

WRITTEN QUESTION E-0703/02

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to the Commission

Subject: The utility of the Commission's impact assessments, with particular reference to the Physical Agents (Vibrations) Directive

In answer to Written Question E-3212/01¹ on the Business Impact Assessment for the Physical Agents (Vibrations) Directive, the Commission replied as follows:

'When submitting its Proposal for a Council Directive on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (OJ C 77, 18.3.1993) the Commission drew up an impact assessment, based on a specific impact study for each physical agent included in the Proposal, on the activities of small and medium-sized enterprises, and this included the estimated costs which would arise from implementing the Directive...'

The impact assessment referred to in that answer is found on pages 70-74 of COM(92) 560 final - SYN 449. The only estimate given of the financial costs of the Directive to companies (without knowing how many workers would exercise their right to equipment and training) is that of half a man-day per year found on page 72. No attempt is made to indicate how this figure has been arrived at, nor is there any indication of how many workers would be affected in each Member State or the total cost to each Member State (whatever the distribution of total cost between firms and the public authorities) or the EU as a whole.

The Impact Assessment was prepared by the Tripartite Advisory Commission on Safety, Hygiene and Health Protection at Work, the Safety and Health Commission for Mining and other Extractive Industries, specialist independent and national experts (who may or may not have had accounting and business skills) and a group of specialists regarding the socio-economic impact of the proposal.

The Directive is now going through Conciliation. There are claims that this Directive may cost billions of euros in each of the larger states alone. The Council have repeatedly called for proper Business Impact Assessments to be carried-out when a Directive will have a noticeable financial cost to business. Does the Commission believe that its Impact Assessment on the Physical Agents (Vibrations) Directive is remotely adequate or consistent with the Lisbon declarations, and, if not, will it urgently undertake a new and comprehensive Impact Assessment study? Will it also ensure that in future all Impact Assessments on the financial costs to business are assessed by independent business experts and contain detailed estimates of the costs of a Directive to each Member State and to the individual economic sectors most affected?

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