



2022/0298(COD)

10.2.2023

AMENDMENTS

48 - 297

Draft report
Véronique Trillet-Lenoir
(PE738.719v01-00)

Proposal for a Directive of the European Parliament and of the Council
amending Directive 2009/148/EC on the protection of workers from the risks
related to exposure to asbestos at work

Proposal for a directive
(COM(2022)0489 – C9-0321/2022 – 2022/0298(COD))

Amendment 48

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) This Directive applies to all activities of all at-risk professions, including renovation and demolition workers, waste managers, miners and firefighters, which are or may be exposed to dust arising from asbestos or materials containing asbestos.

Or. en

Amendment 49

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) This Directive applies to all activities of all at-risk professions, including renovation and demolition workers, waste managers, miners and firefighters, which are or may be exposed to dust arising from asbestos or materials containing asbestos.

Or. en

Amendment 50

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) This Directive applies to all activities of all at-risk professions, including renovation and demolition workers, waste managers, miners and firefighters, which are or may be exposed to dust arising from asbestos or materials containing asbestos.

Or. en

Amendment 51

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Passive exposure to asbestos, occupational and non-occupational, can have significant impacts on human health. Women are particularly vulnerable to certain kinds of passive asbestos exposure. There are different types of non-occupational exposure to asbestos, whether para-occupational (including exposure to asbestos dust inadvertently carried home by workers), domestic (including household objects containing asbestos), or environmental (including materials existing in buildings and installations or of industrial origin).

Or. en

Amendment 52

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) *The concept of ‘sporadic and low intensity exposure’ is a non-science-based concept. As a result, it can not apply to a non-threshold carcinogen like asbestos, nor can it be used as a basis that justifies any exemptions from the protection measures laid down in this Directive.*

Or. en

Amendment 53

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) *Passive exposure to asbestos, occupational and non-occupational, can have significant impacts on human health. Women are particularly vulnerable to certain kinds of passive asbestos exposure. There are different types of non-occupational exposure to asbestos, whether para-occupational (including exposure to asbestos dust inadvertently carried home by workers), domestic (including household objects containing asbestos), or environmental (including materials existing in buildings and installations or of industrial origin).*

Or. en

Amendment 54

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 2 d (new)

Text proposed by the Commission

Amendment

(2d) *Passive exposure to asbestos, occupational and non-occupational, can have significant impacts on human health. Women are particularly vulnerable to certain kinds of passive asbestos exposure. There are different types of non-occupational exposure to asbestos, whether para-occupational (including exposure to asbestos dust inadvertently carried home by workers), domestic (including household objects containing asbestos), or environmental (including materials existing in buildings and installations or of industrial origin);*

Or. en

Amendment 55

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 2 d (new)

Text proposed by the Commission

Amendment

(2d) *The concept of ‘sporadic and low intensity exposure’ is a non science-based concept. As a result, it can not apply to a non-threshold carcinogen like asbestos, nor can it be used as a basis that justifies any exemptions from the protection measures laid down in this Directive.*

Or. en

Amendment 56

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 2 d (new)

(2d) The concept of ‘sporadic and low intensity exposure’ is a non science-based concept. As a result it can not apply to a non-threshold carcinogen like asbestos, nor can it be used as a basis that justifies any exemptions from the protection measures laid down in this Directive.

Or. en

Amendment 57

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 3

(3) Asbestos is a highly dangerous carcinogenic agent, still affecting different economic sectors, such as building and renovation, mining and quarrying, waste management **and** firefighting, where workers are at high risk of being exposed. Asbestos fibres are classified as carcinogens 1A according to Regulation (EC) 1272/2008 of the European Parliament and of the Council⁶⁵. When inhaled, airborne asbestos fibres can lead to serious diseases such as mesothelioma and lung cancer, and the first signs of disease may take an average of 30 years to manifest from the moment of exposure, ultimately leading to work-related deaths.

⁶⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of

(3) Asbestos is a highly dangerous carcinogenic agent, still affecting different economic sectors, such as building and renovation, mining and quarrying, waste management, firefighting **and also all working places where asbestos is still present and decaying**, where workers are at high risk of being exposed. Asbestos fibres are classified as carcinogens 1A according to Regulation (EC) 1272/2008 of the European Parliament and of the Council⁶⁵ **and are by far the major cause of work-related cancer, with as much as 78% of occupational cancers recognised in the Member States as being related to asbestos**. When inhaled, airborne asbestos fibres can lead to serious diseases such as mesothelioma and lung cancer, and the first signs of disease may take an average of 30 years to manifest from the moment of exposure, ultimately leading to work-related deaths.

⁶⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of

16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (Text with EEA relevance)OJ L 353, 31.12.2008, p. 1.

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Or. en

Amendment 58 Cindy Franssen

Proposal for a directive Recital 3

Text proposed by the Commission

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Or. en

Amendment 59

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 3

Text proposed by the Commission

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Or. en

Amendment 60

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

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Or. en

Amendment 61

Cindy Franssen

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Following the new scientific and technological developments in the area, there is scope to improve the protection of workers exposed to asbestos and thus to reduce the probability of workers contracting asbestos-related diseases. For asbestos, being a non-threshold carcinogen, it is not scientifically possible to identify levels below which exposure would not lead to adverse health effects. Instead, an exposure-risk relationship (ERR) can be derived, facilitating the setting of an occupational exposure limit ('OEL') **by taking into account an acceptable level of excess risk**. As a consequence, the OEL for asbestos should be revised in order to reduce the risk by lowering exposure levels.

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(4) Following the new scientific and technological developments in the area, there is scope to improve the protection of workers exposed to asbestos and thus to reduce the probability of workers contracting asbestos-related diseases. For asbestos, being a non-threshold carcinogen, it is not scientifically possible to identify levels below which exposure would not lead to adverse health effects. Instead, an exposure-risk relationship (ERR) can be derived, facilitating the setting of an occupational exposure limit ('OEL'). As a consequence, the OEL for asbestos should be revised in order to reduce the risk by lowering exposure levels.

Or. en

Amendment 62
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Following the new scientific and technological developments in the area, there is scope to improve the protection of workers exposed to asbestos and thus to reduce the probability of workers contracting asbestos-related diseases. For asbestos, being a non-threshold carcinogen, it is not scientifically possible to identify levels below which exposure would not lead to adverse health effects. Instead, an exposure-risk relationship (ERR) can be derived, facilitating the setting of an

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occupational exposure limit ('OEL') **by taking into account an acceptable level of excess risk**. As a consequence, the OEL for asbestos should be revised in order to reduce the risk by lowering exposure levels.

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Or. en

Amendment 63

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive Recital 4

Text proposed by the Commission

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Or. en

Amendment 64

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive Recital 4

Text proposed by the Commission

(4) Following the new scientific and technological developments in the area, there is scope to improve the protection of workers exposed to asbestos and thus to reduce the probability of workers contracting asbestos-related diseases. For asbestos, being a non-threshold carcinogen, it is not scientifically possible to identify levels below which exposure would not lead to adverse health effects. Instead, an exposure-risk relationship (ERR) can be derived, facilitating the setting of an occupational exposure limit ('OEL') **by taking into account an acceptable level of excess risk**. As a consequence, the OEL for asbestos should be revised in order to reduce the risk by lowering exposure levels.

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Or. en

Amendment 65

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

**Proposal for a directive
Recital 7**

Text proposed by the Commission

(7) The limit value for asbestos set out in Directive 2009/148/EC should be revised in the light of the Commission's evaluations and recent scientific evidence and technical data. ***Its revision is also an effective way to ensure that*** preventive and protective measures are ***updated accordingly*** in all Member States.

Amendment

(7) The limit value for asbestos set out in Directive 2009/148/EC should be revised in the light of the Commission's evaluations and recent scientific evidence and technical data. ***Strengthened*** preventive and protective measures are ***needed to implement such a revision of the limit value*** in all Member States.

Or. en

**Amendment 66
Cindy Franssen**

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) The limit value for asbestos set out in Directive 2009/148/EC should be revised in the light of the Commission's evaluations and recent scientific evidence and technical data. ***Its revision is also an effective way to ensure that*** preventive and protective measures are ***updated accordingly*** in all Member States.

Amendment

(7) The limit value for asbestos set out in Directive 2009/148/EC should be revised in the light of the Commission's evaluations and recent scientific evidence and technical data. ***Strengthened*** preventive and protective measures are ***needed to implement such a revision of the limit value*** in all Member States.

Or. en

Amendment 67

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) The limit value for asbestos set out in Directive 2009/148/EC should be revised in the light of the Commission's evaluations and recent scientific evidence and technical data. ***Its revision is also an effective way to ensure that*** preventive and protective measures are ***updated accordingly*** in all Member States.

Amendment

(7) The limit value for asbestos set out in Directive 2009/148/EC should be revised in the light of the Commission's evaluations and recent scientific evidence and technical data. ***Strengthened*** preventive and protective measures are ***needed to implement such a revision of the limit value*** in all Member States.

Or. en

Amendment 68

Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) The limit value for asbestos set out

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Or. en

Amendment 69

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 9

Text proposed by the Commission

Amendment

(9) Taking into account the relevant scientific expertise and a balanced approach ensuring at the same time adequate protection of workers at Union level and avoiding disproportionate economic disadvantages and burdens for the affected economic operators (including SMEs), a revised OEL equal to 0.01 fibres/cm³ as an 8-hour time-weighted average (TWA) should be established. This balanced approach is underpinned by a public health objective aiming at the necessary safe removal of asbestos. Consideration has also been given to proposing an OEL that takes into account economic and technical considerations to allow an effective removal.

deleted

Or. en

Amendment 70

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 9

(9) Taking into account the relevant scientific expertise and a balanced approach ensuring at the same time adequate protection of workers at Union level and avoiding disproportionate economic disadvantages and burdens for the affected economic operators (including SMEs), a revised OEL equal to 0.01 fibres/cm³ as an 8-hour time-weighted average (TWA) should be established. This balanced approach is underpinned by a public health objective aiming at the necessary safe removal of asbestos. Consideration has also been given to proposing an OEL that takes into account economic and technical considerations to allow an effective removal. *deleted*

Or. en

Amendment 71

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 9

(9) Taking into account the relevant scientific expertise and a balanced approach ensuring at the same time adequate protection of workers at Union level and avoiding disproportionate economic disadvantages and burdens for the affected economic operators (including SMEs), a revised OEL equal to 0.01 fibres/cm³ as an 8-hour time-weighted average (TWA) should be established. This balanced approach is underpinned by a public health objective aiming at the necessary safe removal of asbestos. Consideration has also been given to proposing an OEL that takes into account economic and technical *deleted*

considerations to allow an effective removal.

Or. en

Amendment 72
Cindy Franssen

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) Taking into account the relevant scientific expertise and a balanced approach ensuring at the same time adequate protection of workers at Union level and avoiding disproportionate economic disadvantages and burdens for the affected economic operators (including SMEs), a revised OEL equal to **0.01** fibres/cm³ as an 8-hour time-weighted average (TWA) should be established. This balanced approach is underpinned by a public health objective aiming at the necessary safe removal of asbestos. Consideration has also been given to proposing an OEL that takes into account economic and technical considerations to allow an effective removal.

Amendment

(9) Taking into account the relevant scientific expertise and a balanced approach ensuring at the same time adequate protection of workers at Union level and avoiding disproportionate economic disadvantages and burdens for the affected economic operators (including SMEs), a revised OEL equal to **0.001** fibres/cm³ as an 8-hour time-weighted average (TWA) should be established. This balanced approach is underpinned by a public health objective aiming at the necessary safe removal of asbestos. Consideration has also been given to proposing an OEL that takes into account economic and technical considerations to allow an effective removal.

Or. en

Amendment 73
Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Optical microscopy, although it does not allow a counting of the smallest fibres detrimental to health, is currently the most used method for the regular measuring of asbestos. As it is possible to

Amendment

(11) Optical microscopy, although it does not allow a counting of the smallest fibres detrimental to health, is currently the most used method for the regular measuring of asbestos. As it is possible to

measure an OEL equal to 0.01 f/cm³ with phase-contrast microscope (PCM), no transition period is needed for the implementation of the revised OEL. In line with the opinion of the ACSH, a more modern and sensitive methodology based on electron microscopy should be used, while taking into account the need for an adequate period of adaptation **and for more EU level harmonisation of different electron microscopy methodologies.**

measure an OEL equal to 0.01 f/cm³ with phase-contrast microscope (PCM), no transition period is needed for the implementation of the revised OEL. In line with the opinion of the ACSH, a more modern and sensitive methodology based on electron microscopy should be used, while taking into account the need for an adequate period of adaptation. ***In light of the fact that thinner asbestos fibres (<0,2 µm) are also carcinogenic, those fibres should be taken into account when measuring exposure in the workplace. Electron microscopy, which allows the detection of such thinner asbestos fibres should be used for that purpose. The Commission should support and facilitate Member States with regard to the new methodology for measuring asbestos fibres, in particular through the development of guidelines and providing information on relevant Union funds which can be used for that purpose.***

Or. en

Amendment 74 **Cindy Franssen**

Proposal for a directive **Recital 11**

Text proposed by the Commission

(11) Optical microscopy, although it does not allow a counting of the smallest fibres detrimental to health, is currently the most used method for the regular measuring of asbestos. ***As it is possible to measure an OEL equal to 0.01 f/cm³ with phase-contrast microscope (PCM), no transition period is needed for the implementation of the revised OEL.*** In line with the opinion of the ACSH, a more modern and sensitive methodology based on electron microscopy should be used, while taking into account the need for an adequate period of adaptation **and for**

Amendment

(11) Optical microscopy, although it does not allow a counting of the smallest fibres detrimental to health, is currently the most used method for the regular measuring of asbestos. In line with the opinion of the ACSH, a more modern and sensitive methodology based on electron microscopy should be used, while taking into account the need for an adequate period of adaptation. ***In light of the fact that thinner asbestos fibres (<0,2 µm) are also carcinogenic, those fibres should be taken into account when measuring exposure in the workplace.*** Electron

more EU level harmonisation of different electron microscopy methodologies.

microscopy, which allows the detection of such thinner asbestos fibres or similar advanced methods should be used for that purpose. In order to allow for sufficient time to comply with the new requirement, a transposition period of five years should be provided. During that transposition period, Member States can continue to carry out fibre counting by phase-contrast microscopy.

Or. en

Amendment 75

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) Optical microscopy, although it does not allow a counting of the smallest fibres detrimental to health, is currently the most used method for the regular measuring of asbestos. As it is possible to measure an OEL equal to 0.01 f/cm³ with phase-contrast microscope (PCM), no transition period is needed for the implementation of the revised OEL. In line with the opinion of the ACSH, a more modern and sensitive methodology based on electron microscopy should be used, while taking into account the need for an adequate period of adaptation *and for more EU level harmonisation of different electron microscopy methodologies.*

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*information on relevant Union funds
which can be used for that purpose.*

Or. en

Amendment 76

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

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Text proposed by the Commission

(11) Optical microscopy, although it does not allow a counting of the smallest fibres detrimental to health, is currently the most used method for the regular measuring of asbestos. ***As it is possible to measure an OEL equal to 0.01 f/cm³ with phase-contrast microscope (PCM), no transition period is needed for the implementation of the revised OEL.*** In line with the opinion of the ACSH, a more modern and sensitive methodology based on electron microscopy should be used, while taking into account the need for an adequate period of adaptation ***and for more EU level harmonisation of different electron microscopy methodologies.***

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Or. en

Amendment 77

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Taking into account the relevant scientific expertise, the need to increase the protection of workers at Union level, a public health objective that aims to remove asbestos, as well as technical considerations with regard to monitoring compliance, a revised OEL equal to 0,001 fibres/cm³ as an 8-hour time-weighted average should be established as an appropriate first step to reducing the risks of asbestos exposure. Due to the ongoing renovation wave of buildings, it is important to implement that revised OEL as soon as possible and no transition period should therefore apply. As electron microscopy would allow the detection of thinner asbestos fibres, the revised OEL, combined with the new methodology, is expected to ensure better a protection of workers against asbestos exposure. In line with the vision-zero approach of the Union strategic framework on health and safety at work, a constant effort to reduce exposure to this strong non-threshold carcinogen is needed. By ... [five years after the entry into force of this Directive], based on the experience acquired, up-to-date scientific evidence and technical data, and after consulting the social partners, the Commission should evaluate the feasibility of a further reduction of the asbestos exposure limit.

Or. en

Amendment 78

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive
Recital 11 a (new)

(11a) Taking into account the relevant scientific expertise, the need to increase the protection of workers at Union level, a public health objective that aims to remove asbestos, as well as technical considerations with regard to monitoring compliance, a revised OEL equal to 0,001 fibres/cm³ as an 8-hour time-weighted average should be established as an appropriate first step to reducing the risks of asbestos exposure. Due to the ongoing renovation wave of buildings, it is important to implement that revised OEL as soon as possible and no transition period should therefore apply. As electron microscopy would allow the detection of thinner asbestos fibres, the revised OEL, combined with the new methodology, is expected to ensure a better protection of workers against asbestos exposure. In line with the vision-zero approach of the Union strategic framework on health and safety at work, a constant effort to reduce exposure to this strong non-threshold carcinogen is needed. By ... [five years after the entry into force of this Directive], based on the experience acquired, up-to-date scientific evidence and technical data, and after consulting the social partners, the Commission should evaluate the feasibility of a further reduction of the asbestos exposure limit.

