraction utilisés dans la fabrication des denrées alimentaires ou de leurs ingrédients ref: Journal Officiel du 17/12/1993, page 17581.

2. Décret n° 92-332 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé que doivent observer les maîtres d'ouvrage lors de la construction de lieux de travail ou lors de leurs modifications, extensions ou transformations ref: Journal Officiel du 01/04/1992, page 4610.

3. Décret n° 92-333 du 31/03/1992 modifiant le code du travail (deuxième partie: décrets en Conseil d'Etat) et relatif aux dispositions concernant la sécurité et la santé applicables aux lieux de travail que doivent observer les chefs d'établissements utilisateurs ref: Journal Officiel du 01/04/1992, page 4614.

4. Loi n° 91-1414 du 31/12/1991 modifiant le code du travail et le code de la santé publique en vue de favoriser la prévention des risques professionnels et portant tranposition de directives européennes relatives à la santé et à la sécurité du travail ref: Journal Officiel du 07/01/1992, page 319.

5. Décret Numéro 91-451 du 14/05/1991 relatif à la prévention des risques liés au travail sur des équipements comportant des écrans de visualisation ref: Journal Officiel du 16/05/1991, page 6497.

6. Décret n° 92-958 du 03/09/1992 relatif aux prescriptions minimales de sécurité et de santé concernant la manutention manuelle de charges comportant des risques, notamment dorso-lombaires, pour les travailleurs et transposant la directive (CEE) Numéro 90-269 du Conseil du 29/05/1990 ref: Journal Officiel du 09/09/1992, page 12420.

7. Arrêté ministériel du 29/01/1993 portant application de l'article R.231-68 du Code du travail relatif aux éléments de référence et aux autres facteurs de risque à prendre en compte pour l'évaluation préalable des risques et l'organisation des postes de travail lors des manutentions manuelle de charges comportant des risques, notamment dorso-lombaires ref: Journal Officiel du 19/02/1993, page 2729.

8. Décret n° 93-41 du 11/01/1993 relatif aux mesures d'organisation, aux conditions de mise en oeuvre et d'utilisation applicables aux équipements de travail et moyens de protection soumis à l'article L-233-5-1 du Code du travail et modifiant ce code (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 691.

9. Arrêté ministériel du 04/06/1993 complétant l'arrêté du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire des vérifications générales

périodiques prévues à l'article R.233-11 du code du travail en ce qui concerne le contenu desdites vérifications ref: Journal Officiel du 15/06/1993, page 8504.

10. Arrêté ministériel du 09/06/1993 fixant les conditions de vérification des équipements de travail utilisés pour le levage de charges, l'élévation de postes de travail ou le transport en élévation de personnes ref: Journal Officiel du 30/06/1993, page 9277.

11. Décret n° 93-40 du 11/01/1993 relatif aux prescriptions techniques applicables à l'utilisation des équipements de travail soumis à l'article L-233-5-1 du Code du travail, aux règles techniques applicables aux matériels d'occasion soumis à l'article L-233-5 du même code et à la mise en conformité des équipements existants et modifiant le code du travail (deuxième partie: Décrets en Conseil d'Etat) ref: Journal Officiel du 13/01/1993, page 689.

12. Arrêté ministériel du 05/03/1993 soumettant certains équipements de travail à l'obligation de faire l'objet des vérifications générales périodiques prévues à l'article R.233-11 du Code du travail ref: Journal Officiel du 17/03/1993, page 4149.

13. Arrêté ministériel du 19/03/1993 fixant la liste des équipements de protection individuelle qui doivent faire l'objet des vérifications générales périodiques prévues à l'article R.233-42-2 du code du travail ref: Journal Officiel du 28/03/1993, page 5354.

Ireland:

1. The Safety, Health and Welfare at Work (General Application) Regulations, 1993 ref: S.I. n° 44 of 1993.

Italy:

1. Decreto legislativo del 19/09/1994 n. 626, attuazione delle direttive 89/391/CEE, 89/654/CEE, 89/655/CEE, 89/656/CEE, 90/269/CEE, 90/270/CEE, 90/394/CEE e 90/679/CEE riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n. 141 alla Gazzetta Ufficiale - Serie generale - del 12/11/1994 n. 265.

