




Basic information	
<p>2006/0222(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p>	Procedure completed
<p>Health and safety at work: protection of workers against exposure to asbestos. Codification</p> <p>Amended by 2022/0298(COD)</p> <p>Subject</p> <p>4.15.15 Health and safety at work, occupational medicine</p>	




Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	JURI Legal Affairs		GERINGER DE OEDENBERG Lidia Joanna (S&D)	02/09/2009
	Former committee responsible		Former rapporteur	Appointed
	JURI Legal Affairs			
	JURI Legal Affairs		MAYER Hans-Peter (PPE-DE)	26/03/2007
Council of the European Union	Council configuration		Meetings	Date
	Education, Youth, Culture and Sport		2978	2009-11-27
European Commission	Commission DG		Commissioner	
	Legal Service		BARROSO José Manuel	

Key events			
Date	Event	Reference	Summary
07/11/2006	Legislative proposal published	COM(2006)0664 	Summary
30/11/2006	Committee referral announced in Parliament, 1st reading		
03/05/2007	Vote in committee, 1st reading		Summary
23/05/2007	Committee report tabled for plenary, 1st reading	A6-0201/2007	
19/06/2007	Decision by Parliament, 1st reading	T6-0248/2007	Summary

19/06/2007	Results of vote in Parliament		
18/02/2009	Formal reconsultation of Parliament		
18/02/2009	Amended legislative proposal for reconsultation published	COM(2009)0071 	Summary
06/10/2009	Vote in committee, 1st reading		Summary
09/10/2009	Committee report tabled for plenary, reconsultation	A7-0033/2009	
20/10/2009	Decision by Parliament, 1st reading	T7-0037/2009	Summary
27/11/2009	Act adopted by Council after Parliament's 1st reading		
30/11/2009	Final act signed		
30/11/2009	End of procedure in Parliament		
16/12/2009	Final act published in Official Journal		

Technical information	
Procedure reference	2006/0222(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Codification
Legislative instrument	Directive
	Amended by 2022/0298(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 153-p2-a1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/00075 JURI/6/42434

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0201/2007	23/05/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0248/2007	19/06/2007	Summary
Committee final report tabled for plenary, reconsultation		A7-0033/2009	09/10/2009	
Text adopted by Parliament after reconsultation		T7-0037/2009	20/10/2009	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Draft final act	03680/2009/LEX	30/11/2009		
European Commission				
Document type	Reference	Date	Summary	
	COM(2006)0664			

Legislative proposal		07/11/2006	Summary
Amended legislative proposal for reconsultation	COM(2009)0071 	18/02/2009	Summary
Follow-up document	SWD(2017)0010 	12/01/2017	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	AT_NATIONALRAT	COM(2009)0071	10/06/2009	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ESC	Economic and Social Committee: opinion, report	CES0209/2007	15/02/2007	
ESC	Economic and Social Committee: opinion, report	CES1038/2009	10/06/2009	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

[Directive 2009/0148](#)
[OJ L 330 16.12.2009, p. 0028](#) [Summary](#)

Health and safety at work: protection of workers against exposure to asbestos. Codification

2006/0222(COD) - 07/11/2006 - Legislative proposal

PURPOSE: to codify provisions on the protection of workers from the risks related to exposure to asbestos at work.

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

CONTENT: the purpose of this proposal is to codify EU provisions on the protection of workers from the risks related to exposure to asbestos at work, as set out in Directive 83/477/EEC. In codifying acts that have been amended frequently the EU is seeking to both simplify and clarify EU legislation.

Given that no changes of substance have been made to the instruments affected by the codification exercise this proposal will be the subject of an accelerated procedure. The new Directive will supersede the various acts incorporated in it. It fully preserves the content of the acts being codified and hence does no more than bring them together, with only such formal amendments as are required by the codification exercise itself.