Or. en

Amendment 79

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 11 a (new)

(11a) Taking into account the relevant scientific expertise, the need to increase

the protection of workers at Union level, a public health objective that aims to remove asbestos, as well as technical considerations with regard to monitoring compliance, a revised OEL equal to 0,001 fibres/cm³ as an 8-hour time-weighted average should be established as an appropriate first step to reducing the risks of asbestos exposure. Due to the ongoing renovation wave of buildings, it is important to implement that revised OEL as soon as possible and no transition period should therefore apply. As electron microscopy would allow the detection of thinner asbestos fibres, the revised OEL, combined with the new methodology, is expected to ensure better a protection of workers against asbestos exposure. In line with the vision-zero approach of the Union strategic framework on health and safety at work, a constant effort to reduce exposure to this strong non-threshold carcinogen is needed. By ... [five years after the entry into force of this Directive], based on the experience acquired, up-to-date scientific evidence and technical data, and after consulting the social partners, the Commission should evaluate the feasibility of a further reduction of the asbestos exposure limit.

Or. en

Amendment 80
Cindy Franssen

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Taking into account the relevant scientific expertise, the need to increase the protection of workers at Union level, a public health objective that aims to remove asbestos, as well as technical considerations with regard to monitoring compliance, a revised OEL equal to 0,001

fibres/cm³ as an 8-hour time-weighted average should be established. Due to the ongoing renovation wave of buildings, it is important to implement that revised OEL as soon as possible. As electron microscopy would allow the detection of thinner asbestos fibres, the revised OEL, combined with the new methodology, is expected to ensure a better a protection of workers against asbestos exposure. In line with the vision-zero approach of the Union strategic framework on health and safety at work, a constant effort to reduce exposure to this strong non-threshold carcinogen is needed. In order to allow for sufficient time to comply with the new requirement, a transposition period of five years should be provided. During that transposition period, Member States can continue to carry out fibre counting by phase-contrast microscopy.

Or. en

Amendment 81
Elena Lizzi, Paola Ghidoni, Stefania Zambelli

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In the light of the fact that thinner asbestos fibres (<0.2 µm) are also carcinogenic, those fibres should be taken into account when measuring exposure in the workplace. Electron microscopy, which allows the detection of such thinner asbestos fibres, or similar advanced methods, should be used for that purpose. To allow sufficient time to comply with the new requirement, a transposition period of seven years should be set.

Or. it

Amendment 82

Cindy Franssen

Proposal for a directive

Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) The asbestos sampling should be representative of the worker's personal exposure to asbestos. Samples should therefore be taken at regular intervals during specific operational phases in representative and realistic situations in which workers are exposed to asbestos dust. If it is not possible for sampling to be representative of the worker's personal exposure to asbestos, all appropriate protective measures should be applied.

Or. en

Amendment 83

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) The asbestos sampling should be representative of the worker's personal exposure to asbestos. Samples should therefore be taken at regular intervals during specific operational phases in representative and realistic situations in which workers are exposed to asbestos dust. If it is not possible for sampling to be representative of the worker's personal exposure to asbestos, all appropriate protective measures should be applied.

Or. en

Amendment 84
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) The asbestos sampling should be representative of the worker's personal exposure to asbestos. Samples should therefore be taken at regular intervals during specific operational phases in representative and realistic situations in which workers are exposed to asbestos dust. If it is not possible for sampling to be representative of the worker's personal exposure to asbestos, all appropriate protective measures should be applied.

Or. en

Amendment 85
Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) The asbestos sampling should be representative of the worker's personal exposure to asbestos. Samples should therefore be taken at regular intervals during specific operational phases in representative and realistic situations in which workers are exposed to asbestos dust. If it is not possible for sampling to be representative of the worker's personal exposure to asbestos, all appropriate protective measures should be applied.

Or. en

Amendment 86

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) Asbestos should be kept out of the circular economy to protect workers from unknowingly reusing dangerous materials. Life-cycle-management of building materials is an important part of the circular economy. In the framework of the new EU Circular Economy Action Plan.

Or. en

Amendment 87

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) Asbestos should be kept out of the circular economy to protect workers from unknowingly reusing dangerous materials. Life-cycle-management of building materials is an important part of the circular economy. In the framework of the new EU Circular Economy Action Plan.

Or. en

Amendment 88

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) Asbestos should be kept out of the circular economy to protect workers from unknowingly reusing dangerous materials. Life-cycle-management of building materials is an important part of the circular economy in the framework of the new EU Circular Economy Action Plan.

Or. en

Amendment 89

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) In the context of health and safety at work, state-of-the-art technology must always be applied to achieve the highest possible level of protection. Technical minimum requirements need to lower the concentration of asbestos fibres in the air to the lowest level technically possible, including through dust suppression and the suction of dust at the source, continuous sedimentation, and means of decontamination, combined with minimum requirements for the pressure difference between asbestos enclosures and surroundings, fresh air supply and HEPA filters.

Or. en

Amendment 90

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 12 a (new)

(12a) In the context of health and safety at work, state-of-the-art technology must always be applied to achieve the highest possible level of protection. Technical minimum requirements need to lower the concentration of asbestos fibres in the air to the lowest level technically possible, including through dust suppression and the suction of dust at the source, continuous sedimentation, and means of decontamination, combined with minimum requirements for the pressure difference between asbestos enclosures and surroundings, fresh air supply and HEPA filters.

Or. en

Amendment 91

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 12 a (new)

(12a) In the context of health and safety at work, state-of-the-art technology must always be applied to achieve the highest possible level of protection. Technical minimum requirements need to lower the concentration of asbestos fibres in the air to the lowest level technically possible, including through dust suppression and the suction of dust at the source, continuous sedimentation, and means of decontamination, combined with minimum requirements for the pressure difference between asbestos enclosures and surroundings, fresh air supply and HEPA filters.

Or. en

Amendment 92
Cindy Franssen

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) Special control measures and precautions are needed ***for workers exposed or likely to be exposed to*** asbestos, ***such as*** subjecting workers to a decontamination procedure and related training, in order to significantly contribute to reducing the risks related to such exposure.

Amendment

(13) Special control measures and precautions are needed ***to lower the concentration of*** asbestos ***fibres in the air to as low a level as is technically possible below the limit value.*** Subjecting workers to a decontamination procedure and ***strengthening the*** related training ***requirements are important elements*** in order to significantly contribute to reducing the risks related to such exposure. ***In order to ensure a level playing field, an annex to this Directive should provide for minimum training requirements, including specific requirements for workers in specialised asbestos removal undertakings.***

Or. en

Amendment 93
Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) Special control measures and precautions are needed ***for workers exposed or likely to be exposed to*** asbestos, ***such as*** subjecting workers to a decontamination procedure and related training, in order to significantly contribute to reducing the risks related to such exposure.

Amendment

(13) Special control measures and precautions are needed ***to lower the concentration of*** asbestos ***fibres in the air to as low a level as is technically possible below the limit value.*** Subjecting workers to a decontamination procedure and ***strengthening the*** related training ***requirements are important elements*** in order to significantly contribute to reducing the risks related to such exposure. ***In order to ensure a level playing field, an annex to***

this Directive should provide for minimum training requirements, including specific requirements for workers in specialised asbestos removal undertakings.

Or. en

Amendment 94

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) Special control measures and precautions are needed *for workers exposed or likely to be exposed to* asbestos, *such as* subjecting workers to a decontamination procedure and related training, in order to significantly contribute to reducing the risks related to such exposure.

Amendment

(13) Special control measures and precautions are needed *to lower the concentration of* asbestos *fibres in the air to as low a level as is technically possible below the limit value*. Subjecting workers to a decontamination procedure and *strengthening the* related training *requirements are important elements* in order to significantly contribute to reducing the risks related to such exposure. *In order to ensure a level playing field, an annex to this Directive should provide for minimum training requirements, including specific requirements for workers in specialised asbestos removal undertakings.*

Or. en

Amendment 95

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) Special control measures and

Amendment

(13) Special control measures and

precautions are needed *for workers exposed or likely to be exposed to* asbestos, *such as* subjecting workers to a decontamination procedure and related training, in order to significantly contribute to reducing the risks related to such exposure.

precautions are needed *to lower the concentration of* asbestos *fibres in the air to as low a level as is technically possible below the limit value*. Subjecting workers to a decontamination procedure and *strengthening the* related training *requirements are important elements* in order to significantly contribute to reducing the risks related to such exposure. *In order to ensure a level playing field, an annex to this Directive should provide for minimum training requirements, including specific requirements for workers in specialised asbestos removal undertakings.*

Or. en

Amendment 96
Cindy Franssen

Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The notification system is important to allow the supervision by the competent national authority of works during which asbestos may be disturbed. The information should include the following additional elements to better inform the national competent authority: the areas in which the work is to be carried out, the equipment used for the protection and decontamination of workers, and a plan for waste disposal. Such additional information would allow, where appropriate, the intervention of the competent national authority to ensure the protection of those involved.

Or. en

Amendment 97
Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De

Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The notification system is important to allow the supervision by the competent national authority of works during which asbestos may be disturbed. The information should include the following additional elements to better inform the national competent authority: the areas in which the work is to be carried out, the equipment used for the protection and decontamination of workers, and a plan for waste disposal. Such additional information would allow, where appropriate, the intervention of the competent national authority to ensure the protection of those involved.

Or. en

Amendment 98
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The notification system is important to allow the supervision by the competent national authority of works during which asbestos may be disturbed. The information should include the following additional elements to better inform the national competent authority: the areas in which the work is to be carried out, the equipment used for the protection and decontamination of workers, and a plan for waste disposal. Such additional information would allow, where appropriate, the intervention of the competent national authority to ensure

the protection of those involved.

Or. en

Amendment 99
Cindy Franssen

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) Employers should take all necessary steps to identify presumed asbestos-containing materials, if appropriate by obtaining information from the owners of the premises as well as other sources of information, including relevant registers. **They** should record, before the start of any asbestos removal project, the presence or presumed presence of asbestos in buildings **or** installations **and** communicate **this** information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities **in or on buildings**.

Amendment

(15) Employers should take all necessary steps to identify presumed asbestos-containing materials, if appropriate by obtaining information from the owners of the premises as well as other sources of information, including relevant registers. ***If such information is lacking, asbestos screening should be carried out by a certified operator. That operator*** should record, before the start of any asbestos removal project, ***demolition or renovation, information relating to*** the presence or presumed presence of asbestos ***that is likely to be disturbed during the works*** in buildings, ***ships, aircrafts or other*** installations ***that were built before the national asbestos ban entered into force. Such screening should be carried out by a qualified and certified operator and should include a diagnosis adopted to the workplace. A report should state either the absence or the presence of asbestos, and its fibre type if present, with a detailed description of the nature of contamination and its precise location and estimated quantities. That operator should*** communicate ***that*** information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities.

Or. en

Amendment 100

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) Employers should ***take all necessary steps to identify presumed asbestos-containing materials, if appropriate by obtaining information from the owners of the premises as well as other sources of information, including relevant registers. They should record, before the start of any asbestos removal project, the presence or presumed presence of asbestos in buildings or installations and*** communicate this information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities in or on buildings.

Amendment

(15) Employers should ***be required to carry out a screening for the presence of*** asbestos-containing materials ***on*** the premises ***prior to*** the start of any ***work in buildings, ships, aircrafts or other installations build before the national asbestos ban came into force. Such screening should be carried out by a qualified and certified operator and should include a diagnosis adopted to the workplace. A report should state either the absence or the presence of asbestos, and its fibre type if present, with a detailed description of the nature of contamination and its precise location and estimated quantities. That operator should*** communicate this information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities in or on buildings.

Or. en

Amendment 101

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) Employers should ***take all necessary steps to identify presumed asbestos-containing materials, if appropriate by obtaining information from the owners of the premises as well as other sources of information, including relevant registers. They should record, before the start of any asbestos removal***

Amendment

(15) Employers should ***be required to carry out a screening for the presence of*** asbestos-containing materials ***on*** the premises ***prior to*** the start of any ***work in buildings, ships, aircrafts or other installations build before the national ban came into force. Such screening should be carried out by a qualified and certified***

project, the presence or presumed presence of asbestos in buildings or installations and communicate this information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities *in or on buildings*.

operator and should include a diagnosis adapted to the workplace. A report should state either the absence or the presence of asbestos, and its fibre type if present, with a detailed description of the nature of contamination and its precise location and estimated quantities. That operator should communicate this information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities.

Or. en

Amendment 102

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) Employers should *take all necessary steps to identify presumed* asbestos-containing materials, *if appropriate by obtaining information from the owners of the premises as well as other sources of information, including relevant registers. They should record, before the start of any asbestos removal project, the presence or presumed* presence of asbestos *in buildings or installations and* communicate this information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities *in or on buildings*.

Amendment

(15) Employers should *be required to carry out a screening for the presence of* asbestos-containing materials *on the premises prior to the start of any work in buildings, ships, aircrafts or other installations build before the national ban came into force. Such screening should be carried out by a qualified and certified operator and should include a diagnosis adapted to the workplace. A report should state either the absence or the presence of asbestos, and its fibre type if present, with a detailed description of the nature of contamination and its precise location and estimated quantities. That operator should* communicate this information to others who may be exposed to asbestos as a result of its use, of maintenance or of other activities.

Or. en

Amendment 103

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) The safe removal and disposal of asbestos-containing materials should be a priority, because repair, maintenance, encapsulation or sealing only lead to the postponement of the removal, which can perpetuate the risks for inhabitants and workers for many years. The encapsulation and sealing of asbestos-containing materials which can technically be removed should be prohibited, while not putting poorer households at a disadvantage because of their inability to afford necessary renovations. Appropriate accompanying measures are therefore needed. In that regard, the Union provides significant funding, in particular through the Recovery and Resilience Facility, to be used to support national measures for the removal of asbestos in the context of renovations. Where asbestos is not removed, the relevant structures should be identified, registered and regularly monitored.

Or. en

Amendment 104

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) The safe removal and disposal of asbestos-containing materials should be a priority, because repair, maintenance, encapsulation or sealing only lead to the

postponement of the removal, which can perpetuate the risks for inhabitants and workers for many years. The encapsulation and sealing of asbestos-containing materials which can technically be removed should be prohibited, while not putting poorer households at a disadvantage because of their inability to afford necessary renovations. Appropriate accompanying measures are therefore needed. In that regard, the Union provides significant funding, in particular through the Recovery and Resilience Facility, to be used to support national measures for the removal of asbestos in the context of renovations. Where asbestos is not removed, the relevant structures should be identified, registered and regularly monitored.

Or. en

Amendment 105
Cindy Franssen

Proposal for a directive
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) The safe removal and disposal of asbestos-containing materials should be a priority, because repair, maintenance, encapsulation or sealing only lead to the postponement of the removal, which can perpetuate the risks for inhabitants and workers for many years. The encapsulation and sealing of asbestos-containing materials which can technically be removed should be prohibited, while not putting poorer households at a disadvantage because of their inability to afford necessary renovations. Appropriate accompanying measures are therefore needed. In that regard, the Union provides significant funding, in particular through the

Recovery and Resilience Facility, to be used to support national measures for the removal of asbestos in the context of renovations. Where asbestos is not removed, the relevant structures should be identified, registered and regularly monitored.

Or. en

Amendment 106

Elena Lizzi, Paola Ghidoni, Stefania Zambelli

Proposal for a directive

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Appropriate accompanying and support measures are needed. In this regard, the Member States shall provide support to all those involved in handling and removing asbestos, particularly SMEs and building owners. The Commission shall make adequate funding available for the transition to an asbestos-free Europe through instruments such as the European Recovery and Resilience Fund, the European Regional Development Fund (ERDF), the Cohesion Fund (CF), EU4Health and the European Social Fund Plus. The Member States shall facilitate the process of allocating funds for the various adjustments needed, such as equipping and training SMEs and workers involved in removing asbestos.

Or. it

Amendment 107

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15 b (new)

(15b) The safe removal and disposal of asbestos-containing materials should be a priority, because repair, maintenance, encapsulation or sealing only lead to the postponement of the removal, which can perpetuate the risks for inhabitants and workers for many years. The encapsulation and sealing of asbestos-containing materials which can technically be removed should be prohibited, while not putting poorer households at a disadvantage because of their inability to afford necessary renovations. Appropriate accompanying measures are therefore needed. In that regard, the Union provides significant funding, in particular through the Recovery and Resilience Facility, to be used to support national measures for the removal of asbestos in the context of renovations. Where asbestos is not removed, the relevant structures should be identified, registered and regularly monitored.

Or. en

Amendment 108

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15 b (new)

(15b) In order to provide for the implementation of this Directive, the necessary measure should be taken by member states to guarantee the enforcing applicable laws and regulations, including through a the support of the labour inspectorate in consideration to the International Labour Organisation's (ILO) minimum objective of one inspector

for every 10.000 workers.

