

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (89) 586 final - SYN 134

Brussels, 29 November 1989

REEXAMINED PROPOSAL FOR A COUNCIL DIRECTIVE

concerning the approximation of the
laws of the Member States relating to
personal protective equipment

COM(88)157 final SYN 134

(presented by the Commission
pursuant to Article 149(2)(d) of the EEC Treaty)

EXPLANATORY MEMORANDUM

On 23 October 1989 the European Parliament amended the common position adopted by the Council on 21 June 1989 on the abovementioned proposal. The amendments adopted by Parliament are attached.

Pursuant to Article 149(2)(d) of the EEC Treaty, the Commission has reexamined its proposal and decided:

- to accept amendment No 1
- not to accept amendment No 2.

The Commission takes the view that:

- as far as vocational training is concerned amendment No 2 contains a requirement which is felt to be excessive and which does not take account of the current situation in the various Member States.

This proposal takes account of the amendments requested by Parliament where the Commission has been able to accept them.

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The following is added to Annex V(1):

"... to carry out tests using state-of-the-art technology and,
preferably, non-destructive methods."

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Remarks on the amendment

which has not been accepted by the Commission

(presented by the Commission
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Amendment No 2: adding to Annex V a point 5(a) to read:

"management by staff educated to university degree level and with at
least four years professional experience;"

Commission position

Such an amendment is unacceptable for the following reasons:

- The requirement of education to university degree level with at least four years professional experience is excessive and does not take account of the current situation in the various Member States.
- This requirement is likely to create too rigid a situation, which is not desirable.
- The question of vocational training should be resolved horizontally within the context of the implementation of the 45 000 series EN standards, which will lay down the technical conditions of the control operations and the methods for the evaluation of the test laboratories and the certification bodies.

A N N E X

Amendments

A

RECOMMENDATION

(COOPERATION PROCEDURE: second reading)

concerning the common position of the Council on the proposal from the Commission for a directive on the approximation of the laws of the Member States relating to personal protective equipment

The Committee on Economic and Monetary Affairs and Industrial Policy,

- having regard to the common position of the Council (Doc. C 3-6/89 - SYN 134),

Recommends that the European Parliament

amend the common position as follows:

Common position of the Council

Amendments of the European Parliament

AMENDMENT No. 1

Annex V

Annex V

1. availability of personnel and of the necessary means and equipment;

1. availability of personnel and of the necessary means and equipment to carry out tests using state-of-the-art technology and, preferably, non-destructive methods.

AMENDMENT No. 2

Add a new point 6

6. management by staff educated to university degree level or equivalent and with at least four years professional experience;

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DOCUMENTS

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