



Notification Number: 2008/132/F

Draft Decree defines the methods applicable to the manager of the establishment and the developer for making workplaces accessible to disabled persons, in implementation of Article 41 of Law No 2005-102 of 11 February 2005 and amending the Employment Code.

Date received : 02/04/2008

End of Standstill : 03/07/2008

Message

Message 002

Communication from the Commission - SG(2008) D/50671

Directive 98/34/EC

Translation of the message 001

Notification: 2008/0132/F

No abre el plazo - Nezhajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200800671.EN)

1. Structured Information Line

MSG 002 IND 2008 0132 F EN 02-04-2008 F NOTIF

2. Member State

FR

3. Department Responsible

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3. Originating Department



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4. Notification Number

2007/0132/F - B20

5. Title

Draft Decree defines the methods applicable to the manager of the establishment and the developer for making workplaces accessible to disabled persons, in implementation of Article 41 of Law No 2005-102 of 11 February 2005 and amending the Employment Code.

6. Products Concerned

Lifts, service lifts, escalators, moving walkways, personal lifts with a speed of no more than 0.15 m/s, vehicle parking installations.

7. Notification Under Another Act

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8. Main Content

The aim of the text is to lay down obligations in the area of accessibility for establishment managers and developers, with a view to ensuring that existing workplaces or those under construction allow disabled persons to gain access, move around, evacuate and find their way around as independently as possible, regardless of the type of disability.

The text also lays down the derogations applicable to new buildings and to existing buildings and the consultative body that establishment managers and developers may approach.

Key words: disabled person, disabled worker, accessibility, workplace, workplaces, establishment manager, developer, workstation, works, alteration works.

9. Brief Statement of Grounds

Article 41 of the Law of 11 February 2005 on the equality of rights and opportunities, participation and citizenship of disabled persons lays down that a Council of State Decree shall be drawn up to ensure that workplaces are accessible to disabled persons.

The various methods have been adopted in the interests of making it possible to take account of the various types of disability when designing workplaces.

These measures will promote the integration and safety of disabled workers in their workplaces.

10. Reference Documents - Basic Texts

a) The Member State that drafted the notification provides references to the basic texts that are necessary in order to evaluate the draft. The provision of this reference means that the basic texts should be sent to the Commission at the same time as the draft.

Law No 2005-102 of 11 February 2005 on the equality of rights and opportunities, participation and citizenship of disabled persons



11. Invocation of the Emergency Procedure

YES

12. Grounds for the Emergency

The integration of disabled persons is a national priority, and the text should be adopted as soon as possible. The objective of the Decree is to link up with the rules for the construction of new building or for renovation work in existing buildings.

In view of the long period of time between designing and budgeting for buildings or renovation work on existing building, any delay could result in differences in the integration of facilities intended for disabled people in the design of buildings.

13. Confidentiality

NO

14. Fiscal measures

Fiscal measures (delete as appropriate)

b) NO

15. Impact assessment

Impact assessments

16. TBT and SPS aspects

TBT and SPS aspects (agreements drawn up within the framework of the WTO)

TBT aspect (Agreement on Technical Barriers to Trade)

NO

iii) The draft will not have a significant effect on international trade.

SPS aspect (Agreement on Sanitary and Phytosanitary Measures)

NO.

i) The draft is not a sanitary or phytosanitary measure pursuant to Annex A to the SPS Agreement.

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