Or. en

Amendment 109

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) In order to provide for the implementation of this Directive, the necessary measure should be taken by member states to guarantee the enforcing applicable laws and regulations, including through a the support of the labour inspectorate in consideration to the International Labour Organisation's (ILO) minimum objective of one inspector for every 10.000 workers.

Or. en

Amendment 110

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) In order to provide for the implementation of this Directive, the necessary measure should be taken by member states to guarantee the enforcing applicable laws and regulations, including through a the support of the labour inspectorate in consideration to the International Labour Organisation's (ILO) minimum objective of one inspector for every 10.000 workers.

Or. en

Amendment 111

Elena Lizzi, Paola Ghidoni, Stefania Zambelli

Proposal for a directive

Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) The inspectors shall receive support from the Member States, and the requisite means shall be deployed to further their mission. The Member States shall build the inspectors' resources and skills, with the aim of supporting their activities and extending checks at problematic sites or in the event of suspicions or reports of illegal activity.

Or. it

Amendment 112

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15 c (new)

Text proposed by the Commission

Amendment

(15c) There is a need to provide sufficient and focused administrative support to help employers, in particular microenterprises and small and medium-sized enterprises, to implement this Directive. In particular, standardised processes for the removal of asbestos-containing materials would help to reduce the levels of asbestos dust, the cost of those operations and facilitate the fulfilment of the notification requirements.

Or. en

Amendment 113

Cindy Franssen

Proposal for a directive

Recital 15 c (new)

Text proposed by the Commission

Amendment

(15c) There is a need to provide sufficient and focused administrative support to help employers, in particular microenterprises and small and medium-sized enterprises, implement this Directive. In particular, standardised processes for the removal of asbestos-containing materials would help to reduce the levels of asbestos dust, the cost of those operations and facilitate the fulfilment of the notification requirements.

Or. en

Amendment 114

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15 c (new)

Text proposed by the Commission

Amendment

(15c) There is a need to provide sufficient and focused administrative support to help employers, in particular microenterprises and small and medium-sized enterprises, implement this Directive. In particular, standardised processes for the removal of asbestos-containing materials would help to reduce the levels of asbestos dust, the cost of those operations and facilitate the fulfilment of the notification requirements.

Or. en

Amendment 115

Cindy Franssen

Proposal for a directive

Recital 15 c (new)

Text proposed by the Commission

Amendment

(15c) Directive 2009/148/EC should be regularly updated to take into account the latest scientific knowledge and technical developments including an evaluation of different types of asbestos fibres and their adverse health effects. The Commission should start by entry into force of this Directive the consultation process for updating the provisions on fibrous silicates and, in that context, should in particular assess whether riebeckite, winchite, richterite, fluoro-edenite or erionite should be included within the scope of that Directive.

Or. en

Amendment 116

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15 d (new)

Text proposed by the Commission

Amendment

(15d) Directive 2009/148/EC should be regularly updated to take into account the latest scientific knowledge and technical developments including an evaluation of different types of asbestos fibres and their adverse health effects. The Commission should start by entry into force of this Directive the consultation process for updating the provisions on fibrous silicates and, in that context, should in particular assess whether riebeckite, winchite, richterite and fluoro-edenite should be included within the scope of

that Directive.

Or. en

Amendment 117

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15 d (new)

Text proposed by the Commission

Amendment

(15d) Directive 2009/148/EC should be regularly updated to take into account the latest scientific knowledge and technical developments including an evaluation of different types of asbestos fibres and their adverse health effects. The Commission should start by entry into force of this Directive the consultation process for updating the provisions on fibrous silicates and, in that context, should in particular assess whether riebeckite, winchite, richterite, fluoro-edenite should be included within the scope of that Directive.

Or. en

Amendment 118

Cindy Franssen

Proposal for a directive

Recital 15 d (new)

Text proposed by the Commission

Amendment

(15d) In order to keep pace with technological developments, the Commission should every five years, after consulting the social partners, review the technological and scientific information on asbestos identification, measurement and warning technology and should issue guidelines where such technology is to be used in order to protect workers from

exposure to asbestos. A more systematic exchange between Member States of best practices should also be established for that purpose.

Or. en

Amendment 119

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15 d (new)

Text proposed by the Commission

Amendment

(15d) There is a need to provide sufficient and focused administrative support to help employers, in particular microenterprises and small and medium-sized enterprises, implement this Directive. In particular, standardised processes for the removal of asbestos-containing materials would help to reduce the levels of asbestos dust, the cost of those operations and facilitate the fulfilment of the notification requirements.

Or. en

Amendment 120

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15 e (new)

Text proposed by the Commission

Amendment

(15e) In order to keep pace with technological developments, the Commission should, by ...[five years after the entry into force of this Directive] and every five years thereafter, after consulting the social partners, review the technological and scientific information

on asbestos identification, measurement and warning technology and should issue guidelines where such technology is to be used in order to protect workers from exposure to asbestos. A more systematic exchange between Member States of best practices should also be established for that purpose.

Or. en

Amendment 121

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15 e (new)

Text proposed by the Commission

Amendment

(15e) In order to keep pace with technological developments, the Commission should, by ...[five years after the entry into force of this Directive] and every five years thereafter, after consulting the social partners, review the technological and scientific information on asbestos identification, measurement and warning technology and should issue guidelines where such technology is to be used in order to protect workers from exposure to asbestos. A more systematic exchange between Member States of best practices should also be established for that purpose.

Or. en

Amendment 122

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15 e (new)

Text proposed by the Commission

Amendment

(15e) Directive 2009/148/EC should be regularly updated to take into account the latest scientific knowledge and technical developments including an evaluation of different types of asbestos fibres and their adverse health effects. The Commission should start by entry into force of this Directive the consultation process for updating the provisions on fibrous silicates and, in that context, should in particular assess whether riebeckite, winchite, richterite, fluoro-edenite should be included within the scope of that Directive.

Or. en

Amendment 123

Cindy Franssen

Proposal for a directive

Recital 15 e (new)

Text proposed by the Commission

Amendment

(15e) In order to support the implementation of this Directive, the Commission should, in cooperation with the ACSH, develop guidelines. Those guidelines should, where appropriate, include sector-specific responses.

Or. en

Amendment 124

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15 f (new)

Text proposed by the Commission

Amendment

(15f) In order to keep pace with technological developments, the Commission should, by ...[five years after the entry into force of this Directive] and every five years thereafter, after consulting the social partners, review the technological and scientific information on asbestos identification, measurement and warning technology and should issue guidelines where such technology is to be used in order to protect workers from exposure to asbestos. A more systematic exchange between Member States of best practices should also be established for that purpose.

Or. en

Amendment 125

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Recital 15 f (new)

Text proposed by the Commission

Amendment

(15f) In order to support the implementation of this Directive, the Commission should, in cooperation with the ACSH, develop guidelines. Those guidelines should, where appropriate, include sector-specific responses.

Or. en

Amendment 126

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Recital 15 f (new)

Text proposed by the Commission

Amendment

(15f) In order to support the implementation of this Directive, the Commission should, in cooperation with the ACSH, develop guidelines. Those guidelines should, where appropriate, include sector-specific responses.

Or. en

Amendment 127

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15 g (new)

Text proposed by the Commission

Amendment

(15g) In order to support the implementation of this Directive, the Commission should, in cooperation with the ACSH, develop guidelines. Those guidelines should, where appropriate, include sector-specific responses.

Or. en

Amendment 128

Joanna Kopcińska

on behalf of the ECR Group

Proposal for a directive

Recital 17

Text proposed by the Commission

Amendment

(17) Since this Directive concerns the protection of the health and safety of workers at the place of work, it should be transposed within **two** years of the date of its entry into force.

(17) Since this Directive concerns the protection of the health and safety of workers at the place of work, it should be transposed within **five** years of the date of its entry into force.

Or. pl

Justification

In view of the financial implications, an extension of the transposition period is necessary. Particularly in the context of a stricter OEL, there should be an increase in funding to protect workers from asbestos exposure, especially in terms of technical measures and personal protective equipment. The transition period should therefore be longer than the proposed two years.

Amendment 129

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2009/148/EC

Article 2

Text proposed by the Commission

For the purposes of this Directive,
‘asbestos’ means the following fibrous
silicates, which are **classified** as
carcinogens 1A according to Regulation
(EC) 1272/2008*:

Amendment

For the purposes of this Directive,
‘asbestos’ means the following fibrous
silicates, which are **meeting the criteria for
classification** as carcinogens 1A **or 1B**
according to Regulation (EC) 1272/2008*:

Or. en

Amendment 130

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2009/148/EC

Article 2

Text proposed by the Commission

For the purposes of this Directive,
‘asbestos’ means the following fibrous
silicates, which are **classified** as
carcinogens 1A according to Regulation
(EC) 1272/2008*:

Amendment

For the purposes of this Directive,
‘asbestos’ means the following fibrous
silicates, which are **meeting the criteria for
classification** as carcinogens 1A **or 1B**
according to Regulation (EC) 1272/2008*:

Or. en

Amendment 131

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2009/148/EC

Article 2

Text proposed by the Commission

For the purposes of this Directive,
‘asbestos’ means the following fibrous
silicates, which are **classified** as
carcinogens 1A according to Regulation
(EC) 1272/2008*:

Amendment

For the purposes of this Directive,
‘asbestos’ means the following fibrous
silicates, which are **meeting the criteria for
classification** as carcinogens 1A **or 1B**
according to Regulation (EC) 1272/2008*:

Or. en

Amendment 132

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2009/148/EC

Article 2 – point f a (new)

Text proposed by the Commission

Amendment

**(fa) erionite, CAS 66733-21-9 and CAS
66733-21-9;**

Or. en

Justification

On top of the six fibrous silicates known as asbestos, there are other fibrous silicates such as erionite that are meeting the criteria for classification as carcinogen category 1A under the EU Classification, Labelling and Packaging (CLP) Regulation. Erionite is included in the ECHA classification & labelling inventory. Erionite has a higher carcinogenic potential compared to asbestos and it has been linked to cancers in areas where it has been incorporated into building materials or released into the environment. Erionite should therefore be added in the list of fibrous silicates covered by this Directive.

Amendment 133

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2009/148/EC

Article 2 point f a (new)

Text proposed by the Commission

Amendment

(fa) erionite, CAS 66733-21-9 and CAS 66733-21-9;

Or. en

Justification

On top of the six fibrous silicates known as asbestos, there are other fibrous silicates such as erionite that are meeting the criteria for classification as carcinogen category 1A under the EU Classification, Labelling and Packaging (CLP) Regulation. Erionite is included in the ECHA classification & labelling inventory. Erionite has a higher carcinogenic potential compared to asbestos and it has been linked to cancers in areas where it has been incorporated into building materials or released into the environment. Erionite should therefore be added in the list of fibrous silicates covered by this Directive.

Amendment 134

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2009/148/EC

Article 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) erionite, CAS 66733-21-9 and CAS 66733-21-9;

Or. en

Amendment 135

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 2009/148/EC

Article 3 – paragraph 1

Present text

This Directive shall apply to activities in which workers are or may be exposed ***in the course of their work*** to dust arising from asbestos or materials containing asbestos.

Amendment

(2a) In Article 3, paragraph 1 is replaced by the following:

"This Directive shall apply to ***all*** activities in which workers are or may be exposed ***knowingly or unknowingly*** to dust arising from asbestos or materials containing asbestos."

Or. en

Justification

It is important not to discriminate among workers exposed to asbestos at work be it knowingly or unknowingly. The literature is clear that all workers (teachers, civil servants, etc.) employed for years in buildings where asbestos is still present and degrading are also at high risk of asbestos-related diseases. The example of the Tripode building in Nantes (France) is a good illustration with 31 cancer deaths due to asbestos out of 1795 workers with passive exposure for 21 years. All exposed workers to asbestos deserve a similar minimum level of protection across the EU whatever their sector of activity.

Amendment 136

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 2009/148/EC

Article 3 – paragraph 1

Present text

1. This Directive shall apply to activities in which workers are or may be exposed in the course of their work to dust arising from asbestos or materials containing asbestos.

Amendment

(2a) In Article 3, paragraph 1 is replaced by the following:

"1. This Directive shall apply to ***all*** activities in which workers are or may be exposed in the course of their work to dust arising from asbestos or materials containing asbestos."

Or. en

Amendment 137

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 2009/148/EC

Article 3 – paragraph 1

Present text

This Directive shall apply to activities in which workers are or may be exposed ***in the course of their work*** to dust arising from asbestos or materials containing asbestos.

Amendment

(3a) In Article 3, paragraph 1 is replaced by the following:

"This Directive shall apply to ***all*** activities in which workers are or may be exposed ***knowingly or unknowingly*** to dust arising from asbestos or materials containing asbestos."

Or. en

Justification

It is important not to discriminate among workers exposed to asbestos at work be it knowingly or unknowingly. The literature is clear that all workers (teachers, civil servants, etc.) employed for years in buildings where asbestos is still present and degrading are also at high risk of asbestos-related diseases. The example of the Tripode building in Nantes (France) is a good illustration with 31 cancer deaths due to asbestos out of 1795 workers with passive exposure for 21 years. All exposed workers to asbestos deserve a similar minimum level of protection across the EU whatever their sector of activity.

Amendment 138

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3 b (new)

Directive 2009/148/EC

Article 3 – paragraph 3

Present text

Amendment

(3b) In Article 3, paragraph 3 is deleted.

3. Provided that worker exposure is

sporadic and of low intensity, and if it is clear from the results of the risk assessment referred to in paragraph 2 that the exposure limit for asbestos will not be exceeded in the air of the working area, Articles 4, 18 and 19 may be waived where the work involves:

- (a) short, non-continuous maintenance activities in which only non-friable materials are handled;*
- (b) removal without deterioration of non-degraded materials in which the asbestos fibres are firmly linked in a matrix;*
- (c) encapsulation or sealing of asbestos-containing materials which are in good condition;*
- (d) air monitoring and control, and the collection of samples to ascertain whether a specific material contains asbestos.*

Or. en

Amendment 139

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 b (new)

Directive 2009/148/EC

Article 3 – paragraph 3

Present text

Amendment

(2b) In Article 3, paragraph 3 is deleted.

3. *Provided that worker exposure is sporadic and of low intensity, and if it is clear from the results of the risk assessment referred to in paragraph 2 that the exposure limit for asbestos will not be exceeded in the air of the working area, Articles 4, 18 and 19 may be waived where the work involves:*

- (a) short, non-continuous maintenance activities in which only non-friable materials are handled;*
- (b) removal without deterioration of non-degraded materials in which the asbestos fibres are firmly linked in a matrix;*
- (c) encapsulation or sealing of asbestos-containing materials which are in good condition;*
- (d) air monitoring and control, and the collection of samples to ascertain whether a specific material contains asbestos.*

Or. en

Amendment 140

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2 b (new)

Directive 2009/148/EC

Article 3 – paragraph 3

Present text

Amendment

(2b) In Article 3, paragraph 3 is deleted.

3. Provided that worker exposure is sporadic and of low intensity, and if it is clear from the results of the risk assessment referred to in paragraph 2 that the exposure limit for asbestos will not be exceeded in the air of the working area, Articles 4, 18 and 19 may be waived where the work involves:

- (a) short, non-continuous maintenance activities in which only non-friable materials are handled;*
- (b) removal without deterioration of non-degraded materials in which the asbestos fibres are firmly linked in a matrix;*

(c) encapsulation or sealing of asbestos-containing materials which are in good condition;

(d) air monitoring and control, and the collection of samples to ascertain whether a specific material contains asbestos.

Or. en

Amendment 141
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 b (new)
Directive 2009/148/EC
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

In Article 3, paragraph 3 is replaced by the following:

3. Provided that worker exposure is sporadic and of low intensity, and if it is clear from the results of the risk assessment referred to in paragraph 2 that the exposure limit for asbestos will not be exceeded in the air of the working area, Articles 4, 18 and 19 may be waived where the work involves:

(a) short, non-continuous maintenance activities in which only non-friable materials are handled;

(b) removal without deterioration of non-degraded materials in which the asbestos fibres are firmly linked in a matrix;

(c) encapsulation or sealing of asbestos-containing materials which are in good condition;

(d) air monitoring and control, and the collection of samples to ascertain whether a specific material contains asbestos.

"3. By entry into force of this amending directive, the Commission shall, in consultation with the Advisory Committee on Safety and Health at Work, develop guidelines to support the application of this Directive. Those guidelines shall provide, where appropriate, sector-specific responses."

Amendment 142

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2 c (new)

Directive 2009/148/EC

Article 3 – paragraph 4

Present text

Amendment

(2c) In Article 3, paragraph 4 is deleted.

4. Member States shall, following consultation with representatives from both sides of industry, in accordance with national law and practice, lay down practical guidelines for the determination of sporadic and low-intensity exposure, as provided for in paragraph 3.

Amendment 143

Sara Matthieu

Proposal for a directive

Article 1 – paragraph 1 – point 2 c (new)

Directive 2009/148/EC

Article 3 – paragraph 4

Text proposed by the Commission

Amendment

(2c) In Article 3, paragraph 4 is deleted.

4. Member States shall, following consultation with representatives from both sides of industry, in accordance with national law and practice, lay down practical guidelines for the determination of sporadic and low-intensity exposure, as provided for in 3.