2. Decreto legislativo del 19/03/1996 n. 242, modifiche ed integrazioni al decreto legislativo 19 settembre 1994, n. 626, recante attuazione di direttive comunitarie riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n .75 alla Gazzetta Ufficiale - Serie generale - del 06/05/1996 n. 104.

Luxembourg:

1. Règlement grand-ducal du 04/11/1994 concernant les prescriptions minimales de sécurité et de santé relatives à la manutention manuelle de charges comportant des risques, notamment dorso-lombaires pour les travailleurs ref: Mémorial Grand-Ducal A n° 96 du 17/11/1994, page 1850.

Netherlands:

1. Besluit van 27/01/1993, Staatsblad nummer 68 van 1993.

2. Besluit van 10/12/1992, Staatsblad nummer 677 van 1995.

3. Regeling houdende bepalingen ter uitvoering van bij en krachtens de Arbeidsomstandighedenwet en enige andere wetten gestelde regels van 12/03/1997, uitgegeven als supplement bij de Staatscourant nummer 63 van 02/04/1997.

4. Besluit houdende regels in het belang van de veiligheid, de gezondheid en het welzijn in verband met de arbeid (Arbeidsomstandighedenbesluit) van 15/01/1997, Staatsblad nummer 60 van 1997.

5. Besluit van de Staatssecretaris van Sociale Zaken en Werkgelegenheid, Directie Arbeidsomstandigheden, Arbo/AIS 9701436 tot vaststelling van beleidregels op het gebied van de Arbeidsomstandighenwetgeving (Beleidsregels arbeidsomstandighedenwetgeving) van 27/06/1997, uitgegeven als supplement bij de Staatscourant van 27/06/1997.

Austria:

1. Landarbeitsordnung , Landesgesetzblatt für Niederösterreich, Nr. 9020-15.

2. Bundesgesetz über Sicherheit und Gesundheit bei der Arbeit (ArbeitnehmerInnenschutzgesetz - ASchG) und mit dem das Allgemeine Sozialversicherungs-gesetz, das Arbeitvertragsrechts-Anpassungs-gesetz, das Arbeitsverfassungsgesetz, das Berggesetz 1975, das Bauern-Sozialversicherungsgesetz, das Arbeitsmarktförderungsgesetz, das Arbeitslosenversicherungsgesetz 1977 und das Ausländerbeschäftigungsgesetz geändert werden ref: Bundesgesetzblatt für die Republik Österreich Nr. 450/1994, ausgegeben am 17/06/1994.

3. Bediensteten-Schutzgesetz, Landesgesetzblatt für Niederösterreich, Nr. 2015-1.

4. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen des Landes beschäftigten Bediensteten (Oö. Landesbediensteten-Schutzgesetz 1998 - Oö. LBSG) ref: Landesgesetzblatt für Oberösterreich, Nr. 13/1998 ausgegeben und versendet am 27/02/1998.

5. Bundesgesetz über Sicherheit und Gesundheitsschutz der in Dienststellen des Bundes beschäftigten Bediensteten und mit dem das Beamten-Dienstrechtgesetz 1979, das Vertragsbedienstetengesetz 1948, das Richterdienst gesetz, das Bundes- Personal vertretungsgesetz, das Mutterschutzgesetz 1979 und das Arbeitnehmer Inenschutzgesetz geändert werden ref: BGB für die Republik österreich. 30/04/1999, s. 54.

6. NÖ-Landarbeitsordnung 1973 ref: LGBl 9020-18 - SG(2000)A/06629.

7. Gesetz, mit dem die Salzburger Landarbeitsordnung 1995 und die Salzburger Land- und Forstwirtschaftliche Berufsausbildungsordnung 1991 geändert werden ref: LGBl. Nr. 126/2000, 28. Stück, 28/12/2000 page 297; SG(2001)3134 du 14/03/2001.

