



Notification Number: 2000/667/F

Decree supplementing the provisions of the French Labour Code regarding the use of work equipment for lifting loads and mobile work equipment

Date received : 17/11/2000

End of Standstill : 19/02/2001

Message

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Message 002



Communication from the Commission - SG(2000) D/52494
Directive 98/34/EC
Translation of the message 001
Notification: 2000/667/F

(MSG: 200002494.EN)

1. Structured Information Line

MSG 002 IND 2000 0667 F EN 19-02-2001 17-11-2000 F NOTIF 19-02-2001

2. Member State

FRANCE

3. Department Responsible

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3. Originating Department

Ministère de l'emploi et de la solidarité,
Ministère de l'agriculture et de la pêche.

4. Notification Number

N° 2000/667/F - BOO

5. Title

Decree supplementing the provisions of the French Labour Code regarding the use of work equipment for lifting loads and mobile work equipment

6. Products Concerned

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7. Notification Under Another Act

92/57/EEC and 95/63/EC

8. Main Content

The draft Decree supplements the provisions of the French Labour Code regarding the use of lifting equipment and mobile machinery adopted at the time of the transposal into French law of Directive 95/63/EC by Decree No 98-1084 of 2 December 1998.



Articles 1, 3, 4 and 5 of the Draft concern the updating of certain provisions transposing Directive 92/57/EEC and Directive 95/63/EC. These articles are therefore unaffected by this notification.

Article 2 of the Draft introduces a new technical provision applicable to mobile work equipment in service with a view to preventing a serious hazard to health and safety. This particular hazard is not the subject of a provision in Annex I of amended Directive 89/655/EEC.

9. Brief Statement of Grounds

The Ministry of Employment and Solidarity has been shocked by several serious or fatal accidents caused by the sudden displacement during movement or transport of machinery of parts of mobile equipment, such as stabilisers or poles. To avoid this risk, action has been initiated at several levels.

With regard to equipment put into operation after 1 January 1995, the hazard is covered by requirement 3.3.2. of Annex I of Directive 98/37/EC on machinery. The action has therefore focused on the entry of this requirement in the harmonised European standards.

With regard to machinery put into operation before 1995, an information campaign has been conducted with a view to encouraging users to ensure that their equipment is fitted with secure locking devices. From the results of this campaign, drawn up by the professional bodies concerned, it emerges that most users have indeed taken the necessary technical measures. However, some old equipment is still not fitted with adequate security devices. An amendment to the Regulation has therefore proved necessary in order to establish the action of control services in this matter.

10. Reference Documents - Basic Texts

Article L. 233-5-1 of the Labour Code.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

David O'Sullivan
General Secretary
European Commission