Amendment 144

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3 c (new)

Directive 2009/148/EC

Article 3 – paragraph 4

Present text

Amendment

(3c) In Article 3, paragraph 4 is deleted.

4. Member States shall, following consultation with representatives from both sides of industry, in accordance with national law and practice, lay down practical guidelines for the determination of sporadic and low-intensity exposure, as provided for in 3.

Or. en

Amendment 145

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 2 d (new)

Directive 2009/148/EC

Article 4 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

The notification **must** include at least a brief description of:

- (a) the location of the worksite;
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes

In Article 4(3), the second subparagraph is replaced by the following:

“The notification **shall** include at least a brief description of:

- (a) the location of the worksite **and the specific areas in which the work will be carried out;**
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes

involved;

(d) the number of workers involved;

involved;

(d) the number of workers involved, *a list of the workers likely to be assigned to the site, the individual certificates proving their competence and the training received, and the dates of the mandatory medical visits;*

(e) *the starting date and duration of the work and the planned working hours;*

(f) *measures taken to limit the exposure of workers to asbestos;*

(fa) *the characteristics of the equipment used for the protection and decontamination of workers;*

(fb) *the procedure for the decontamination of workers and equipment, durations and working hours;*

(fc) *the characteristics of the equipment used for waste disposal;*

(fd) *a provisional aeraulic balance for work carried out under confinement;*

(fe) *a plan for safe and sustainable waste disposal, including with regard to the destination of asbestos containing waste."*

Or. en

Amendment 146

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 d (new)

Directive 2009/148/EC

Article 4 – paragraph 3 – subparagraph 2

Present text

The notification ***must*** include at least a

Amendment

(2d) In Article 4(3), the second subparagraph is replaced by the following:

"The notification ***shall*** include at least a

brief description of:

- (a) the location of the worksite;
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved;

brief description of:

- (a) the location of the worksite ***and the specific areas in which the work will be carried out;***
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved, ***a list of the workers likely to be assigned to the site, the individual certificates proving their competence and the training received, and the dates of the mandatory medical visits;***
- (e) ***the starting date and duration of the work and the planned working hours;***
- (f) ***measures taken to limit the exposure of workers to asbestos;***
- (fa) ***the characteristics of the equipment used for the protection and decontamination of workers;***
- (fb) ***the procedure for the decontamination of workers and equipment, durations and working hours;***
- (fc) ***the characteristics of the equipment used for waste disposal;***
- (fd) ***a provisional aeraulic balance for work carried out under confinement;***
- (fe) ***a plan for safe and sustainable waste disposal, including with regard to the destination of asbestos containing waste.”***

Or. en

(See wording of Article 4(3) of Directive 2009/148/EC)

Amendment 147

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2 d (new)

Directive 2009/148/EC

Article 4 – paragraph 3 – subparagraph 2

The notification **must** include at least a brief description of:

- (a) the location of the worksite;
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved;
- (e) the starting date and duration of the work;
- (f) measures taken to limit the exposure of workers to asbestos.

(2d) In Article 4(3), the second subparagraph is replaced by the following:

"The notification **shall** include at least a brief description of:

- (a) the location of the worksite **and the specific areas in which the work will be carried out;**
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved, **a list of the workers likely to be assigned to the site, the individual certificates proving their competence and the training received, and the dates of the mandatory medical visits;**
- (e) the starting date and duration of the work **and the planned working hours;**
- (f) measures taken to limit the exposure of workers to asbestos;
- (fa) the characteristics of the equipment used for the protection and decontamination of workers;**
- (fb) the procedure for the decontamination of workers and equipment, durations and working hours;**
- (fc) the characteristics of the equipment used for waste disposal**
- (fd) a provisional aeraulic balance for work carried out under confinement;**
- (fe) a plan for safe and sustainable waste disposal, including with regard to the destination of asbestos containing waste. "**

Or. en

Amendment 148

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 2 d (new)

Directive 2009/148/EC

Article 4 – paragraph 4 – subparagraph 2

Present text

The notification **must** include at least a brief description of:

- (a) the location of the worksite;
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved;
- (e) the starting date and duration of the work;
- (f) measures taken to limit the exposure of workers to asbestos.

Amendment

(2d) In Article 4(3), the second subparagraph is replaced by the following:

"The notification **shall** include at least a brief description of:

- (a) the location of the worksite **and the specific areas in which the work will be carried out;**
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved, **a list of the workers likely to be assigned to the site, the individual certificates proving their competence and the training received, and the dates of the mandatory medical visits;**
- (e) the starting date and duration of the work **and the planned working hours;**
- (f) measures taken to limit the exposure of workers to asbestos;
 - (fa) the characteristics of the equipment used for the protection and decontamination of workers;**
 - (fb) the procedure for the decontamination of workers and equipment, durations and working hours;**
 - (fc) the characteristics of the equipment used for waste disposal;**
 - (fd) a provisional aeraulic balance for work carried out under confinement;**
 - (fe) a plan for safe and sustainable waste disposal, including with regard to**

the destination of asbestos containing waste."

Or. en

Amendment 149

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2 e (new)

Directive 2009/148/EC

Article 4 – paragraph 3 subparagraph 2 a (new)

Present text

The notification referred to in paragraph 2 shall be submitted by the employer to the responsible authority of the Member State, before the work commences, in accordance with national laws, regulations and administrative provisions. The notification must include at least a brief description of:

- (a) the location of the worksite;
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved;
- (e) the starting date and duration of the work;
- (f) measures taken to limit the exposure of workers to asbestos.

Amendment

(2e) In Article 4, paragraph 3 is replaced by the following:

"The notification referred to in paragraph 2 shall be submitted by the employer to the responsible authority of the Member State, before the work commences, in accordance with national laws, regulations and administrative provisions. The notification must include at least a brief description of:

- (a) the location of the worksite;
- (b) the type and quantities of asbestos used or handled;
- (c) the activities and processes involved;
- (d) the number of workers involved;
- (e) the starting date and duration of the work;
- (f) measures taken to limit the exposure of workers to asbestos.

Notifications shall be kept by the responsible authority of the Member State for a minimum of 40 years, in accordance with national law and practice. "

Or. en

Amendment 150

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 7 e (new)

Directive 2009/148/EC

Article 4 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(7e) In Article 4(3), the following subparagraph is added:

“Notifications shall be kept by the responsible authority of the Member State for a minimum of 40 years, in accordance with national law and practice.”

Or. en

Amendment 151

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 2 e (new)

Directive 2009/148/EC

Article 4 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(2e) In Article 4(3), the following subparagraph is added:

“Notifications shall be kept by the responsible authority of the Member State for a minimum of 40 years, in accordance with national law and practice.”

Or. en

Amendment 152

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3 e (new)

Directive 2009/148/EC
Article 4 – paragraph 3 – subparagraph 2 a (new)

Present text

Amendment

(3e) Article 4(3), the following subparagraph is added:

"2a. Notifications shall be kept by the responsible authority of the Member State for a minimum of 40 years, in accordance with national law and practice."

Or. en

Amendment 153
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 2 f (new)
Directive 2009/148/EC
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2f) In Article 5, the following paragraph 2a (new) is added:

"2a. Asbestos-containing materials already in use shall be safely removed and disposed of when technically feasible. They shall not be repaired, maintained, sealed, encapsulated or covered. Asbestos-containing materials which cannot be removed in the short term shall be identified, registered and regularly monitored."

Or. en

Amendment 154
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 2 f (new)

Directive 2009/148/EC
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2f) In Article 5, the following paragraph is added:

2a. Asbestos-containing materials already in use shall be safely removed and disposed of when technically feasible. They shall not be sealed or covered. Asbestos-containing materials which cannot be removed in the short term shall be identified, registered and regularly monitored.

Or. en

Amendment 155

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 2 f (new)

Directive 2009/148/EC

Article 5 – paragraph 2 a (new)

Present text

Amendment

(2f) In Article 5, the following paragraph is added:

-

"2a. Asbestos-containing materials already in use shall be safely removed and disposed of when technically feasible. They shall not be repaired, maintained, sealed, encapsulated or covered. Asbestos-containing materials which cannot be removed in the short term shall be identified, registered and regularly monitored."

Or. en

Amendment 156

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 2 f (new)

Directive 2009/148/EC

Article 5 – paragraph 2 a (new)

Present text

Amendment

(2f) In article 5, the following paragraph 2 a (new) is added:

"2a. Asbestos-containing materials already in use shall be safely removed and disposed of when technically feasible. They shall not be repaired, maintained, sealed, encapsulated or covered. Asbestos-containing materials which cannot be removed in the short term shall be identified, registered and regularly monitored."

Or. en

Amendment 157

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/148/EC

Article 6 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air;

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air **to a level as low as technically possible by implementing at least the following measures:**

(i) asbestos dust suppression;

(ii) the suction of asbestos dust at the source;

(iii) the continuous sedimentation of asbestos fibres suspended in the air;

(iv) appropriate decontamination;

Amendment 158

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/148/EC

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air;

Amendment

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air ***to a level as low as technically possible by implementing at least the following measures:***

(i) ***asbestos dust suppression;***

(ii) ***the suction of asbestos dust at the source;***

(iii) ***the continuous sedimentation of asbestos fibres suspended in the air;***

(iv) ***appropriate decontamination;***

Amendment 159

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/148/EC

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air;

Amendment

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air ***to a level as low as technically possible by implementing at least the following measures:***

- (i) *asbestos dust suppression;*
- (ii) *the suction of asbestos dust at the source;*
- (iii) *the continuous sedimentation of asbestos fibres suspended in the air;*
- (iv) *appropriate decontamination;*

Or. en

Amendment 160
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 3 a (new)
Directive 2009/148/EC
Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air;

Amendment

(b) work processes shall be designed so as not to produce asbestos dust or, if that proves impossible, to avoid the release of asbestos dust into the air *to a level as low as technically possible by implementing at least the following measures:*

- (i) *asbestos dust suppression;*
- (ii) *the suction of asbestos dust at the source;*
- (iii) *the continuous sedimentation of asbestos fibres suspended in the air;*
- (iv) *appropriate decontamination;*

Or. en

Amendment 161
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 3
Directive 2009/148/EC
Article 6 – paragraph 1 – point b a (new)

(ba) for work carried out under confinement, the work area shall be protected by implementing at least the following measures:

(i) setting a minimum pressure difference of minus 10;

(ii) supplying clean replacement air from a point further away;

(iii) checking the performance of negative pressure units and portable vacuums of local exhaust ventilation systems after the change of a HEPA filter and before the start of asbestos removal or at least once a year, by measuring the removal efficiencies of filters with a direct-reading particle counter.

Or. en

Amendment 162

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/148/EC

Article 6 – paragraph 1 – point b a (new)

(ba) for work carried out under confinement, the work area shall be protected by implementing at least the following measures:

(i) setting a minimum pressure difference of minus 10;

(ii) supplying clean replacement air from a point further away;

(iii) checking the performance of negative pressure units and portable vacuums of local exhaust ventilation systems after the change of a HEPA filter and before the start of asbestos removal or

at least once a year, by measuring the removal efficiencies of filters with a direct-reading particle counter.

Or. en

Amendment 163

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/148/EC

Article 6 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) for work carried out under confinement, the work area shall be protected by implementing at least the following measures:

(i) setting a minimum pressure difference of minus 10;

(ii) supplying clean replacement air from a point further away;

(iii) checking the performance of negative pressure units and portable vacuums of local exhaust ventilation systems after the change of a HEPA filter and before the start of asbestos removal or at least once a year, by measuring the removal efficiencies of filters with a direct-reading particle counter.

Or. en

Amendment 164

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 3 b (new)

Directive 2009/148/EC

Article 6 – paragraph 1 – point b a (new)

(3b) In Article 6, paragraph 1, the new point ba is added:

(ba) for work carried out under confinement, the work area shall be protected by implementing at least the following measures:

(i) setting a minimum pressure difference of minus 10;

(ii) supplying clean replacement air from a point further away;

(iii) checking the performance of negative pressure units and portable vacuums of local exhaust ventilation systems after the change of a HEPA filter and before the start of asbestos removal or at least once a year, by measuring the removal efficiencies of filters with a direct-reading particle counter.

Or. en

Amendment 165

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 2009/148/EC

Article 7 – paragraph 1

Present text

1. Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in Article 8, measurement of asbestos fibres in the air at the workplace shall be carried out **regularly**.

Amendment

(3a) In Article 7, paragraph 1 is replaced by the following:

"1. Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in Article 8, measurement of asbestos fibres in the air at the workplace shall be carried out **during the specific operational phases and at regular intervals during the work process.**"

Amendment 166

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 2009/148/EC

Article 7 – paragraph 1

Present text

1. Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in Article 8, measurement of asbestos fibres in the air at the workplace shall be carried out ***regularly***.

Amendment

(3a) In Article 7, paragraph 1 is replaced by the following:

"1. Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in Article 8, measurement of asbestos fibres in the air at the workplace shall be carried out ***during the specific operational phases and at regular intervals during the work process.*** "

Or. en

Amendment 167

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 2009/148/EC

Article 7 – paragraph 1

Present text

1. Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in Article 8, measurement of asbestos fibres in the air at the workplace shall be carried out ***regularly***.

Amendment

(3a) In Article 7, paragraph 1 is replaced by the following

"1. Depending on the results of the initial risk assessment, and in order to ensure compliance with the limit value laid down in Article 8, measurement of asbestos fibres in the air at the workplace shall be carried out ***during the specific operational phases and at regular***

intervals during the work process."

Or. en

Amendment 168

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 4 a (new)

Directive 2009/148/EC

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Sampling must be representative of the personal exposure of the worker to dust arising from asbestos or materials containing asbestos.

(4a) In Article 7, paragraph 2 is replaced by the following:

"2. Sampling must be representative of the **real** personal exposure of the worker to dust arising from asbestos or materials containing asbestos."

Or. en

Amendment 169

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 4 a (new)

Directive 2009/148/EC

Article 7 – paragraph 2

Present text

Amendment

2. Sampling must be representative of the personal exposure of the worker to dust arising from asbestos or materials containing asbestos.

(4a) Article 7, paragraph 2 is replaced by the following

"2. Sampling must be representative of the **real** personal exposure of the worker to dust arising from asbestos or materials containing asbestos."

Or. en

Amendment 170

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 3 b (new)

Directive 2009/148/EC

Article 7 – paragraph 2

Present text

2. Sampling must be representative of the personal exposure of the worker to dust arising from asbestos or materials containing asbestos.

Amendment

(3b) In Article 7, paragraph 2 is replaced by the following:

"2. Sampling must be representative of the ***real*** personal exposure of the worker to dust arising from asbestos or materials containing asbestos."

Or. en

Amendment 171

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 3 b (new)

Directive 2009/148/EC

Article 7 – paragraph 2

Present text

2. Sampling must be representative of the personal exposure of the worker to dust arising from asbestos or materials containing asbestos.

Amendment

(3b) In Article 7, paragraph 2 is replaced by the following:

"2. Sampling must be representative of the ***real*** personal exposure of the worker to dust arising from asbestos or materials containing asbestos."

Or. en

Amendment 172

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 3 c (new)

Present text

5. The duration of sampling ***must*** be such that representative exposure can be established for ***an 8-hour reference period (one shift) by means of measurements or time-weighted calculations.***

Amendment

(3c) In Article 7, paragraph 5 is replaced by the following:

"5. The duration of sampling ***shall*** be such that representative exposure can be established for ***all operations in all their different phases carried out during the work process.***"

Or. en

Amendment 173

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 3 c (new)

Directive 2009/148/EC

Article 7 – paragraph 5

Present text

5. The duration of sampling ***must*** be such that representative exposure can be established for ***an 8-hour reference period (one shift) by means of measurements or time-weighted calculations.***

Amendment

(3c) In Article 7, paragraph 5 is replaced by the following:

"5. The duration of sampling ***shall*** be such that representative exposure can be established for ***all operations in all their different phases carried out during the work process.***"

Or. en

Amendment 174

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 4 b (new)

Directive 2009/148/EC

Article 7 – paragraph 5

Present text

The duration of sampling ***must*** be such that representative exposure can be established for ***an 8-hour reference period (one shift) by means of measurements or time-weighted calculations.***

Amendment

(4b) Article 7, paragraph 5 is replaced by the following:

"The duration of sampling ***shall*** be such that representative exposure can be established for ***all operations in all their different phases carried out during the work process.***"

Or. en

Amendment 175
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 2009/148/EC
Article 7 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Fibre counting shall be carried out by ***phase-contrast microscope (PCM) in accordance with the method recommended in 1997 by the World Health Organization (WHO)* or, wherever possible, any other method giving equivalent or better results, such as a method based on*** electron microscopy (EM).

Amendment

Fibre counting shall be carried out by ***electron microscopy (EM) and***, wherever possible, any other method giving equivalent or better results.

For the purposes of ensuring compliance with the measures on fibre counting referred to in this Article, the Commission shall support Member States by providing appropriate technical guidance, including on the technical transition from phase-contrast microscopy to electron microscopy, and information on relevant Union funds which can be used to support that transition.

Or. en

Amendment 176

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2009/148/EC

Article 7 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Fibre counting shall be carried out by *phase-contrast microscope (PCM) in accordance with the method recommended in 1997 by the World Health Organization (WHO)* or, wherever possible*, any other method giving equivalent or better results, *such as a method based on* electron microscopy (EM).