Health and safety at work: protection of workers against exposure to asbestos. Codification

2006/0222(COD) - 19/06/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Hans-Peter **MAYER** (EPP-ED, D) and approved the Commission proposal for a directive on the protection of workers from the risks related to exposure to asbestos at work (codified version).

Health and safety at work: protection of workers against exposure to asbestos. Codification

2006/0222(COD) - 18/02/2009 - Amended legislative proposal for reconsideration

On 7 November 2006, the Commission presented a proposal for a Directive of the European Parliament and of the Council codifying Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work.

In its opinion of 2 February 2007, the Consultative Working Party of the legal services set up under the Interinstitutional Agreement of 20 December 1994 on an accelerated working method for official codification of legislative texts stated that the proposal does indeed confine itself to straightforward codification, without any substantive changes to the acts covered by it.

Having regard to the amendments adopted in respect of the proposal and in view of the work already carried out in the Council thereon, the Commission has decided to present – in accordance with Article 250(2) of the EC Treaty – an amended proposal for codification of Directive 83/477/EEC.

The Parliament is consulted again on this amended proposal which also takes account of the purely formal or editorial changes proposed by the Consultative Working Party of the legal services, where these are considered justified.

Health and safety at work: protection of workers against exposure to asbestos. Codification

2006/0222(COD) - 20/10/2009 - Text adopted by Parliament after reconsideration

The European Parliament adopted by 643 votes to 0, with 11 abstentions, a legislative resolution approving, under the codecision procedure, the amended proposal for a directive of the European Parliament and of the Council on the protection of workers from the risks related to exposure to asbestos at work (codified version)

The text was approved as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission. According to the Consultative Working Party, the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

Health and safety at work: protection of workers against exposure to asbestos. Codification

2006/0222(COD) - 30/11/2009 - Final act

PURPOSE: to codify provisions on the protection of workers from the risks related to exposure to asbestos at work.

LEGISLATIVE ACT: Directive 2009/148/EC of the European Parliament and of the Council on the protection of workers from the risks related to exposure to asbestos at work (codified version).

CONTENT: the purpose of this Directive is to codify Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC). The new Directive will supersede the various acts incorporated in it. It fully preserves the content of the acts being codified and hence does no more than bring them together, with only such formal amendments as are required by the codification exercise itself.

ENTRY INTO FORCE: 05/01/2010.

Health and safety at work: protection of workers against exposure to asbestos. Codification

2006/0222(COD) - 12/01/2017 - Follow-up document

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

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

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

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

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

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

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

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

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

The evaluation also concerned Directive 2009/148/EC233 of the European Parliament and of the Council on the protection of workers from the risks related to exposure to asbestos at work.

The Directive lays down limit values for the exposure of asbestos at work, as well as other specific requirements. **Asbestos has been and remains one of the main occupational health challenges facing Europe**. The widespread uncontrolled use of asbestos, particularly in Western Europe has resulted in hundreds of thousands of workers dying prematurely from mesothelioma, lung cancer, and other asbestos-related diseases.

According to the evaluation, the Asbestos Directive remains highly relevant. Though the use of asbestos has been considerably limited in the EU, inter alia, as a consequence of its implementation, workers in some sectors (such as construction or maintenance) are still potentially exposed to it.

Together with the absence of detailed knowledge about exposure patterns, the long latency of asbestos-related diseases does not allow to monitor yet fully the effectiveness of the Directive **through ill-health data**. The available national data/research results suggest a decreasing of asbestos exposure, though this information is not available systematically from all Member States.

In the light of scientific progress and in order to increase the effectiveness of the Directive for the future, the **lowering of exposure limits as set in the Directive** should be considered.

The study recommended regarding the issue of incidental exposure, to request owners of public or commercial buildings to:

- screen buildings for the presence of asbestos-containing materials;
- prepare plans to manage the risks they present;
- ensure that such information is available to the public and workers who may disturb such materials in the course of their professional activities and others not so concerned, but occupying the premise.