

Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

SECTION I

**GENERAL PROVISIONS**

*Article 1*

**Object**

1 This Directive, which is the ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC, lays down minimum requirements for the provision of safety and/or health signs at work.

[<sup>F1</sup>2 This Directive shall not apply to signs for the placing on the market of hazardous substances and mixtures, products and/or equipment, unless other Union provisions make specific reference thereto.]

3 This Directive shall not apply to signs used for regulating road, rail, inland waterway, sea or air transport.

4 The provisions of Directive 89/391/EEC shall apply in full to the whole area referred to in paragraph 1, without prejudice to more stringent and/or specific provisions in this Directive.

**Textual Amendments**

- F1** Substituted by [Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation \(EC\) No 1272/2008 on classification, labelling and packaging of substances and mixtures.](#)

*Article 2*

**Definitions**

For the purposes of this Directive:

- (a) safety and/or health signs means signs referring to a specific object, activity or situation and providing information or instructions about safety and/or health at work by means of a signboard, a colour, an illuminated sign or acoustic signal, a verbal communication or a hand signal, as the case may be;
- (b) prohibition sign means a sign prohibiting behaviour likely to incur or cause danger;
- (c) warning sign means a sign giving warning of a hazard or danger;
- (d) mandatory sign means a sign prescribing specific behaviour;

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- (e) emergency escape or first-aid sign means a sign giving information on emergency exits or first-aid or rescue facilities;
- (f) information sign means a sign providing information other than that referred to in (b) to (e);
- (g) signboard means a sign which provides specific information by a combination of a geometric shape, colours and a symbol or pictogram and which is rendered visible by lighting of sufficient intensity;
- (h) supplementary signboard means a signboard used together with one of the signs described under (g), which provides supplementary information;
- (i) safety colour means a colour to which a specific meaning is assigned;
- (j) Symbol or pictogram means a figure which describes a situation or prescribes specific behaviour and which is used on a signboard or illuminated surface;
- (k) illuminated sign means a sign produced by a device made of transparent or translucent materials which are illuminated from the inside or the rear in such a way as to give the appearance of a luminous surface;
- (l) acoustic signal means a coded sound signal which is released and transmitted by a device designed for that purpose, without the use of a human or artificial voice;
- (m) verbal communication means a predetermined spoken message communicated by a human or artificial voice;
- (n) hand signal a movement and/or position of the arms and/or hands, in coded form, for guiding persons who are carrying out manoeuvres which constitute a hazard or danger for workers.

## SECTION II

### EMPLOYERS' OBLIGATIONS

#### *Article 3*

#### **General rules**

1 Employers shall provide safety and/or health signs as laid down in this Directive where hazards cannot be avoided or adequately reduced by techniques for collective protection or measures, methods or procedures used in the organization of work, or ensure that such signs are in place.

Employers shall take into account any risk evaluation made in accordance with Article 6 (3) (a) of Directive 89/391/EEC.

2 Without prejudice to the provisions of Annex V, the signs used for road, rail, inland waterway, sea and air transport shall be installed, wherever appropriate for such forms of transport, inside undertakings and/or firms.

#### *Article 4*

### **Safety and/or health signs used for the first time**

Without prejudice to Article 6, a safety and/or health sign used at work for the first time on or after the date referred to in Article 11(1) first subparagraph must fulfil the minimum requirements set out in Annexes I to IX.

#### *Article 5*

### **Safety and/or health signs already in use**

Without prejudice to Article 6, a safety and/or health sign which was already in use at work before the date referred to in Article 11(1) first subparagraph must fulfil the minimum requirements set out in Annexes I to IX by no later than eighteen months after that date.

#### *Article 6*

### **Exemptions**

1 Taking account of the types of activity and/or size of the undertakings concerned, Member States may specify categories of undertakings allowed to replace totally, partially or temporarily the illuminated signs, and/or acoustic signals provided for in this Directive by alternative measures which afford the same level of protection.

2 Member States may derogate, after consulting both sides of industry, from the application of Annex VIII, section 2 and/or Annex IX, section 3, whilst laying down alternative measures guaranteeing the same level of protection.

3 Member States shall consult, in accordance with national laws and/or practice, employers' and workers' organizations when implementing paragraph 1.

#### *Article 7*

### **Information and instruction for workers**

1 Without prejudice to Article 10 of Directive 89/391/EEC, workers and/or their representatives shall be informed of all the measures to be taken concerning the safety and/or health signs used at work.

2 Without prejudice to Article 12 of Directive 89/391/EEC, workers must be given suitable instruction, in particular in the form of specific directions concerning the safety and/or health signs used at work.

In particular, the instruction referred to in the first subparagraph shall cover the meaning of the signs, especially signs incorporating words, and the general and specific behaviour to be adopted.

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## Article 8

### Consultation of workers and workers' participation

Consultation and participation of workers and/or their representatives shall take place in accordance with Article 11 of Directive 89/391/EEC on the matters covered by this Directive, including Annexes I to IX.

## SECTION III

### MISCELLANEOUS PROVISIONS

## <sup>F2</sup>Article 9

### Amendments to the Annexes

The Commission is empowered to adopt delegated acts in accordance with Article 9a to make strictly technical amendments to the Annexes, in order to take account of technical harmonisation and standardisation concerning the design and manufacture of safety and/or health signs or devices at work, as well as technical progress, changes in international regulations or specifications and advances in knowledge in the field of safety and/or health signs or devices at work.

Where, in duly justified and exceptional cases involving imminent, direct and serious risks to workers' and other persons' physical health and safety, imperative grounds of urgency require action in a very short timeframe, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.]

#### Textual Amendments

- F2** Substituted by [Regulation \(EU\) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union \(Text with EEA relevance\)](#).

## <sup>F3</sup>Article 9a

### Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for a period of five years from 26 July 2019. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>(1)</sup>.

5 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6 A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

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#### Textual Amendments

- F3** Inserted by [Regulation \(EU\) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union \(Text with EEA relevance\)](#).

#### Article 9b

### Urgency procedure

1 Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.

2 Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 9a(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.]

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#### Textual Amendments

- F3** Inserted by [Regulation \(EU\) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union \(Text with EEA relevance\)](#).

#### Article 10

1 Directive 77/576/EEC shall be repealed on the date referred to in Article 11 (1), first subparagraph.

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However, in the cases referred to in Article 5, that Directive shall continue to apply for a maximum period of eighteen months following that date.

2 Any reference to the repealed Directive shall be taken to refer to the corresponding provisions of this Directive.

Article 11

Final provisions

1 Member States shall bring into force the laws, regulations and administrative provisions required to comply with this Directive no later than 24 June 1994.

They shall immediately inform the Commission thereof.

2 When Member States adopt these measures they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3 Member States shall communicate to the Commission the text of the provisions of domestic law which they have already adopted or adopt in the field covered by this Directive.

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Textual Amendments

F4 Deleted by Directive 2007/30/EC of the European Parliament and of the Council of 20 June 2007 amending Council Directive 89/391/EEC, its individual Directives and Council Directives 83/477/EEC, 91/383/EEC, 92/29/EEC and 94/33/EC with a view to simplifying and rationalising the reports on practical implementation (Text with EEA relevance).

Article 12

This Directive is addressed to the Member States.

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(1) [<sup>F3</sup>OJ L 123, 12.5.2016, p. 1.]

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