Amendment

Fibre counting shall be carried out by *electron microscopy or* any other method giving equivalent or better results.

For the purposes of ensuring compliance with the measures on fibre counting referred to in this Article, the Commission shall support Member States by providing appropriate technical guidance, including on the technical transition from phase-contrast microscopy to electron microscopy, and information on relevant Union funds which can be used to support that transition.

Or. en

Amendment 177

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2009/148/EC

Article 7 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Fibre counting shall be carried out by *phase-contrast microscope (PCM) in accordance with the method recommended in 1997 by the World*

Amendment

Fibre counting shall be carried out by *electron microscopy or* any other method giving equivalent or better results.

Health Organization (WHO) or, wherever possible, any other method giving equivalent or better results, **such as a method based on** electron microscopy (EM).*

For the purposes of ensuring compliance with the measures on fibre counting referred to in this Article, the Commission shall support Member States by providing appropriate technical guidance, including on the technical transition from phase-contrast microscopy to electron microscopy, and information on relevant Union funds which can be used to support that transition.

Or. en

Amendment 178

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2009/148/EC

Article 7 – paragraph 6 – subparagraph 1

Present text

Fibre counting shall be carried out *wherever possible by phase-contrast microscope (PCM) in accordance with the method recommended in 1997 by the World Health Organization (WHO) (2)* or any other method giving equivalent results.

Amendment

"Fibre counting shall be carried out *by electron microscopy* or any other method giving equivalent *or better* results. *For the purposes of ensuring compliance with the measures on fibre counting referred to in this Article, the Commission shall support Member States by providing appropriate technical guidance, including on the technical transition from phase-contrast microscopy to electron microscopy, and information on relevant Union funds which can be used to support that transition.*"

Or. en

Amendment 179

Elena Lizzi, Paola Ghidoni, Stefania Zambelli

Proposal for a directive

Article 1 – paragraph 1 – point 4 a (new)

Directive 2009/148/EC

Article 7 – paragraph 6 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(4a) the following paragraph shall be added to Article 7:

7. For the sake of compliance with the measures on fibre counting referred to in this Article, the Commission shall support Member States by providing the appropriate funding and technical guidance, including in relation to the technical transition from phase-contrast microscopy, as applied in accordance with the method recommended in 1997 by the World Health Organization (WHO)*, to electron microscopy (EM), and the training of all those involved in handling and removing asbestos, particularly SMEs and workers involved in removing asbestos.

Or. it

Amendment 180

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/148/EC

Article 8

Text proposed by the Commission

Amendment

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0.01** fibres per **cm³** as an 8-hour time-weighted average (TWA).

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0,001** fibres per **cm³** (**1 000 fibres per m³**) as an 8-hour time-weighted average (TWA).

Amendment 181

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/148/EC

Article 8

Text proposed by the Commission

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0.01** fibres per cm³ as an 8-hour time-weighted average (**TWA**).

Amendment

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0.001** fibres per cm³ (**1 000 fibres per m³**) as an 8-hour time-weighted average.

Or. en

Amendment 182

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/148/EC

Article 8

Text proposed by the Commission

Employers shall ensure that no worker is exposed to an airborne concentration **of asbestos** in excess of **0.01** fibres per cm³ as an 8-hour time-weighted average (**TWA**).

Amendment

Employers shall ensure that no worker is exposed to an airborne concentration **of asbestos** in excess of **0,001** fibres per **cm3** (**1.000 fibres per m3**) as an 8-hour time-weighted average.

Or. en

Amendment 183

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 5

Text proposed by the Commission

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0.01** fibres per cm³ as an 8-hour time-weighted average (TWA).

Amendment

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0.001** fibres per cm³ as an 8-hour time-weighted average (TWA).

Or. en

Amendment 184

Elena Lizzi, Paola Ghidoni, Stefania Zambelli

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/148/EC

Article 8

Text proposed by the Commission

Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of 0.01 fibres per cm³ as an 8-hour time-weighted average (TWA).

Amendment

Employers shall ensure, ***while protecting their own business***, that no worker is exposed to an airborne concentration of asbestos in excess of 0.01 fibres per cm³ as an 8-hour time-weighted average (TWA).

Or. it

Justification

We believe that any revision of the values limiting occupational exposure to asbestos should be realistic to enable their proper application by microenterprises and SMEs. For this reason, we consider the current OELV of 0.1 fibre/cm³ to be sufficient and would stress that it does not need to be amended, provided that the current regulatory framework is applied to the letter.

Amendment 185

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 h (new)

Directive 2009/148/EC

Article 10 – paragraph 1

1. Where the limit value laid down in Article 8 is exceeded, the reasons for the limit being exceeded **must** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work **may** not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned.

(6h) In Article 10, paragraph 1 is replaced by the following:

"1. Where the limit value laid down in Article 8 is exceeded, **or if there is reason to believe that asbestos-containing materials which are not identified prior to the work have been disturbed so as to generate dust, work shall stop immediately.** The reasons for the limit being exceeded **shall then** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work **shall** not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned."

Or. en

Amendment 186

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive 2009/148/EC

Article 10 – paragraph 1

Present text

1. Where the limit value laid down in Article 8 is exceeded, the reasons for the limit being exceeded **must** be identified and appropriate measures to remedy the situation must be taken as soon as possible. **Work may** not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned.

Amendment

(5a) In Article 10, paragraph 1 is replaced by the following:

"1. Where the limit value laid down in Article 8 is exceeded, **or if there is reason to believe that asbestos-containing materials which are not identified prior to the work have been disturbed so as to generate dust, work shall stop immediately.** The reasons for the limit being exceeded **shall then** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work shall not be continued in the affected area until adequate measures have been

taken for the protection of the workers concerned."

Or. en

Amendment 187

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive 2009/148/EC

Article 10 – paragraph 1

Present text

1. Where the limit value laid down in Article 8 is exceeded, the reasons for the limit being exceeded **must** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work **may** not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned.

Amendment

(5a) In Article 10, paragraph 1 is replaced by the following:

"1. Where the limit value laid down in Article 8 is exceeded, ***or if there is reason to believe that asbestos-containing materials which are not identified prior to the work have been disturbed so as to generate dust, work shall stop immediately.*** The reasons for the limit being exceeded ***shall then*** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work ***shall*** not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned."

Or. en

Amendment 188

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive 2009/148/EC

Article 10 – paragraph 1

1. Where the limit value laid down in Article 8 is exceeded, the reasons for the limit being exceeded **must** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work **may** not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned.

(5a) Article 10, paragraph 1 is replaced by the following:

"1. Where the limit value laid down in Article 8 is exceeded, **or if there is reason to believe that asbestos-containing materials which are not identified prior to the work have been disturbed so as to generate dust, work shall stop immediately.** The reasons for the limit being exceeded **shall then** be identified and appropriate measures to remedy the situation must be taken as soon as possible.

Work shall not be continued in the affected area until adequate measures have been taken for the protection of the workers concerned."

Or. en

Amendment 189

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 2009/148/EC

Article 11 – paragraph 1

Text proposed by the Commission

Before beginning demolition or maintenance work, **employers shall take, if appropriate by obtaining information from the owners of the premises as well as from other sources of information, including relevant registers, all necessary steps** to identify **presumed** asbestos-containing materials.

Amendment

Before beginning demolition or maintenance work **or renovation works on premises built before the year in which the national asbestos ban entered into force, the employer shall commission a screening** to identify **the** asbestos-containing materials **likely to be affected by the work. The premises shall be screened to identify all asbestos-containing materials, in accordance with the requirements of Part 6 of Annex XVII to Regulation (EC) No 1907/2006 and Annex I to Regulation (EU) No 305/2011. The screening shall be conducted by a**

qualified and certified operator or authority, taking into account Articles 14 and 15 of this Directive, and the national building law provisions. Such screening shall, where available, be based on information from public asbestos registries. This shall by no means replace the employers' duty to carry out a comprehensive risk assessment.

Or. en

Amendment 190

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 2009/148/EC

Article 11 – paragraph 1

Text proposed by the Commission

Before beginning demolition or maintenance work, ***employers shall take, if appropriate by obtaining information from the owners of the premises as well as from other sources of information, including relevant registers, all necessary steps to identify presumed asbestos-containing materials.***

Amendment

Before beginning demolition or maintenance work ***or renovation works on premises built before the year in which the national asbestos ban entered into force, the employer shall commission a screening*** to identify ***the*** asbestos-containing materials ***likely to be affected by the work. The premises shall be screened to identify all asbestos-containing materials, in accordance with the requirements of Part 6 of Annex XVII to Regulation (EC) No 1907/2006 and Annex I to Regulation (EU) No 305/2011. The screening shall be conducted by a*** *qualified and certified operator or authority, taking into account Articles 14 and 15 of this Directive, and the national building law provisions. Such screening shall, where available, be based on information from public asbestos registries. This shall by no means replace the employers' duty to carry out a comprehensive risk assessment.*

Amendment 191

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 2009/148/EC

Article 11 – paragraph 1

Text proposed by the Commission

Before beginning demolition or maintenance work, ***employers shall take, if appropriate by obtaining information from the owners of the premises as well as from other sources of information, including relevant registers, all necessary steps to identify presumed asbestos-containing materials.***

Amendment

Before beginning demolition or maintenance work ***or renovation works on premises built before the year in which the national asbestos ban entered into force, the employer shall commission a screening*** to identify ***the*** asbestos-containing materials ***likely to be affected by the work. The premises shall be screened to identify all asbestos-containing materials, in accordance with the requirements of Part 6 of Annex XVII to Regulation (EC) No 1907/2006 and Annex I to Regulation (EU) No 305/2011. The screening shall be conducted by a qualified and certified operator or authority, taking into account Articles 14 and 15 of this Directive, and the national building law provisions. Such screening shall, where available, be based on information from public asbestos registries. This shall by no means replace the employers' duty to carry out a comprehensive risk assessment.***

Amendment 192

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 2009/148/EC

Article 11 – paragraph 1

Text proposed by the Commission

Before beginning demolition *or* maintenance work, employers shall take, *if appropriate* by obtaining information from the owners of the premises as well as from other sources of information, including relevant registers, all necessary steps to identify presumed asbestos-containing materials.

Amendment

Before beginning demolition, maintenance work *or renovation works on premises built before the year in which the national asbestos ban entered into force*, employers shall take, by obtaining information from the owners of the premises as well as from other sources of information, including relevant registers, all necessary steps to identify presumed asbestos-containing materials.

Or. en

Amendment 193

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 2009/148/EC

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(6a) In Article 11, the following paragraph is added:

1a. The Member States shall regulate the details of explorations and investigations for the detection of asbestos-containing materials, in accordance with their national building regulations. Where the complete absence of asbestos cannot be guaranteed, works shall be conducted in accordance with the provisions of this Directive where asbestos is present.

Or. en

Amendment 194

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 2009/148/EC
Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(6a) In Article 11, the following paragraph is added:

1a. The Member States shall establish public registers of the certified operators authorised to carry out the asbestos screening, subject to minimum quality standards and in accordance with their national law and practice.

Or. en

Amendment 195

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive
Article 1 – paragraph 1 – point 6 a (new)
Directive 2009/148/EC
Article 11 paragraph 1 a (new)

Present text

Amendment

(6a) In Article 11, the following paragraph is added:

"The Member States shall regulate the details of explorations and investigations for the detection of asbestos-containing materials, in accordance with their national building regulations. Where the complete absence of asbestos cannot be guaranteed, works shall be conducted in accordance with the provisions of this Directive where asbestos is present."

Or. en

Amendment 196
Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 b (new)

Directive 2009/148/EC

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(6b) In Article 11, the following paragraph is added:

1a. In the absence of relevant information available or if the information is not detailed enough for the work planned, the person or body ordering the work shall commission a screening to identify the asbestos-containing materials likely to be affected by the work. The screening shall be conducted by a certified operator and the result shall be communicated to the employer before works can start.

Or. en

Amendment 197

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 b (new)

Directive 2009/148/EC

Article 11 – paragraph 1 b (new)

Present text

Amendment

(6b) In Article 11, the following paragraph is added:

"1b. The Member States shall establish public registers of the certified operators authorised to carry out the asbestos screening, subject to minimum quality standards and in accordance with their national law and practice."

Or. en

Amendment 198

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 b (new)

Directive 2009/148/EC

Article 11 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(6b) In Article 11, the following paragraph is added:

1b. The Member States shall establish public registers of the certified operators authorised to carry out the asbestos screening, subject to minimum quality standards and in accordance with their national law and practice.

Or. en

Amendment 199

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 c (new)

Directive 2009/148/EC

Article 11 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(6c) In Article 11, the following paragraph is added:

1b. The Member States shall establish public registers of the certified operators authorised to carry out the asbestos screening, in accordance with their national law and practice.

Or. en

Amendment 200

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive 2009/148/EC

Article 11 – paragraph 2a (new)

Text proposed by the Commission

Amendment

(6a) In Article 11, the following paragraph is added:

The Member States shall regulate the details of explorations and investigations for the detection of asbestos-containing materials, in accordance with their national building regulations. Where the complete absence of asbestos cannot be guaranteed, works shall be conducted in accordance with the provisions of this Directive where asbestos is present.

Or. en

Amendment 201

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive 2009/148/EC

Article 12 – paragraph 1 – introductory part

Present text

Amendment

In the case of certain activities such as demolition, asbestos removal work, ***repairing and maintenance***, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

(6a) In Article 12 (1), the introductory part is amended as follows:

"In the case of certain activities such as demolition, asbestos removal work, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of ***all possible*** technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following: "

Amendment 202

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive 2009/148/EC

Article 12 – paragraph 1 – introductory part

Present text

In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

Amendment

(6a) In Article 12(1), the introductory wording is replaced by the following:

"In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of **all possible** technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following: "

Or. en

Amendment 203

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive 2009/148/EC

Article 12 – paragraph 1 – introductory part

Text proposed by the Commission

In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of

Amendment

(6a) In Article 12(1), the introductory wording is replaced by the following:

"In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of

which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of ***all possible*** technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:”

Or. en

Amendment 204

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 b (new)

Directive 2009/148/EC

Article 12 – paragraph 1 – introductory part

Present text

In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

- (a) workers shall be issued with suitable respiratory and other personal protective equipment, which must be worn;
- (b) warning signs shall be put up indicating that it is foreseeable that the limit value laid down in Article 8 will be exceeded; and
- (c) the spread of dust arising from asbestos or materials containing asbestos

Amendment

(6b) Article 12(1) is replaced by the following:

In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

- “(a) workers shall be issued with suitable respiratory and other personal protective equipment, which must be worn;
and
- (b) warning signs shall be put up indicating that it is foreseeable that the limit value laid down in Article 8 will be exceeded; and
- (c) the spread of dust arising from asbestos or materials containing asbestos

outside the premises or site of action shall be prevented.

The workers and/or their representatives in the undertaking or establishment shall be consulted on these measures before the activities concerned are carried out.

outside the premises or site of action shall be prevented *and ventilation of air from asbestos removal sites into enclosed spaces shall not be allowed; and*

(d) a measurement of asbestos fibres concentration in the air shall be carried out after activities referred to in the first paragraph have been concluded in order to ensure that workers can safely re-enter the workplace.

The workers and/or their representatives in the undertaking or establishment shall be consulted on these measures before the activities concerned are carried out."

Or. en

Amendment 205

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive 2009/148/EC

Article 12 – paragraph 1 – introductory part

Present text

In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:

Amendment

(6a) Article 12(1), the introductory wording is replaced by the following:

"In the case of certain activities such as demolition, asbestos removal work, repairing and maintenance, in respect of which it is foreseeable that the limit value set out in Article 8 will be exceeded despite the use of ***all possible*** technical preventive measures for limiting asbestos in air concentrations, the employer shall determine the measures intended to ensure protection of the workers while they are engaged in such activities, in particular the following:"

Or. en

Amendment 206

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 d (new)

Directive 2009/148/EC

Article 12 – point c

Present text

(c) the spread of dust arising from asbestos or materials containing asbestos outside the premises or site of action shall be prevented

Amendment

(6d) Article 12 point c is replaced by the following:

"(c) the spread of dust arising from asbestos or materials containing asbestos outside the premises or site of action shall be prevented ***and ventilation of air from asbestos removal sites into enclosed spaces shall not be allowed.***"

Or. en

Amendment 207

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 d (new)

Directive 2009/148/EC

Article 12 point c

Present text

(c) the spread of dust arising from asbestos or materials containing asbestos outside the premises or site of action shall be prevented.

Amendment

(6d) Article 12, point c is replaced by the following:

"(c) the spread of dust arising from asbestos or materials containing asbestos outside the premises or site of action shall be prevented ***and ventilation of air from asbestos removal sites into enclosed spaces shall not be allowed.***"

Or. en

Amendment 208

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 e (new)

Directive 2009/148/EC

Article 12 – point c

Text proposed by the Commission

Amendment

(6e) In Article 12, the following paragraph is added:

“A measurement of asbestos fibres concentration in the air shall be carried out after activities referred to in the first paragraph have been concluded in order to ensure that workers can safely re-enter the workplace.”

