

Council Directive 92/91/EEC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

COUNCIL DIRECTIVE 92/91/EEC

of 3 November 1992

concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/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 proposal from the Commission⁽¹⁾, drawn up after consultation with the Safety and Health Commission for the Mining and other Extractive Industries,

In cooperation with the European Parliament⁽²⁾,

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

Whereas Article 118a of the EEC 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 safety and health of workers;

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

Whereas the improvement of workers' safety, hygiene and health at work is an objective which should not be subordinated to purely economic considerations;

Whereas Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC⁽⁴⁾) does not apply to the extractive industries;

Whereas compliance with the minimum requirements designed to guarantee a better standard of safety and health for the mineral-extracting industries through drilling is essential to ensure the safety and health of workers;

Whereas the mineral-extracting industries through drilling constitute an area of activity likely to expose workers to particularly high levels of risk;

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 safety and health of workers at work⁽⁵⁾; whereas, therefore, the provisions

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of the said Directive apply in full to the mineral-extracting industries through drilling without prejudice to more stringent and/or specific provisions contained in this Directive;

Whereas this Directive is a practical contribution towards creating the social dimension of the internal market,

HAS ADOPTED THIS DIRECTIVE:

- (1) OJ No C 32, 7.2.1991, p. 7.
- (2) OJ No C 280, 28.10.1991, p. 79; and OJ No C 241, 21.9.1992, p. 88.
- (3) OJ No C 191, 22.7.1991, p. 34.
- (4) OJ No L 393, 30.12.1989, p. 1.
- (5) OJ No L 183, 29.6.1989, p. 1.