8. Gesetz vom 12. Juli 2001 über den Schutz des Lebens, der Gesundheit und der Sicherheit der in Dienststellen des Landes, der Gemeinden und der Gemeindeverbände beschäftigten Bediensteten (Burgenländisches Bedienstetenschutzgesetz 2001 - Bgld. BSchG 2001) ref: Landesgesetzblatt für das

Burgenland Nr. 37/2001, 01/10/2001, 23. Stück, seite 199 (SG(2001)A/11419 du 17/10/2001).

9. Land- und forstwirrtschaftliche Sicherheits- und Gesundheitsschutz- Verordnung ref: LGBI n° 96, Jahrgang 2001, 13/11/2001, 41. Stück, Seite 461.

10. Gesetz vom 20/11/2001 über das Arbeitsrecht in der Land- und Forstwirtschaft - Steiermärkische Landarbeitsordnung 2001 ref: LGBl. n° 39 du 12/04/2002 p.95 (SG(2003)A/1209 du 03/02/2003).

11. Verordnung der Salzburger Landesregierung vom 27/11/2002 über die Sicherheit und den Gesundheitsschutz bei der manuellen Handhabung von Lasten bei der Arbeit (Lasten-Verordnung) ref: LGBl. Land Salzburg n° 101 du 20/12/2002 p. 325 (SG(2003)A/1213 du 03/02/2003).

12. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen der Gemeinden und Gemeindeverbände beschäftigen Bediensteten (Oö.Gemeindebediensteten- Schutzgesetz 1999 - Oö GbSG) ref: LGBl n° 15 vom 15/02/2000 Seite 21.

13. Verordnung der Oö. Landesregerung betreffend Vorschriften zum Schutz des Lebens und der Gesundheitschutz bei der manuellen Handhabung von Lasten bei der Arbeit (Oö.Lastenverordnung-Oö. LastV) ref: LGBl n° 8 vom 31/01/2003 Seite 15.

14. Verordnung der Oö Landesregierung betreffend Vorschriften über die Sicherheit und den Gesundheitsschutz der in den Dienststellen der oö. Gemeinden und Gemeindeverbände beschäftigten Bediensteten bei der manuellen Handhabung von Lasten bei der Arbeit (Oö. Gemeinde-Lastenverordung - Oö. G-LastV) ref: LGBl. für Oberösterreich n° 49 vom 30/04/2003 p. 131 (SG(2003)A/4857 du 21/05/2003).

Portugal:

1. Decreto-Lei n. 330/93 de 25/09/1993. Transpõe para a ordem jurídica interna a Directiva n. 90/269/CEE, do Conselho, de 29 de Maio, relativa às prescrições mínimas de segurança e de saúde na movimentação manual de cargas ref: Diário da República I Série A n. 226 de 25/09/1993 Página 5391.

Finland:

1. Työturvallisuuslaki (299/58) 28/06/1958, muutos (144/93) 29/01/1993

2. Työterveyshuoltolaki (743/78) 29/09/1978.

3. Laki työsuojelun valvonnasta ja muutoksenhausta työsuojeluasioissa (131/73) 16/02/1973.

4. Valtioneuvoston päätös käsin tehtävistä nostoista ja siirroista työssä (1409/93) 22/12/1993.

Sweden:

1. Arbetsmiljölag, Svensk författningssamling (SFS) 1977:1160.

2. Arbetsmiljöförordning, Svensk författningssamling (SFS) 1977:1166.

3. Arbetarskyddsstyrelsens författningssamling (AFS) 1983:6, ändring AFS 1993:38.

United Kingdom:

1. The Management of Health and Safety at Work Regulations 1992 ref: S.I. n° 2051 of 1992.

2. The Work Place (Health, Safety and Welfare) Regulations 1992 ref: S.I. n° 3004 of 1992.

3. The Provision and Use of Work Equipement Regulations 1992, ref: S.I. n° 2932 of 1992.

4. The Personal Protective Equipment at Work Regulations 1992, ref: S.I. n° 2966 of 1992.

5. The Manual Handling Operations Regulations 1992 ref: S.I. n° 2793 of 1992.

6. The Health and Safety at Work Act 1974.

7. The Safety Representatives and Safety Committees Regulations 1977 ref: S.I. n° 500 of 1977.

8. The Manual Handling Operations Regulations (Northern Ireland) 1992 ref: Statutory Rules of Northern Ireland n° 535 of 1992.

9. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ref: Statutory Rules of Northern Ireland n° 459 of 1992.

10. The Health and Safety Order (Northern Ireland) 1978, ref: S.I. n° 1049 of 1978.

11. The Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979 ref: Statutory Rules of Northern Ireland n° 437 of 1979.

12. The Manual Handling Operations, Legal Notice No. 30, ref: Gibraltar Gazette of 29/02/1996.

13. The Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998. ref: S.I. n° 2857 of 1998

NATIONAL PROVISIONS COMMUNICATED BY THE MEMBER STATES CONCERNING:

Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

Belgium:

1. Arrêté royal du 27/08/1993 relatif au travail sur des équipements à écran de visualisation - Koninklijk besluit van 27/08/1993 betreffende het werken met beeldschermapparatuur ref: MB du 07/09/1993, page 19579.

Denmark:

1. Bekendtgørelse af 15/12/1992 om arbejde ved skærmterminaler.

2. Bekendtgørelse af 18/12/1992 om arbejdets udførelse.

3. Bekendtgørelse af 18/12/1992 om virksomhedernes sikkerheds og sunhedsarbejde.

4. Bekendtgørelse af 16/12/1992 om faste arbejdssteders indretning.

5. Bekendtgørelse af 16/12/1992 om arbejdsmedicinske undersøgelser.

6. Lov om arbejdsmiljø, Bekendtgørelse nr. 646 af 18/12/1985 med senere ændringer.

7. Bekendtgørelse nr. 58 af 09/02/1993 om arbejde ved skærmeterminale på havanlæg.

8. Bekendtgørelse nr. 77 af 16/11/1987 om sikkerhed M. V. på havanlæg.

9. Lov nr. 292 af 10/06/1981 om visse havanlæg.

Germany:

1. 01 . Unfallverhütungsvorschrift vom 01/04/1977, Bundesgesetzblatt Teil I -- 02 . Unfallverhütungsvorschrift vom 01/04/1979, Bundesgesetzblatt Teil I -- 03 . Bergverordnung zum gesundheitlichen Schutz der Beschäftigten (Gesundheitsschutz-Bergverordnung - GesBergV) vom 31/07/1991, Bundesgesetzblatt Teil I vom 09/08/1991 Seite 1751 -- 04 . Verordnung zur Umsetzung von EG-Einzelrichtilinien zur EG-Rahmenrichtlinie Arbeitsschutz vom 04/12/1996, Bundesgesetzblatt Teil I vom 10/12/1996 Seite 1841.

Greece:

1. Loi n° 1568 du 11/10/1985, FEK A n° 177 du 18/10/1985 Page 3335.

2. Loi n° 1836 du 14/03/1989, FEK A n° 79 du 14/03/1989 Page 1071.

3. Loi n° 1767/88 du 04/04/1988, FEK A n° 63 du 06/04/1988 Page 709.

4. Décision ministérielle n° 130558 du 12/06/1989, FEK B n° 471 du 1989.

5. Décret présidentiel n° 398 du 17/12/1994, FEK A n° 221 du 19/12/1994 Page 3987.

Spain:

1. Real Decreto n° 488/97 de 14/04/1997, sobre disposiciones mínimas de seguridad y salud relativas al trabajo con equipos que incluyen pantallas de visualización ref: BOE n° 97 de 23/04/1997 Página 12928 (Marginal 8671).

France:

1. Décret n° 91-454 du 14 mai 1991 relatif à la prévention des risques liés au travail sur des équipements comportant des écrans de visualisation ref: Journal Officiel du 16/05/1991, page 6497.

2. Circulaire du Ministère du travail, de l'emploi et de la formation professionnelle n° 91-18 du 04 novembre 1991, relative à l'application du décret n° 91-451 du 14 mai 1991 concernant la prévention des risques liés au travail sur des équipements comportant des écrans de visualisation.