Or. en

Amendment 209

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 e (new)

Directive 2009/148/EC

Article 12 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(6e) In Article 12, the following paragraph is added:

“A measurement of asbestos fibres concentration in the air shall be carried out after activities referred to in the first paragraph have been concluded in order to ensure that workers can safely re-enter the workplace.”

Or. en

Amendment 210

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De

Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 e (new)

Directive 2009/148/EC

Article 12 – paragraph 2 a (new)

Present text

Amendment

(6e) In Article 12, the following paragraph is added:

"A measurement of asbestos fibres concentration in the air shall be carried out after activities referred to in the first paragraph have been concluded in order to ensure that workers can safely re-enter the workplace."

Or. en

Amendment 211

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 c (new)

Directive 2009/148/EC

Article 13 – paragraph 1

Present text

Amendment

1. A plan of work shall be drawn up before ***demolition work or work on removing asbestos and/or asbestos-containing products from buildings, structures, plant or installations or from ships*** is started.

(6c) In Article 13, paragraph 1 is replaced by the following:

"1. A plan of work shall be drawn up before ***any work in relation to*** asbestos is started."

Or. en

Amendment 212

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive
Article 1 – paragraph 1 – point 6 f (new)
Directive 2009/148/EC
Article 13 – Paragraph 1

Present text

1. A plan of work shall be drawn up before ***demolition work or work on removing*** asbestos ***and/or asbestos-containing products from buildings, structures, plant or installations or from ships*** is started.

Amendment

(6f) Article 13, paragraph 1 is replaced by the following:

"1. A plan of work shall be drawn up before ***any work in relation to*** asbestos is started."

Or. en

Amendment 213
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 6 f (new)
Directive 2009/148/EC
Article 13 – paragraph 1

Present text

A plan of work shall be drawn up before ***demolition work or work on removing*** asbestos ***and/or asbestos-containing products from buildings, structures, plant or installations or from ships*** is started.

Amendment

(6f) Article 13 paragraph 1 is replaced by the following:

"A plan of work shall be drawn up before ***any work in relation to*** asbestos is started."

Or. en

Amendment 214
Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Article 1 – paragraph 1 – point 6 g (new)

Present text

2. The content of the training **must** be easily understandable for workers. It **must** enable them to acquire the necessary knowledge and skills in terms of prevention and safety, **particularly as regards: (a) the properties of asbestos and its effects on health, including the synergistic effect of smoking; (b) the types of products or materials likely to contain asbestos; (c) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure; (d) safe work practices, controls and protective equipment; (e) the appropriate role, choice, selection, limitations and proper use of respiratory equipment; (f) emergency procedures; (g) decontamination procedures; (h) waste disposal; (i) medical surveillance requirements.**

Amendment

(6g) In Article 14, paragraph 2 is replaced by the following:

"2. The content of the training **shall** be easily understandable for workers. It **shall** enable them to acquire the necessary knowledge and skills in terms of prevention and safety, **in accordance with the national law and practice applicable where the work takes place.**"

Or. en

Amendment 215
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 6 g (new)
Directive 2009/148/EC
Article 14 – paragraph 2

Text proposed by the Commission

2. The content of the training **must** be easily understandable for workers. It **must** enable them to acquire the necessary knowledge and skills in terms of

Amendment

(6g) In Article 14, paragraph 2 is replaced by the following:

"2. The content of the training **shall** be easily understandable for workers. It **shall** enable them to acquire the necessary knowledge and skills in terms of

prevention and safety, *particularly as regards:*

- (a) *the properties of asbestos and its effects on health, including the synergistic effect of smoking;*
- (b) *the types of products or materials likely to contain asbestos;*
- (c) *the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (d) *safe work practices, controls and protective equipment;*
- (e) *the appropriate role, choice, selection, limitations and proper use of respiratory equipment;*
- (f) *emergency procedures;*
- (g) *decontamination procedures;*
- (h) *waste disposal;*
- (i) *medical surveillance requirements.*

prevention and safety, *in accordance with the national law and practice applicable where the work takes place."*

Or. en

Amendment 216

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 g (new)

Directive 2009/148/EC

Article 14 – paragraph 2

Present text

2. The content of the training **must** be easily understandable for workers. It **must** enable them to acquire the necessary knowledge and skills in terms of prevention and safety, *particularly as regards:*

Amendment

(6g) In Article 14, paragraph 2 is replaced by the following:

"2. The content of the training **shall** be easily understandable for workers. It **shall** enable them to acquire the necessary knowledge and skills in terms of prevention and safety, *in accordance with the national law and practice applicable where the work takes place."*

- (a) the properties of asbestos and its effects on health, including the synergistic effect of smoking;*
- (b) the types of products or materials likely to contain asbestos;*
- (c) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (d) safe work practices, controls and protective equipment;*
- (e) the appropriate role, choice, selection, limitations and proper use of respiratory equipment;*
- (f) emergency procedures;*
- (g) decontamination procedures;*
- (h) waste disposal;*
- (i) medical surveillance requirements.*

Or. en

Amendment 217

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 g (new)

Directive 2009/148/EC

Article 14 – paragraph 2

Present text

2. The content of the training **must** be easily understandable for workers. It **must** enable them to acquire the necessary knowledge and skills in terms of prevention and safety, **particularly as regards:**

- (a) the properties of asbestos and its effects on health, including the synergistic effect of smoking;*

Amendment

(6g) Article 14, paragraph 2 is replaced by the following:

"2. The content of the training **shall** be easily understandable for workers. It **shall** enable them to acquire the necessary knowledge and skills in terms of prevention and safety, **in accordance with the national law and practice applicable where the work takes place.** "

- (b) the types of products or materials likely to contain asbestos;*
- (c) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (d) safe work practices, controls and protective equipment;*
- (e) the appropriate role, choice, selection, limitations and proper use of respiratory equipment;*
- (f) emergency procedures;*
- (g) decontamination procedures;*
- (h) waste disposal;*
- (i) medical surveillance requirements.*

Or. en

Amendment 218
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 6 h (new)
 Directive 2009/148/EC
 Article 14 – paragraph 3

Text proposed by the Commission

3. Practical guidelines for the training of asbestos removal workers shall be developed at Community level.

Amendment

(6h) In Article 14, paragraph 3 is replaced by the following:

"3. The minimum requirements with regard to the content, duration, intervals, and documentation of the training provided pursuant to this Article shall be specified in Annex Ia."

Or. en

Amendment 219
Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Article 1 – paragraph 1 – point 6 h (new)

Present text

3. *Practical guidelines for the training of asbestos removal workers* shall be *developed at Community level*.

Amendment

(6h) In Article 14, paragraph 3 is replaced by the following:

"3. *The minimum requirements with regard to the content, duration, intervals, and documentation of the training provided pursuant to this Article shall be specified in Annex Ia.* "

Or. en

Amendment 220
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 6 h (new)
Directive 2009/148/EC
Article 14 – paragraph 3

Text proposed by the Commission

3. *Practical guidelines for the training of asbestos removal workers* shall be *developed at Community level*.

Amendment

(6h) In Article 14, paragraph 3 is replaced by the following:

"3. *The minimum requirements with regard to the content, duration, intervals, and documentation of the training provided pursuant to this Article shall be specified in Annex Ia.* "

Or. en

Amendment 221
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 6 h (new)
Directive 2009/148/EC
Article 14 – paragraph 3

Present text

Amendment

3. *Practical guidelines for the training of asbestos removal workers* shall be *developed at Community level*.

(6h) *In Article 14, paragraph 3 is replaced by the following:*

"3. *The minimum requirements with regard to the content, duration, intervals, and documentation of the training provided pursuant to this Article* shall be *specified in Annex Ia.*"

Or. en

Amendment 222

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 h (new)

Directive 2009/148/EC

Article 14 – paragraph 3

Present text

Amendment

3. *Practical guidelines for the training of asbestos removal workers* shall be *developed at Community level*.

(6h) *Article 14, paragraph 3 is replaced by the following:*

"3. *The minimum requirements with regard to the content, duration, intervals, and documentation of the training provided pursuant to this Article* shall be *specified in Annex Ia.*"

Or. en

Amendment 223

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 f (new)

Directive 2009/148/EC

Article 15 – paragraph 1

Present text

Amendment

(6f) *In Article 15, paragraph 1 is*

1. ***Before carrying out demolition or asbestos removal work, firms must provide evidence of their ability in this field. The evidence shall be established in accordance with national laws and/or practice.***

replaced by the following:

"1. ***Undertakings which intend to carry out demolition or asbestos removal work shall be required to obtain, before the start of work, a permit from the competent authority. Competent authorities shall grant such permits only if the applicant undertaking provides proof of adequate state-of-the-art technical equipment for emission-free or, where this is not yet technically possible, low-emission work procedures in line with the requirements of Article 6, and training certificates for the individual workers in accordance with Article 14 and Annex Ia.***"

Or. en

Amendment 224

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 i (new)

Directive 2009/148/EC

Article 15 – paragraph 1

Present text

1. ***Before carrying out demolition or asbestos removal work, firms must provide evidence of their ability in this field. The evidence shall be established in accordance with national laws and/or practice.***

Amendment

(6i) In Article 15, paragraph 1 is replaced by the following:

"1. ***Undertakings which intend to carry out demolition or asbestos removal work shall be required to obtain, before the start of work, a permit from the competent authority. Competent authorities shall grant such permits only if the applicant undertaking provides proof of adequate state-of-the-art technical equipment for emission-free or, where this is not yet technically possible, low-emission work procedures in line with the requirements of Article 6, and training certificates for the individual workers in accordance with Article 14 and Annex***

Amendment 225

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 i (new)

Directive 2009/148/EC

Article 15 – paragraph 1

Present text

1. *Before carrying out demolition or asbestos removal work, firms must provide evidence of their ability in this field. The evidence shall be established in accordance with national laws and/or practice.*

Amendment

(6i) Article 15, paragraph 1 is replaced by the following:

"1. *Undertakings which intend to carry out demolition or asbestos removal work shall be required to obtain, before the start of work, a permit from the competent authority. Competent authorities shall grant such permits only if the applicant undertaking provides proof of adequate state-of-the-art technical equipment for emission-free or, where this is not yet technically possible, low-emission work procedures in line with the requirements of Article 6, and training certificates for the individual workers in accordance with Article 14 and Annex Ia."*

Amendment 226

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 i (new)

Directive 2009/148/EC

Article 15 – paragraph 1

Text proposed by the Commission

1. ***Before carrying out demolition or asbestos removal work, firms must provide evidence of their ability in this field. The evidence shall be established in accordance with national laws and/or practice.***

Amendment

(6i) In Article 15, paragraph 1 is replaced by the following:

“1. Undertakings which intend to carry out demolition or asbestos removal work shall be required to obtain, before the start of work, a permit from the competent authority. Competent authorities shall grant such permits only if the applicant undertaking provides proof of adequate state-of-the-art technical equipment for emission-free or, where this is not yet technically possible, low-emission work procedures in line with the requirements of Article 6, and training certificates for the individual workers in accordance with Article 14 and Annex Ia.”

Or. en

Amendment 227

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 j (new)

Directive 2009/148/EC

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(6j) In Article 15, the following paragraph is added:

“1a. Competent authorities shall grant permits to undertakings only if they have no doubt as to the reliability of the undertaking and its management. The permits shall be renewable every five years, in accordance with national law and practice.”

Or. en

Amendment 228

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 j (new)

Directive 2009/148/EC

Article 15 – paragraph 1 a (new)

Present text

Amendment

(6j) Article 15, the following paragraph is added:

"1a. Competent authorities shall grant permits to undertakings only if they have no doubt as to the reliability of the undertaking and its management. The permits shall be renewable every five years, in accordance with national law and practice."

Or. en

Amendment 229

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 j (new)

Directive 2009/148/EC

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(6j) In Article 15, the following paragraph is added:

1a. Competent authorities shall grant permits to undertakings only if they have no doubt as to the reliability of the undertaking and its management. The permits shall be renewable every five years, in accordance with national law and practice.

Or. en

Amendment 230

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 j (new)

Directive 2009/148/EC

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(6j) In Article 15, the following paragraph is added:

“1a. Competent authorities shall grant permits to undertakings only if they have no doubt as to the reliability of the undertaking and its management. The permits shall be renewable every five years, in accordance with national law and practice.”

Or. en

Amendment 231

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 h (new)

Directive 2009/148/EC

Article 15 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(6h) In Article 15, the following paragraph is added:

1b. Member States shall establish public registers of the undertakings that have been granted permits to remove asbestos pursuant to paragraph 1.

Or. en

Amendment 232

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 k (new)

Directive 2009/148/EC

Article 15 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(6k) In Article 15, the following paragraph is added:

“1b. Member States shall establish public registers of the undertakings that have been granted permits to remove asbestos pursuant to paragraph 1.”

Or. en

Amendment 233

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 k (new)

Directive 2009/148/EC

Article 15 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(6k) In Article 15, the following paragraph is added:

“1b. Member States shall establish public registers of the undertakings that have been granted permits to remove asbestos pursuant to paragraph 1.”

Or. en

Amendment 234

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 k (new)

Directive 2009/148/EC

Article 15 – paragraph 1 b (new)

Present text

Amendment

(6k) Article 15, the following paragraph is added:

"1b. Member States shall establish public registers of the undertakings that have been granted permits to remove asbestos pursuant to paragraph 1."

Or. en

Amendment 235

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 k (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – introductory part

Present text

Amendment

In the case of all activities referred to in Article 3(1), **and subject to Article 3(3)**, appropriate measures shall be taken to ensure that:

(6k) In Article 16 (1), introductory part is replaced by the following:

"In the case of all activities referred to in Article 3(1), appropriate measures shall be taken to ensure that:"

Or. en

Amendment 236

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – introductory part

Present text

Amendment

In the case of all activities referred to in

(6l) In Article 16 (1), introductory part is replaced by the following:

"In the case of all activities referred to in

Article 3(1), **and subject to Article 3(3)**, appropriate measures shall be taken to ensure that:

Article 3(1) appropriate measures shall be taken to ensure that:

Or. en

Amendment 237

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – introductory part

Present text

In the case of all activities referred to in Article 3(1), **and subject to Article 3(3)**, appropriate measures shall be taken to ensure that:

[...]

Amendment

(6l) In Article 16 (1) the introductory part is replaced by the following:

"In the case of all activities referred to in Article 3(1), appropriate measures shall be taken to ensure that:

[...]”

Or. en

Amendment 238

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c

Present text

(c) workers are provided with appropriate working or protective clothing; **this** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the

Amendment

(6l) Article 16(1), point c is replaced by the following:

"(c) workers are provided with appropriate working or protective clothing **as well as protective equipment, in particular respiratory equipment, which is subject to a mandatory individual fitting**

undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;

check; that all working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;"

Or. en

Amendment 239

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c

Present text

(c) workers are provided with appropriate working or protective clothing; ***this*** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;

Amendment

(6l) In Article 16(1), point c is replaced by the following:

"(c) workers are provided with appropriate working or protective clothing ***as well as protective equipment, in particular respiratory equipment, which is subject to a mandatory individual fitting check; that all*** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;"

Or. en

Amendment 240

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Text proposed by the Commission

(c) workers are provided with appropriate working or protective clothing; **this** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;

Amendment

(6l) In Article 16(1), point c is replaced by the following:

"(c) workers are provided with appropriate working or protective clothing **as well as protective equipment, in particular respiratory equipment, which is subject to a mandatory individual fitting check; that** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;

Or. en

Amendment 241

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c

Present text

(c) workers are provided with appropriate working or protective clothing; **this** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;

Amendment

(6l) In Article 16(1), point c is replaced by the following:

"(c) workers are provided with appropriate working or protective clothing **as well as protective equipment, in particular respiratory equipment, which is subject to a mandatory individual fitting check; that all** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing

shall be transported in closed containers;”

Or. en

Amendment 242

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 l (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c

Text proposed by the Commission

(c) workers are provided with appropriate working or protective clothing; **this** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;

Amendment

(6l) In Article 16(1), point c is replaced by the following:

“(c) workers are provided with appropriate working or protective clothing **as well as protective equipment, in particular respiratory equipment, which is subject to a mandatory individual fitting check; that all** working or protective clothing remains within the undertaking; it may, however, be laundered in establishments outside the undertaking which are equipped for this sort of work if the undertaking does not carry out the cleaning itself; in that event the clothing shall be transported in closed containers;”

Or. en

Amendment 243

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 m (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(6m) In Article 16(1), the following point is added:

(ca) regular compulsory breaks with

*sufficient time for rest are provided for
workers wearing respiratory equipment;*

Or. en

Amendment 244

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 m (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c a (new)

Present text

Amendment

*(6m) Article 16(1), the following point is
inserted:*

*"(ca) regular compulsory breaks with
sufficient time for rest are provided for
workers wearing respiratory equipment;"*

Or. en

Amendment 245

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 m (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

*(6m) In Article 16(1), the following
point is inserted:*

*"(ca) regular compulsory breaks with
sufficient time for rest are provided for
workers wearing respiratory equipment;"*

Or. en

Amendment 246

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 6 m (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(6m) In Article 16(1), the following point is inserted:

“(ca) regular compulsory breaks with sufficient time for rest are provided for workers wearing respiratory equipment;”

Or. en

Amendment 247

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 m (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(6m) In Article 16(1), the following point is inserted:

“(ca) regular compulsory breaks with sufficient time for rest are provided for workers wearing respiratory equipment;”

Or. en

Amendment 248

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 n (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point e

Present text

Amendment

(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations;

(6n) In Article 16(1), point e is replaced by the following:

"(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations, **and are subject to a mandatory decontamination procedure; The decontamination procedure shall be designed with involvement of the relevant sectoral social partners to cover sector specific needs;**"

Or. en

Amendment 249
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 6 n (new)
Directive 2009/148/EC
Article 16 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations;

(6n) In Article 16(1), point e is replaced by the following:

"(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations, **and are subject to a mandatory decontamination procedure;**"

Or. en

Amendment 250
Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive
Article 1 – paragraph 1 – point 6 n (new)

Directive 2009/148/EC
Article 16 – paragraph 1 – point e

Present text

(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations;

Amendment

(6n) Article 16(1), point e is replaced by the following:

"(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations, **and are subject to a mandatory decontamination procedure; The decontamination procedure shall be designed with involvement of the relevant sectoral social partners to cover sector specific needs;**"

Or. en

Amendment 251 **Cindy Franssen**

Proposal for a directive
Article 1 – paragraph 1 – point 6 n (new)
Directive 2009/148/EC
Article 16 – paragraph 1 – point e

Text proposed by the Commission

(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations;

Amendment

(6n) In Article 16(1), point e is replaced by the following:

"(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations, **and are subject to a mandatory decontamination procedure;**"

Or. en

Amendment 252 **Sara Matthieu** on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 n (new)

Directive 2009/148/EC

Article 16 – paragraph 1 – point e

Present text

(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations;

Amendment

(6n) In Article 16(1), point e is replaced by the following:

"(e) workers are provided with appropriate and adequate washing and toilet facilities, including showers in the case of dusty operations, **and are subject to a mandatory decontamination procedure; The decontamination procedure shall be designed with involvement of the relevant sectoral social partners to cover sector specific needs.**"

Or. en

Amendment 253

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 p (new)

Directive 2009/148/EC

Article 17 – paragraph 2

Present text

2. In addition to the measures referred to in paragraph 1, **and subject to Article 3(3)**, appropriate measures shall be taken to ensure that:

[...]

