

Council Directive of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (90/269/EEC)

COUNCIL DIRECTIVE

of 29 May 1990

on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

(90/269/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 118a thereof

Having regard to the Commission proposal⁽¹⁾ submitted after consultation with the Advisory Committee on Safety, Hygiene and Health Protection at Work,

In cooperation with the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Article 118a of the Treaty provides that the Council shall adopt, by means of Directives, minimum requirements for encouraging improvements, especially in the working environment, to guarantee a better level of protection of the health and safety of workers;

Whereas, pursuant to that Article, such Directives must avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings;

Whereas the Commission communication on its programme concerning safety, hygiene and health at work⁽⁴⁾, provides for the adoption of Directives designed to guarantee the health and safety of workers at the workplace;

Whereas the Council, in its resolution of 21 December 1987 on safety, hygiene and health at work⁽⁵⁾, took note of the Commission's intention of submitting to the Council in the near future a Directive on protection against the risks resulting from the manual handling of heavy loads;

Whereas compliance with the minimum requirements designed to guarantee a better standard of health and safety at the workplace is essential to ensure the health and safety of workers;

Whereas this Directive is an individual Directive within the meaning of Article 16 (1) of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the health and safety of workers at work⁽⁶⁾; whereas therefore the provisions of the said Directive are fully applicable to the field of the manual handling of loads where there is

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a risk particularly of back injury to workers, without prejudice to more stringent and /or specific provisions set out in this Directive;

Whereas this Directive constitutes a practical step towards the achievement of the social dimension of the internal market;

Whereas, pursuant to Decision 74/325/EEC⁽⁷⁾, the Advisory Committee on Safety, Hygiene and Health Protection at Work shall be consulted by the Commission with a view to drawing up proposals in this field,

HAS ADOPTED THIS DIRECTIVE:

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- (1) OJ No C 117, 4.5.1988, p. 8.
- (2) OJ No C 326, 19.12.1988, p. 137 and OJ No C 96, 17.4.1990, p. 82.
- (3) OJ No C 318, 12.12.1988, p. 37.
- (4) OJ No C 28, 3.2.1988, p. 3.
- (5) OJ No C 28, 3.2.1988, p. 1.
- (6) OJ No L 183, 29.6.1983, p. 1.
- (7) OJ No L 185, 9.7.1974, p. 15.