Ireland:

1. The Safety, Health and Welfare at Work (General Application) Regulations, 1993 ref: S.I. n° 44 of 1993.

Italy:

1. Decreto legislativo del 19/09/1994 n. 626, attuazione delle direttive 89/391/CEE, 89/654/CEE, 89/655/CEE, 89/656/CEE, 90/269/CEE, 90/270/CEE, 90/394/CEE e 90/679/CEE riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n. 141 alla GURI - Serie generale - del 12/11/1994 n. 265.

2. Decreto legislativo del 19/03/1996 n. 242, modifiche ed integrazioni al decreto legislativo 19 settembre 1994, n. 626, recante attuazione di direttive comunitarie riguardanti il miglioramento della sicurezza e della salute dei lavoratori sul luogo di lavoro ref: Supplemento ordinario n .75 alla GURI - Serie generale - del 06/05/1996 n. 104 pag. 3.

3. Legge 3 febbraio 2003, n.14 - Disposizioni per l'adempimento di obblighi derivanti dall'appartenenza dell'Italia alle Comunita europee. Legge comunitaria 2002 ref: GURI - Serie generale n° 31 del 07/02/2003 (SG(2003)A/4826 du 19/05/2003).

Luxembourg:

1. Règlement grand-ducal du 04/11/1994 concernant les prescriptions minimales de sécurité et de santé relatives au travail sur les équipements à écran de visualisation ref: Mémorial grand-ducal A n° 96 du 17/11/1994, page 1853.

Netherlands:

1. Besluit van 27/01/1993, Staatsblad nummer 68 van 1993.

2. Besluit van 10/12/1992, Staatsblad nummer 677 van 1992.

3. Regeling houdende bepalingen ter uitvoering van bij en krachtens de Arbeidsomstandighedenwet en enige andere wetten gestelde regels van 12/03/1997, uitgegeven als supplement bij de Staatscourant nummer 63 van 02/04/1997.

4. Besluit houdende regels in het belang van de veiligheid, de gezondheid en het welzijn in verband met de arbeid (Arbeidsomstandighedenbesluit) van 15/01/1997, Staatsblad nummer 60 van 1997.

5. Besluit van de Staatssecretaris van Sociale Zaken en Werkgelegenheid, Directie Arbeidsomstandigheden, Arbo/AIS 9701436 tot vaststelling van beleidregels op het gebied van de Arbeidsomstandighenwetgeving (Beleidsregels arbeidsomstandighedenwetgeving) van 27/06/1997, uitgegeven als supplement bij de Staatscourant van 27/06/1997.

Austria:

1. Landarbeitsordnung , Landesgesetzblatt für Niederösterreich, Nr. 9020-15.

2. Bundesgesetz über Sicherheit und Gesundheit bei der Arbeit (ArbeitnehmerInnenschutzgesetz - ASchG) und mit dem das Allgemeine Sozialversicherungs-gesetz, das Arbeitvertragsrechts-Anpassungs-gesetz, das Arbeitsverfassungsgesetz, das Berggesetz 1975, das Bauern-Sozialversicherungsgesetz, das Arbeitsmarktförderungsgesetz, das Arbeitslosenversicherungsgesetz 1977 und das Ausländerbeschäftigungsgesetz geändert werden, Bundesgesetzblatt für die Republik Österreich Nr. 450/1994, ausgegeben am 17/06/1994.

3. Bediensteten-Schutzgesetz, Landesgesetzblatt für Niederösterreich, Nr. 2015-1.

4. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen des Landes beschäftigten Bediensteten (Oö. Landesbediensteten-Schutzgesetz 1998 - Oö. LBSG), Landesgesetzblatt für Oberösterreich, Nr. 13/1998 ausgegeben und versendet am 27/02/1998.

5. Bundesgesetz über Sicherheit und Gesundheitsschutz der in Dienststellen des Bundes beschäftigten Bediensteten und mit dem das Beamten-Dienstrechtgesetz 1979, das Vertragsbedienstetengesetz 1948, das Richterdienst gesetz, das Bundes- Personal vertretungsgesetz, das Mutterschutzgesetz 1979 und das Arbeitnehmer Inenschutzgesetz geändert werden. BGB für die Republik österreich. 30/04/1999, s. 54.