Amendment

(6p) In article 17 (2) the first paragraph is replaced by the following:

"2. In addition to the measures referred to in paragraph 1, appropriate measures shall be taken to ensure that:

[...]”

Or. en

Amendment 254

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 p (new)

Directive 2009/148/EC

Article 17 – paragraph 2

Present text

2. In addition to the measures referred to in paragraph 1, ***and subject to Article 3(3)***, appropriate measures shall be taken to ensure that:

Amendment

(6p) In Article 17, paragraph 2 is replaced by the following:

"2. In addition to the measures referred to in paragraph 1, appropriate measures shall be taken to ensure that:"

Or. en

Amendment 255

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 p (new)

Directive 2009/148/EC

Article 17 – paragraph 2

Present text

2. In addition to the measures referred to in paragraph 1, ***and subject to Article 3(3)***, appropriate measures shall be taken to ensure that:

Amendment

(6p) In Article 17, paragraph 2 is replaced by the following:

"2. In addition to the measures referred to in paragraph 1, appropriate measures shall be taken to ensure that:"

Or. en

Amendment 256

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 q (new)

Directive 2009/148/EC

Article 18 – paragraph 1

Present text

Amendment

(6q) In Article 18, paragraph 1 is deleted

1. Subject to Article 3(3), the measures referred to in paragraphs 2 to 5 shall be taken.

Or. en

Amendment 257

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 q (new)

Directive 2009/148/EC

Article 18 – paragraph 1

Present text

Amendment

(6q) In Article 18, paragraph 1 is deleted

1. Subject to Article 3(3), the measures referred to in paragraphs 2 to 5 shall be taken.

Or. en

Amendment 258

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 q (new)

Directive 2009/148/EC

Article 18 – paragraph 1

Present text

Amendment

(6q) In Article 18, paragraph 1 is deleted.

1. Subject to Article 3(3), the measures referred to in paragraphs 2 to 5

shall be taken.

Or. en

Amendment 259

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 r (new)

Directive 2009/148/EC

Article 18 – paragraph 2

Present text

2. A new assessment must be available at least once every 3 years for as long as exposure continues. An individual health record shall be established in accordance with national laws and/or practices for each worker referred to in the first subparagraph.

Amendment

(6r) In Article 18, paragraph 2 is replaced by the following:

"2. A new assessment must be available at least once every 3 years for as long as exposure continues. An individual health record shall be established **and kept for a minimum of 40 years** in accordance with national laws and/or practices for each worker referred to in the first subparagraph."

Or. en

Amendment 260

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 r (new)

Directive 2009/148/EC

Article 18 – paragraph 2

Present text

2. An assessment of each worker's state of health must be available prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of **work. This**

Amendment

(6r) In Article 18, paragraph 2 is replaced by the following:

"2. An assessment of each worker's state of health must be available prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of **work. That**

assessment **must** include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers; these recommendations shall be adapted to technical progress in accordance with the procedure referred to in Article 17 of Directive 89/391/EEC.

A new assessment must be available at least once every **3** years for as long as exposure continues.

An individual health record shall be established in accordance with national laws and/or practices for each worker referred to in the first subparagraph.

assessment **shall** include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers; these recommendations shall be adapted to technical progress in accordance with the procedure referred to in Article 17 of Directive 89/391/EEC.

A new assessment must be available at least once every **three** years for as long as exposure continues.

An individual health record shall be established **and kept for a minimum of 40 years** in accordance with national laws and/or practices for each worker referred to in the first subparagraph."

Or. en

Amendment 261

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 r (new)

Directive 2009/148/EC

Article 18 – paragraph 2

Present text

2. An individual health record shall be established in accordance with national laws and/or practices for each worker referred to in the first subparagraph.

Amendment

(6r) In Article 18, paragraph 2 is replaced by the following:

"2. An individual health record shall be established **and kept for a minimum of 40 years** in accordance with national laws and/or practices for each worker referred to in the first subparagraph."

Or. en

Amendment 262

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Text proposed by the Commission

Amendment

(6s) The following Article is inserted:

“Article 18ba

1. By ... [one year after the date of entry into force of this amending Directive], the Commission shall, in cooperation with the Advisory Committee for Safety and Health at Work, develop guidelines to support the application of this Directive. Those guidelines shall provide, where appropriate, sector-specific responses.

2. By entry into force of this amending Directive, the Commission shall start the consultation process for updating the fibrous silicates within the scope of this Directive and, in that context, assess the inclusion of riebeckite, winchite, richterite, fluoro-edenite. After consulting the social partners, the Commission shall, propose necessary amendments to this Directive in a legislative proposal.

3. By ... [five years after the date of entry into force of this amending Directive] and every five years thereafter, the Commission shall, after consulting the social partners, review the technological and scientific state of asbestos identification, measurement or warning technology and issue guidelines for when such technology is to be used in order to protect workers from exposure to asbestos.

Or. en

Amendment 263
Cindy Franssen

Text proposed by the Commission

Amendment

(6s) The following Article is inserted:

“Article 18ba

1. By ... [one year after the date of entry into force of this amending Directive], the Commission shall, in cooperation with the Advisory Committee for Safety and Health at Work, develop guidelines to support the application of this Directive. Those guidelines shall provide, where appropriate, sector-specific responses.

2. When entering into force of this amending Directive], the Commission shall start the consultation process for updating the fibrous silicates within the scope of this Directive and, in that context, assess the inclusion of riebeckite, winchite, richterite, fluoro-edenite and erionite. After consulting the social partners, the Commission shall, propose necessary amendments to this Directive in a legislative proposal.

3. By ... [five years after the date of entry into force of this amending Directive] and every five years thereafter, the Commission shall, after consulting the social partners, review the technological and scientific state of asbestos identification, measurement or warning technology and issue guidelines for when such technology is to be used in order to protect workers from exposure to asbestos.”

Or. en

Amendment 264

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive
Article 1 – paragraph 1 – point 6 s (new)
Directive 2009/148/EC
Article 18 b a (new)

Present text

Amendment

(6s) The following Article is inserted:

“Article 18ba

"1. By ... [one year after the date of entry into force of this amending Directive], the Commission shall, in cooperation with the Advisory Committee for Safety and Health at Work, develop guidelines to support the application of this Directive. Those guidelines shall provide, where appropriate, sector-specific responses.

2. By... entry into force of this amending Directive, the Commission shall start the consultation process for updating the fibrous silicates within the scope of this Directive and, in that context, assess the inclusion of riebeckite, winchite, richterite and fluoro-edenite. After consulting the social partners, the Commission shall, propose necessary amendments to this Directive in a legislative proposal.

3. By ... [five years after the date of entry into force of this amending Directive] and every five years thereafter, the Commission shall, after consulting the social partners, review the technological and scientific state of asbestos identification, measurement or warning technology and issue guidelines for when such technology is to be used in order to protect workers from exposure to asbestos."

Or. en

Amendment 265
Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 s (new)

Directive 2009/148/EC

Article 18 b a (new)

Text proposed by the Commission

Amendment

(6s) The following Article is inserted:

“Article 18 ba

1. By ... [one year after the date of entry into force of this amending Directive], the Commission shall, in cooperation with the Advisory Committee for Safety and Health at Work, develop guidelines to support the application of this Directive. Those guidelines shall provide, where appropriate, sector-specific responses.

2. By entry into force of this amending Directive, the Commission shall start the consultation process for updating the fibrous silicates within the scope of this Directive and, in that context, assess the inclusion of riebeckite, winchite, richterite, fluoro-edenite. After consulting the social partners, the Commission shall, propose necessary amendments to this Directive in a legislative proposal.

3. By ... [five years after the date of entry into force of this amending Directive] and every five years thereafter, the Commission shall, after consulting the social partners, review the technological and scientific state of asbestos identification, measurement or warning technology and issue guidelines for when such technology is to be used in order to protect workers from exposure to asbestos.”

Or. en

Amendment 266

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 6 t (new)

Directive 2009/148/EC

Article 19 – paragraph 1

Present text

Amendment

(6t) In Article 19, paragraph 1 is deleted

1. Subject to Article 3(3), the measures referred to in paragraphs 2, 3 and 4 shall be taken.

Or. en

Amendment 267

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6 t (new)

Directive 2009/148/EC

Article 19 – paragraph 1

Present text

Amendment

(6t) in Article 19, paragraph 1 is deleted

1. Subject to Article 3(3), the measures referred to in paragraphs 2, 3 and 4 shall be taken.

Or. en

Amendment 268

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 6 t (new)

Directive 2009/148/EC

Article 19 – paragraph 1

Present text

Amendment

(6t) In Article 19, paragraph 1 is deleted

1. Subject to Article 3(3), the measures referred to in paragraphs 2, 3 and 4 shall be taken.

Or. en

Amendment 269

Joanna Kopcińska

on behalf of the ECR Group

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2009/148/EU

Article 19 – paragraph 2

Text proposed by the Commission

Amendment

‘The employer **shall** enter the information on the workers engaged in the activities referred to in Article 3(1) in a register. That information **shall** indicate the nature and duration of the activity and the exposure to which they have been subjected. The doctor and/or the authority responsible for medical surveillance shall have access to this register. Each worker shall have access to the results in the register which relate to him or her personally. The workers and/or their representatives shall have access to anonymous, collective information in the register. ’

‘The employer **must** enter the information on **all** the workers engaged in the activities referred to in Article 3(1) in a register. That information **should** indicate the nature and duration of the activity and the exposure to which they have been subjected. The doctor and/or the authority responsible for medical surveillance shall have access to this register. Each worker shall have access to the results in the register which relate to him or her personally. The workers and/or their representatives shall have access to anonymous, collective information in the register. ’

Or. pl

Justification

More categorical wording is necessary in order to better protect workers

Amendment 270

Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 7 a (new)
Directive 2009/148/EC
Article 20 a (new)

Text proposed by the Commission

Amendment

The following Article is inserted:

Article 20a

With a view to fulfil the requirements of Council Directive 89/391/EEC, Member States shall improve the number, quality and frequency of labour inspections in line with the International Labour Organisation's recommendation of minimum one inspector for every 10 000 workers;

Or. en

Amendment 271
Helmut Geuking

Proposal for a directive
Article 1 – paragraph 1 – point 7 a (new)
Directive 2009/148/EC
Article 21

Present text

Amendment

Member States shall keep a register of recognised cases of ***asbestosis and mesothelioma***.

(7a) Article 21 is replaced by the following:

"Member States shall keep a register of recognised cases of ***asbestos-related occupational diseases***. ***An indicative list of diseases that can be caused by asbestos exposure is set out in Annex 1.***

In order for illnesses caused by asbestos to be recognized as an occupational disease, Member States immediately introduce the reversal of the burden of proof."

Or. en

(See wording of Article 21 of Directive 2009/148/EC)

Justification

If the burden of proof no longer lies with the diseased person, the non-causality must be proven by the respective companies. As a result, reversal of the burden of proof will shift the focus to prevention. Only appropriate prevention, which must also be monitored, guarantees a certain protection of employees. The human body is so complex that a conflict of interest is unavoidable, what is proven again and again in many proceedings for compensation in connection with a disease. Taking into account these facts, the inclusion of reversal of the burden of proof in this report is inevitable.

Amendment 272

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 2009/148/EC

Article 21

Present text

Member States shall keep a register of recognised cases of *asbestosis and mesothelioma*.

Amendment

(7a) Article 21 is replaced by the following:

"Member States shall keep a register of *all* recognised cases of *asbestos-related occupational diseases*. *An indicative list of diseases that can be caused by asbestos exposure is set out in Annex I.*"

Or. en

Amendment 273

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 2009/148/EC

Article 21

Text proposed by the Commission

Member States shall keep a register of recognised cases of *asbestosis and mesothelioma*.

Amendment

(7a) Article 21 is replaced by the following:

"Member States shall keep a register of all recognised cases of *asbestos-related occupational diseases*. *An indicative list of*

diseases that can be caused by asbestos exposure is set out in Annex I."

Or. en

Amendment 274

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 2009/148/EC

Article 21

Present text

Member States shall keep a register of recognised cases of *asbestosis and mesothelioma*.

Amendment

(7a) *Article 21 is replaced by the following:*

"Member States shall keep a register of *all* recognised cases of *asbestos-related occupational diseases*. *An indicative list of diseases that can be caused by asbestos exposure is set out in Annex I.*"

Or. en

Amendment 275

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 2009/148/EC

Article 21

Present text

Member States shall keep a register of recognised cases of *asbestosis and mesothelioma*.

Amendment

(7a) *Article 21 is replaced by the following:*

"Member States shall keep a register of *all* recognised cases of *asbestos-related occupational diseases*. *An indicative list of diseases that can be caused by asbestos exposure is set out in Annex I.*"

Amendment 276

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 7 b (new)

Directive 2009/148/EC

Article 21 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(7b) In Article 21, the following paragraph is added:

“The term recognised cases referred to in paragraph 1 shall not be limited to cases for which the compensation is granted, but shall refer to all cases of medically diagnosed asbestos-related diseases.”

Or. en

Amendment 277

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 – point 7 b (new)

Directive 2009/148/EC

Article 21 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(7b) In Article 21, the following paragraph is added:

“1a. The term recognised cases referred to in paragraph 1 shall not be limited to cases for which the compensation is granted, but shall refer to all cases of medically diagnosed asbestos-related diseases.”

Or. en

Amendment 278

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 7 b (new)

Directive 2009/148/EC

Article 21 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(7b) In Article 21, the following paragraph is inserted:

The term recognised cases referred to in paragraph 1 shall not be limited to cases for which the compensation is granted, but shall refer to all cases of medically diagnosed asbestos-related diseases.

Or. en

Amendment 279

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 7 b (new)

Directive 2009/148/EC

Article 21 – paragraph 1 a (new)

Present text

Amendment

(7b) In Article 21, the following paragraph is added:

"The term recognised cases referred to in paragraph 1 shall not be limited to cases for which the compensation is granted, but shall refer to all cases of medically diagnosed asbestos-related diseases."

Or. en

Amendment 280

Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 3 c (new)
Directive 2009/148/EC
Article 21a (new)

Text proposed by the Commission

Amendment

(3c) The following article is inserted:

“Article 21a

In the case of fire, existing information, including from relevant registers, regarding the presence and location of asbestos shall be made available to firefighters and the emergency services.”

Or. en

Amendment 281
Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 7 c (new)
Directive 2009/148/EC
Article 21 a (new)

Text proposed by the Commission

Amendment

(7c) The following Article is inserted:

“Article 21a

All existing information, including from relevant registers, regarding the presence and location of asbestos shall be made available to firefighters and the emergency services.”

Or. en

Amendment 282
Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive
Article 1 – paragraph 1 – point 7 c (new)

Directive 2009/148/EC
Article 21 a (new)

Text proposed by the Commission

Amendment

(7c) The following Article is inserted:

Article 21a

All existing information, including from relevant registers, regarding the presence and location of asbestos shall be made available to firefighters and the emergency services.

