



CENELEC GUIDE 20

CEN & CENELEC Standardization policy in the area covered by Article 118A of the EC Treaty

Edition 1, 2001-01

The 93rd technical Board Meeting (Strasbourg, 30 September - 2 October 1997) decided to endorse an existing CEN document on the above subject as a joint policy paper. Through its decision D97/168 BT resolved to make it available as a Standing CENELEC Document under reference number CLC(PERM)023. The 40th General Assembly of CENELEC (Prague 6/7 June 2000) decided to replace CENELEC Memoranda and Standing Documents by CENELEC Guides. As a result, CLC(PERM)023 was converted into CENELEC Guide n° 20. No change was made to the text of the original document. CENELEC, however, has added footnotes whenever clarification or updating was needed.



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CEN & CENELEC Standardization policy in the area covered by Article 118A of the EC Treaty¹

1. Article 118A of the EC Treaty provides for the development of Community measures to set minimum levels of protection for Health and Safety at work.

This paper sets out the CEN/CENELEC policy in this area.

2. CEN and CENELEC acknowledge that on the basis of the EC Treaty the improvement of occupational Health and Safety lies primarily with the Member States. In particular the right to set up limiting values for occupational exposure must be reserved for the political decision-making process.
3. It is however accepted that standardization is possible and has shown good results in the following fields which are in some way also related to Article 118A e.g. Terms and definitions, Measurement and planing of measurement, Testing and sampling procedures, Statistical methods and data exchange, Safety signals and warning signs, Selection of equipment.

This list should not be regarded as a programme of standardization in the area covered by Article 118A. Any work item has to follow the appropriate procedures as given in the CEN/CENELEC Internal Regulations carefully considering the following paragraphs.

4. Standards should be tools to make decisions and to be used e.g. by
 - European or national legislators;
 - national sectorial agreement partners e.g. for employers and unions;
 - individuals (other interested parties including teaching professionals).

It is within the discretion of the European Commission and the National Authorities to make reference to these standards, where appropriate.

5. If standards are meant to be tools to solve particular problems with respect to Article 118A, the need for such standards work should be carefully established before any such work begins.
6. When producing standards in the field of Article 118A, Technical bodies are asked to produce standards that can easily be referred to by European and national Authorities.

¹ In the Amsterdam Treaty (entered into force on 1 May 1999), the Articles 118, 118A and 118B of the Treaty establishing the European Communities have been reprocessed and renumbered Articles 137, 138 and 139.

7. For European standards in the area covered by Article 118A it must be carefully considered to whom these standards are addressed.
8. To make these standards widely acceptable, the view of the member bodies, authorities, interested parties including social partners etc. expressed through their national standard institutions should be considered as well as views of the EC Directorate Generals and other European organizations, representing social partners associated members and others interests.
9. In the field of standardization where Article 118A Directives exist special consideration should be given to the fact that these Directives set out minimum requirements.
10. When developing standards closely related to a particular Article 118A Directive it should considered whether the final product should be a European standard or other appropriate document taking into account its national implementation including the possibility of withdrawal.
11. Standard project in the field of Article 118A Directives should consider the option to have two or more solutions, like classes so that the user of the standard can make his own decision on the levels to be chosen.