6. Gesetz, mit dem die Salzburger Landarbeitsordnung 1995 und die Salzburger Land- und Forstwirtschaftliche Berufsausbildungsordnung 1991 geändert werden ref : LGBl. Nr. 126/2000, 28. Stück, 28/12/2000 page 297; SG(2001)3134 du 14/03/2001.

7. Verordnung der Agrarbezirksbehörde über den Schutz der land- und forstwirtschaftlichen Dienstnehmer bei der Bildschirmarbeit ref : ABl. Nr. 3/2001 (Vorarlberg), 27/02/2001; SG(2001)A/4206 du 05/04/2001.

8. Verordnung der Landesregierung über den Schutz der Landes- und Gemeindebediensteten bei der Bildschirmarbeit (Landes-Bildschirmarbeitsverordnung - L-BSV) ref : LGBl. Nr. 9/2001 (Vorarlberg), Stück 7, page 47, 15/02/2001; SG(2001)A/4206 du 05/04/2001.

9. Gesetz vom 12. Juli 2001 über den Schutz des Lebens, der Gesundheit und der Sicherheit der in Dienststellen des Landes, der Gemeinden und der Gemeindeverbände beschäftigten Bediensteten (Burgenländisches Bedienstetenschutzgesetz 2001 - Bgld. BSchG 2001) ref : Landesgesetzblatt für das Burgenland Nr. 37/2001, 01/10/2001, 23. Stück, Seite 199 (SG(2001)A/11419 du 17/10/2001).

10. Transposition de la directive ref: Landesgesetzblatt für Wien Nr. 86/2001 du 16 octobre 2001, Seite 497.

11. Transposition de la directive ref: LGBL. Nr. 97/2001, 02/10/2001, 45. Stück, Seite 254 (SG(2001) A/13088 du 03/12/2001).

12. Verordnung der Salzburger Landesregierung vom 19. September 2001 über die Anforderungen an Bildschirmgeräte und Bildschirmarbeitsplätze sowie über den Schutz der Bediensteten bei Bildschirmarbeit (Bildschirmarbeits- Verordnung - BSAV) ref: Landesgesetzblatt Land Salzburg 31. Stück, Jahrgang 2001 du 17/10/2001, Seite 287 (SG(2001) A/13905 du 03/01/2002).

13. Land- und forstwirrtschaftliche Sicherheits- und Gesundheitsschutz- Verordnung ref: LGBI n° 96, Jahrgang 2001, 13/11/2001, 41. Stück, Seite 461.

14. Verordnung über den Schutz der Dienstnehmer in land- und forstwirtschaftlichen Betriebe bei der Bildschirmarbeit (NÖ LFW BS-VO) ref: LGBl. n° 9020/8-0 du 29/08/2002.

15. Verordnung der Salzburger Landesregierung vom 10/07/2002 mit der die Bildschirmarbeits-Verordnung geändert wird ref: LGBl. Land Salzburg n° 71 du 16/08/2002 p. 273.

16 Verordnung der Steiermärkischen Landesregierung vom 08/07/2002 über den Schutz der Arbeitnehmer/innen bei Bildschirmarbeit (BS-VO) ref: LGBl. n° 85 du 13/08/2002 p. 363.

17. Verordnung der Burgenländischen Landesregierung vom 4/03/2002 über den Schutz der Dienstnehmer in der Land- und Forstwirtschaft bei der Bildschirmarbeit ref: LGBl. für das Burgenland n° 41 du 18/03/2002 p. 125 (SG(2003)A/1095 du 30/01/2003).

18. Verordnung der Oö Landesregierung über den Schutz der Dienstnehmerinnen und Dienstnehmer in der Land- und Forstwirtschaft bei der Bildschirmarbeit (Oö Bildschirmarbeitsverordnung - Land- und Forstwirtschaft - Oö. BSV - LF) ref: LGBl. für Oberösterreich n° 99 du 30/10/2002 p. 631 (SG(2003)A/1094 du 30/01/2003).

19. Gesetz vom 20/11/2001 über das Arbeitsrecht in der Land- und Forstwirtschaft - Steiermärkische Landarbeitsordnung 2001 ref: LGBl. n° 39 du 12/04/2002 p.95 (SG(2003)A/1209 du 03/02/2003).