Or. en

Amendment 283

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 7 c (new)

Directive 2009/148/EC

Article 21 a

Present text

Amendment

(7c) The following Article is inserted:

"Article 21a

All existing information, including from relevant registers, regarding the presence and location of asbestos shall be made available to firefighters and the emergency services."

Or. en

Amendment 284

Cindy Franssen

Proposal for a directive

Article 1 – paragraph 1 a (new)

Directive 2009/148/EC

Article 21 b (new)

The following article is inserted:

"Article 21b

For the purpose of fulfilling the requirements of this Directive, Member States can make use of European Structural Investment (ESI) funds; the Commission shall ensure sufficient and appropriate funds for this purpose to provide technical guidance, administrative and financial support to employers, in order to ensure adequate protection of the workers, in complying with the requirements of this Directive, including accessing and developing measurement technology, protective equipment, training and up- and reskilling of workers."

Or. en

Amendment 285

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 7 d (new)

Directive 2009/148/EC

Annex I – point 1

Present text

1. Current knowledge indicates that exposure to free asbestos fibres can give rise to the following diseases:

- asbestosis,
- mesothelioma,
- bronchial carcinoma,

Amendment

(7d) In Annex I, point 1 is replaced by the following:

"1. Current knowledge indicates that exposure to free asbestos fibres can **at least** give rise to the following **asbestos-related occupational** diseases **which Member States therefore shall introduce into their national law provisions:**

- asbestosis,
- mesothelioma
- **lung carcinoma including** bronchial

- gastro-intestinal carcinoma.
- carcinoma,
- gastro-intestinal carcinoma, —
carcinoma of the larynx,
- *carcinoma of the ovary,*
- *benign pleural diseases including
fibrotic lesions, rounded atelectasis and
benign pleural effusion*
- *non-malignant pleural diseases.*
- 1a.** *Positive associations have been
noted by the International Agency for
Research on Cancer between asbestos
exposure and the following diseases:*
- *pharyngeal cancer,*
- *colorectal cancer,*
- *stomach cancer.”*

Or. en

Amendment 286

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 7 d (new)

Directive 2009/148/EC

Annex I – point 1

Present text

1. Current knowledge indicates that exposure to free asbestos fibres can give rise to the following diseases:

- asbestosis,
- mesothelioma,
- bronchial carcinoma,
- gastro-intestinal carcinoma.

Amendment

(7d) *In Annex I, point 1 is replaced by the following*

"1. Current knowledge indicates that exposure to free asbestos fibres can *at least* give rise to the following *asbestos-related occupational* diseases *which Member States therefore shall introduce into their national law provisions:*

- asbestosis,
- mesothelioma
- *lung carcinoma including* bronchial carcinoma,
- gastro-intestinal carcinoma,

- *carcinoma of the larynx,*
- *carcinoma of the ovary,*
- *benign pleural diseases including fibrotic lesions, rounded atelectasis and benign pleural effusion*
- *non-malignant pleural diseases.*

1a. *Positive associations have been noted by the International Agency for Research on Cancer between asbestos exposure and the following diseases:*

- *pharyngeal cancer,*
- *colorectal cancer,*
- *stomach cancer."*

Or. en

Amendment 287
Cindy Franssen

Proposal for a directive
Article 2 – paragraph 2 c (new)
Annex I – point 1

Text proposed by the Commission

1. Current knowledge indicates that exposure to free asbestos fibres can give rise to the following diseases:

- asbestosis,
- mesothelioma,
- bronchial carcinoma,
- gastro-intestinal carcinoma.

Amendment

2c. *In Annex I, point 1 is replaced by the following:*

"1. Current knowledge indicates that exposure to free asbestos fibres can give rise to the following diseases:

- asbestosis,
- mesothelioma,
- bronchial carcinoma,
- gastro-intestinal carcinoma.
- *carcinoma of the larynx,*
- *carcinoma of the ovary,*
- *non-malignant pleural diseases.*

1a. *Positive associations have been noted by the International Agency for Research on Cancer between asbestos*

exposure and the following diseases:

- *pharyngeal cancer,*
- *colorectal cancer,*
- *stomach cancer.”*

Or. en

Amendment 288

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 2 – paragraph 1 a (new)

Directive 2009/148/EC

Annex I – Point 1

Present text

1. Current knowledge indicates that exposure to free asbestos fibres can give rise to the following diseases:

- asbestosis,
- mesothelioma,
- bronchial carcinoma,
- gastro-intestinal carcinoma.

Amendment

1a. Annex I, point 1 is replaced by the following:

"1. Current knowledge indicates that exposure to free asbestos fibres can ***at least*** give rise to the following ***asbestos-related occupational*** diseases ***which Member States therefore shall introduce into their national law provisions:***

- asbestosis,
- mesothelioma
- ***lung carcinoma including*** bronchial carcinoma,
- gastro-intestinal carcinoma,
- ***carcinoma of the larynx,***
- ***carcinoma of the ovary,***
- ***benign pleural diseases including fibrotic lesions, rounded atelectasis and benign pleural effusion***
- ***non-malignant pleural diseases.***

1a. Positive associations have been noted by the International Agency for Research on Cancer between asbestos exposure and the following diseases:

— *pharyngeal cancer,*
— *colorectal cancer,*
— *stomach cancer."*

Or. en

Amendment 289

Nikolaj Villumsen, Leila Chaibi, Eugenia Rodríguez Palop, Marc Botenga

Proposal for a directive

Article 1 – paragraph 1 – point 7 e (new)

Directive 2009/148/EC

Annex I a (new)

Text proposed by the Commission

Amendment

(7e) The following annex is inserted:

**ANNEX Ia MINIMUM
REQUIREMENTS FOR TRAINING**

Workers who are, or who are likely to be, exposed to dust from asbestos or materials containing asbestos, shall receive mandatory training, encompassing at least the following minimum requirements:

- 1. The training shall be provided at the start of an employment relationship and at intervals not exceeding four years.***
- 2. Each training course shall have a minimum duration of three working days.***
- 3. The training shall be provided by a qualified and certified institution and instructor and carried out by Member State authority or recognised competent body in accordance with national law and practice.***
- 4. Every worker who has attended training in a satisfactory manner and has passed the required test shall receive a training certificate indicating all of the following:***
 - (a) the date of the training;***
 - (b) the duration of the training;***

- (c) the content of the training;*
- (d) the language of the training;*
- (e) the name, qualification, and contact details of the instructor and the institution providing the training.*

5. All workers who are, who are likely to be, or are at risk of being exposed to dust from asbestos or materials containing asbestos shall receive at least the following training, with a theoretical and a practical part, regarding all of the following:

- (a) the applicable law of the Member State in which the work is carried out;*
- (b) the properties of asbestos and its effects on health, including the synergistic effect of smoking, as well as the risks linked to passive, secondary and environmental exposure;*
- (c) the types of products or materials likely to contain asbestos;*
- (d) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (e) safe work practices, including workplace preparation, choice of working methods and planning of work execution, ventilation, point extraction, measurement and control, and regular breaks;*
- (f) the appropriate role, choice, selection, limitations and proper use of protective equipment, with special regard to respiratory equipment;*
- (g) emergency procedures;*
- (h) decontamination procedures;*
- (i) waste disposal;*
- (j) medical surveillance requirements.*

The training shall be adapted as closely as possible to the characteristics of the profession and the specific tasks and work methods it involves.

6. Workers who engage in demolition or asbestos-removal work shall receive

training, in addition to the training provided for pursuant to paragraph 4, regarding both of the following:

(a) the use of technological equipment and machines to contain the release and spreading of asbestos fibres during the work processes, in accordance with this Directive;

(b) the newest available technologies and machines for emission-free or, where this is not yet technically possible, low-emission working procedures, to contain the release and spreading of asbestos fibres.

Or. en

Amendment 290

Sara Matthieu

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 7 e (new)

Directive 2009/148/EC

Annex I a (new)

Text proposed by the Commission

Amendment

(7e) The following annex is inserted:

**“ANNEX Ia MINIMUM
REQUIREMENTS FOR TRAINING**

Workers who are, or who are likely to be, exposed to dust from asbestos or materials containing asbestos, shall receive mandatory training, encompassing at least the following minimum requirements:

- 1. The training shall be provided at the start of an employment relationship and at intervals not exceeding four years.*
- 2. Each training course shall have a minimum duration of three working days.*
- 3. The training shall be provided by a qualified and certified institution and instructor and carried out by Member*

State authority or recognised competent body in accordance with national law and practice.

4. Every worker who has attended training in a satisfactory manner and has passed the required test shall receive a training certificate indicating all of the following:

- (a) the date of the training;*
- (b) the duration of the training;*
- (c) the content of the training;*
- (d) the language of the training;*
- (e) the name, qualification, and contact details of the instructor and the institution providing the training.*

5. All workers who are, who are likely to be, or are at risk of being exposed to dust from asbestos or materials containing asbestos shall receive at least the following training, with a theoretical and a practical part, regarding all of the following:

- (a) the applicable law of the Member State in which the work is carried out;*
- (b) the properties of asbestos and its effects on health, including the synergistic effect of smoking, as well as the risks linked to passive, secondary and environmental exposure;*
- (c) the types of products or materials likely to contain asbestos;*
- (d) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (e) safe work practices, including workplace preparation, choice of working methods and planning of work execution, ventilation, point extraction, measurement and control, and regular breaks;*
- (f) the appropriate role, choice, selection, limitations and proper use of protective equipment, with special regard to respiratory equipment;*

- (g) *emergency procedures;*
 - (h) *decontamination procedures;*
 - (i) *waste disposal;*
 - (j) *medical surveillance requirements. The training shall be adapted as closely as possible to the characteristics of the profession and the specific tasks and work methods it involves.*
6. *Workers who engage in demolition or asbestos-removal work shall receive training, in addition to the training provided for pursuant to paragraph 4, regarding both of the following:*
- (a) *the use of technological equipment and machines to contain the release and spreading of asbestos fibres during the work processes, in accordance with this Directive;*
 - (b) *the newest available technologies and machines for emission-free or, where this is not yet technically possible, low-emission working procedures, to contain the release and spreading of asbestos fibres."*

Or. en

Amendment 291

Marianne Vind, Agnes Jongerius, Estrella Durá Ferrandis, Vilija Blinkevičiūtė, Ilan De Basso, Milan Brglez, Aurore Lalucq, Daniela Rondinelli, Carina Ohlsson

Proposal for a directive

Article 1 – paragraph 1 – point 7 e (new)

Directive 2009/148/EC

Annex 1 a (new)

Present text

Amendment

7e. Following Annex is added:

"ANNEX Ia

MINIMUM REQUIREMENTS FOR TRAINING

Workers who are, or who are likely to be, exposed to dust from asbestos or materials

containing asbestos, shall receive mandatory training, encompassing at least the following minimum requirements:

- 1. The training shall be provided at the start of an employment relationship and at intervals not exceeding four years.*
- 2. Each training course shall have a minimum duration of three working days.*
- 3. The training shall be provided by a qualified and certified institution and instructor and carried out by Member State authority or recognised competent body in accordance with national law and practice.*
- 4. Every worker who has attended training in a satisfactory manner and has passed the required test shall receive a training certificate indicating all of the following:*
 - (a) the date of the training;*
 - (b) the duration of the training;*
 - (c) the content of the training;*
 - (d) the language of the training;*
 - (e) the name, qualification, and contact details of the instructor and the institution providing the training.*
- 5. All workers who are, who are likely to be, or are at risk of being exposed to dust from asbestos or materials containing asbestos shall receive at least the following training, with a theoretical and a practical part, regarding all of the following:*
 - (a) the applicable law of the Member State in which the work is carried out;*
 - (b) the properties of asbestos and its effects on health, including the synergistic effect of smoking, as well as the risks linked to passive, secondary and environmental exposure;*
 - (c) the types of products or materials likely to contain asbestos;*

- (d) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (e) safe work practices, including workplace preparation, choice of working methods and planning of work execution, ventilation, point extraction, measurement and control, and regular breaks;*
- (f) the appropriate role, choice, selection, limitations and proper use of protective equipment, with special regard to respiratory equipment;*
- (g) emergency procedures;*
- (h) decontamination procedures;*
- (i) waste disposal;*
- (j) medical surveillance requirements. The training shall be adapted as closely as possible to the characteristics of the profession and the specific tasks and work methods it involves.*

6. Workers who engage in demolition or asbestos-removal work shall receive training, in addition to the training provided for pursuant to paragraph 4, regarding both of the following:

- (a) the use of technological equipment and machines to contain the release and spreading of asbestos fibres during the work processes, in accordance with this Directive;*
- (b) the newest available technologies and machines for emission-free or, where this is not yet technically possible, low-emission working procedures, to contain the release and spreading of asbestos fibres. "*

Or. en

Amendment 292
Cindy Franssen

Proposal for a directive
Article 1 – paragraph 1 – point 7 e (new)

Text proposed by the Commission

Amendment

7e. Following annex is added:

"ANNEX Ia

**MANDATORY MINIMUM
REQUIREMENTS FOR TRAINING**

All workers who are, or are likely to be, exposed to dust from asbestos or materials containing asbestos, shall receive mandatory training, encompassing at least the following minimum requirements:

- 1. The training shall be provided at the start of an employment relationship and at intervals not exceeding four years.***
- 2. Each training course shall have a minimum duration of three working days.***
- 3. The training shall be provided by a qualified and certified institution and instructor and carried out by a Member State authority or recognised competent body, in accordance with national law and practice. The training shall be provided in the first or second language of the worker undertaking the training.***
- 4. Every worker who has attended training in a satisfactory manner and has passed the required test shall receive a training certificate indicating:***
 - (a) the date of the training;***
 - (b) the duration of the training;***
 - (c) the content of the training;***
 - (d) the language of the training;***
 - (e) and the name, qualification, and contact details of the instructor and the institution providing the training.***
- 5. All workers who are, are likely to be, or are at risk of being exposed to dust from asbestos or materials containing asbestos shall at least receive the following training with a theoretical and a***

practical part regarding:

- (a) the applicable law of the Member State in which the work is carried out;*
- (b) the properties of asbestos and its effects on health, including the synergistic effect of smoking, as well as the risks linked to secondary and environmental exposure;*
- (c) the types of products or materials likely to contain asbestos;*
- (d) the operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure;*
- (e) safe work practices, including workplace preparation, choice of working methods and planning of work execution, ventilation, point extraction, measurement and control, and regular breaks;*
- (f) the appropriate role, choice, selection, limitations and proper use of protective equipment, with special regard to respiratory equipment;*
- (g) emergency procedures;*
- (h) decontamination procedures;*
- (i) waste disposal;*
- (j) medical surveillance requirements. The training shall be adapted as closely as possible to the characteristics of the profession and the specific tasks and work methods it involves.*

6. Workers who engage in demolition or asbestos-removal work shall receive training, in addition to the items listed under paragraph 4, regarding:

- (a) the use of technological equipment and machines to contain the release and spreading of asbestos fibres during the work processes, in accordance with Directive 2009/104/EC;**
- (b) the newest available technologies and machines for emission-free or, where this is not technically possible yet, low-emission working procedures, to contain the release and spreading of asbestos**

fibres.

Or. en

Amendment 293

Elena Lizzi, Paola Ghidoni, Stefania Zambelli

Proposal for a directive

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by **two** years after the date of entry into force of this Directive at the latest. They shall immediately communicate the text of those measures to the Commission.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by **seven** years after the date of entry into force of this Directive at the latest. They shall immediately communicate the text of those measures to the Commission.

Or. it

Amendment 294

Joanna Kopcińska

on behalf of the ECR Group

Proposal for a directive

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by **two** years after the date of entry into force of this Directive at the latest. They shall immediately inform the Commission thereof.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by **five** years after the date of entry into force of this Directive at the latest. They shall immediately inform the Commission thereof.

Or. pl

Justification

In view of the financial implications, an extension of the transposition period is necessary. Particularly in the context of a stricter OEL, there should be an increase in funding to protect

workers from asbestos exposure, especially in terms of technical measures and personal protective equipment. The transition period should therefore be longer than the proposed two years.

Amendment 295

Cindy Franssen

Proposal for a directive

Article 2 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1, point 4, of this Directive by [five years after the date of entry into force of this Directive].

They shall immediately communicate the text of those measures to the Commission.

Member States shall, before having brought into force the laws, regulations and administrative provisions in accordance with this paragraph, carry out fibre counting by phase-contrast microscopy or, where possible, by any other method giving equivalent or better results.

For the purpose of bringing into force the laws, regulations and administrative provisions necessary to comply with this Directive, the Commission could consider to/shall set up a platform for the Member States to exchange best practices.

Or. en

Amendment 296

Cindy Franssen

Proposal for a directive

Article 2 – paragraph 1 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1, point 5, of this Directive by [five years after the date of entry into force of this Directive].

They shall immediately communicate the text of those measures to the Commission.

Or. en

Amendment 297
Cindy Franssen

Proposal for a directive
Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall regularly monitor and assess the impact of the implementation of this Directive, after consulting the social partners, and taking into account SMEs and micro-enterprises, and provide sufficient technical guidance and administrative support to fulfil the requirements of this Directive.

Or. en