

**Question for written answer E-004278/2015
to the Commission**
Rule 130
Richard Sulík (ECR)

Subject: Preventive and protective measures

In its judgment in Case C-459/04, the Court of Justice of the European Union confirmed that, in order to fulfil the obligation under Article 7(8) of Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work, it was not necessary for a Member State to set the requirement of specific qualifications to be held by an employee designated to organise preventive and protective services related to health (e.g. the requirement of medical training or training as a healthcare professional). The judgment also observes that the meaning of the Directive is binding upon States. This implies that there are occasions when a person who has not been medically trained may have sufficient personal potential and viable knowledge to perform such duties.

In light of this, what, in the Commission's opinion, are the minimum requirements for an employee designated to organise preventive and protective services related to health, i.e. the minimum necessary capabilities, personal aptitude, and resources, if the employer engages in activities classified under the lowest occupational risk category or where the activities carried out pose no risk to health?