20. Landesgesetz über den Schutz des Lebens und der Gesundheit der in den Dienststellen der Gemeinden und Gemeindeverbände beschäftigen Bediensteten (Oö.Gemeindebediensteten- Schutzgesetz 1999 - Oö GbSG) ref: LGBl n° 15 vom 15/02/2000 Seite 21.

21. Gesetz vom 20/03/2003, mit dem das Landesvertragsbedienstetengesetz 1985 geändert wird (14. Novelle zum Landesvertragsbedienstetengesetz 1985) ref: LGBl. für das Land Burgenland n° 29 vom 04/06/2003 p. 95 (SG(2003)A/07223 du 31/07/2003).

Portugal:

1. Decreto-Lei n. 349/93 de 01/10/1993. Transpõe para a ordem jurídica interna a Directiva n. 90/270/CEE, do Conselho, de 29 de Maio, relativa às prescrições mínimas de segurança e de saúde respeitantes ao trabalho com equipamentos dotados de visor ref: Diário da República I Série A n. 231 de 01/10/1993 Página 5554.

2. Portaria n. 989/93 de 06/10/1993. Estabelece as prescrições mínimas de segurança e saúde respeitantes ao trabalho com equipamentos dotados de visor ref: Diário da República I Série B n. 234 de 06/10/1993 Página 5603.

Finland:

1. Työturvallisuuslaki (299/58), muutos (144/93).

2. Työterveyshuoltolaki (743/78) 29/09/1978.

3. Valtioneuvoston päätös työnantajan velvollisuudeksi säädetystä työterveyshuollosta (1009/78) 14/12/1978.

4. Valtioneuvoston päätös terveystarkastuksista erityistä sairastumisen vaaraa aiheuttavissa töissä (1672/92) 30/12/1992.

5. Advice on Occupational Health Care given by Ministry of Social and Health (No. 123/102/93).

6. Laki työsuojelun valvonnasta ja muutoksenhausta työsuojeluasioissa (131/73), uusi nimi (29/87).

7. Valtioneuvoston päätös näyttöpäätetyöstä (1405/93) 22/12/1993.

Sweden:

1. Arbetsmiljölag, Svensk författningssamling (SFS) 1977:1160.

2. Arbetsmiljöförordning, Svensk författningssamling (SFS) 1977:1166.

3. Arbetarskyddsstyrelsens kungörelse med föreskrifter om interkontroll av arbetsmiljön, Arbetarskyddsstyrelsens författningssamling (AFS) 1992:6.

4. Arbetarskyddsstyrelsens kungörelse med föreskrifter om arbete vid bildskärm, Arbetarskyddsstyrelsens författningssamling (AFS) 1992:14.

5. Arbetarskyddsstyrelsens författningssamling (AFS) 1996:6.

United Kingdom:

1. The Management of Health and Safety at Work Regulations 1992 ref: S.I. n° 2051 of 1992.

2. The Work Place (Health, Safety and Welfare) Regulations 1992 ref: S.I. n° 3004 of 1992.

3. The Provision and Use of Work Equipement Regulations 1992 ref: S.I. n° 2932 of 1992.

4. The Personal Protective Equipment at Work Regulations 1992 ref: S.I. n° 2966 of 1992.

5. The Manual Handling Operations Regulations 1992 ref: S.I. n° 2793 of 1992.

6. The Health and Safety (Display Screen Equipment) Regulations (Northern Ireland) 1992 ref: S.R. Northern Ireland n° 513 of 1992.

7. The Health and Safety at Work Order (Northern Ireland) 1978 ref: S.R. Northern Ireland n° 1039 of 1978.

8. The Safety Representatives and Safety Commitees Regulations (Northern Ireland) 1979 ref: S.R. Northern Ireland n° 437 of 1979.

9. The Management of Health and Safety at Work Regulations (Northern Ireland) 1992 ref: S.R. Northern Ireland n° 459 of 1992.

10. The General Ophthalmic Services Regulations (Northern Ireland) 1986 ref: S.R. Northern Ireland n° 163 of 1986.

11. Legal Notice (Gibraltar) (Display Screen Equipment) number 26 of 29/02/1996.