

Proposal for a regulation of the European Parliament and of the Council 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)

Green: The text can be deemed as already agreed
 Yellow: The issue needs further discussion at technical level
 Red: The issue needs further discussion in depth at trilogues

Note:

Differences between the EP's position and the Commission's proposal are highlighted in Bold/Italics on EP text.

Differences between the Council's position and the Commission's proposal are highlighted in Bold/Italics on Council text.

Modifications by lawyer-linguists are in Italics.

Compromise wording is in Bold/Italics/Underline.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
1.	III. HUMANITARIAN AID AND CIVIL PROTECTION			
2.	7. Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid*			
3.	Since its adoption in 1996, no measures have ever had to be adopted by the Commission in accordance with the regulatory procedure with scrutiny in order		Since its adoption in 1996, no measures have ever had to be adopted by the Commission in accordance with the regulatory procedure with scrutiny in order	

* OJ L 163, 2.7.1996, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	to amend non-essential elements of Regulation (EC) No 1257/96. There does not seem to be any foreseeable need to do so in the future. The possibility to adopt implementing measures in accordance with the regulatory procedure with scrutiny should therefore be removed from Regulation (EC) No 1257/96, without there being a need to empower the Commission to adopt delegated acts in accordance with Article 290 of the Treaty.		to amend non-essential elements of Regulation (EC) No 1257/96. There does not seem to be any foreseeable need to do so in the future. The possibility to adopt implementing measures in accordance with the regulatory procedure with scrutiny should therefore be removed from Regulation (EC) No 1257/96, without there being a need to empower the Commission to adopt delegated or implementing acts in accordance with, respectively , Articles 290 and 291 of the Treaty.	
4.	Accordingly, Regulation (EC) No 1257/96 is amended as follows:			
5.	(1) in Article 15, paragraph 1 is deleted;			
6.	(2) in Article 17, paragraph 4 is deleted.			
7.	IV. EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
8.	8. 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[†]			
9.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way, the Annex to Directive 89/391/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on		[...]	

[†] OJ L 183, 29.6.1989, p. 1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			
10.			There is no need to empower the Commission to amend the Annex to Directive 89/391/EEC. Therefore, the possibility to adopt those implementing measures in accordance with the regulatory procedure with scrutiny should be removed from Directive 89/391/EEC, without replacing it with an empowerment conferred in accordance with Article 290(1) or Article 291(2) of the Treaty.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
11.	Accordingly, Directive 89/391/EEC is amended as follows:			
12.			(- 1) Article 16(2) is deleted;	
13.	(1) the following Article 16a is inserted:		(1) [...]	
14.	<i>"Article 16a</i> Amendments to the Annex			
15.	The Commission is empowered to adopt delegated acts in accordance with Article 17b amending, in a technical way, the Annex in order to take account of technical harmonisation and standardisation and technical progress, changes in international regulations or specifications and new findings.";			
16.	(2) Article 17 is deleted;			
17.	(3) the following Article 17b is inserted:		(3) [...]	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
18.	<i>"Article 17b</i> Exercise of the delegation			
19.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
20.	2. The power to adopt delegated acts referred to in Article 16a shall be conferred on the Commission for an indeterminate period of time from [date of the entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 16a shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>		

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
21.	3. The delegation of power referred to in Article 16a 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.			
22.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
23.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
24.	6. A delegated act adopted pursuant to Article 16a 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 the Council.			
25.	9. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	meaning of Article 16 (1) of Directive 89/391/EEC [‡]			
26.	In order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to the workplaces, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way, the Annexes to Directive 89/654/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-Institutional Agreement on		In order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to the workplaces, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 89/654/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-	

[‡] OJ L 393, 30.12.1989, p.1.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		Institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
27.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			Council Decision of 22 July 2003⁴.	
28.	Accordingly, Directive 89/654/EEC is amended as follows:			
29.	(1) Article 9 is replaced by the following:			
30.	<i>"Article 9</i> Amendments to the Annexes			

4. Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
31.	The Commission is empowered to adopt delegated acts in accordance with Article 9a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to workplaces.		The Commission is empowered to adopt delegated acts in accordance with Article 9a introducing strictly technical amendments to [...] the Annexes, in order to take account of technical harmonisation and standardisation of the design, manufacture or construction of parts of workplaces, technical progress, changes in international regulations or specifications and knowledge with regard to workplaces.	
32.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
33.	(2) the following Articles 9a and 9b are inserted:		(2) the following [...] is inserted:	
34.	"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.			
35.	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>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</i>	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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	

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		<i>Council opposes such extension not later than three months before the end of each period.</i>	extension not later than three months before the end of each period.	
36.	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.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
37.	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 on Better Law-Making of 13 April 2016 [†] .		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 [...] [†] .	
38.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			

[†] OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
39.	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 the Council.			
40.	<i>Article 9b</i> Urgency procedure		[...]	
41.	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.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	The notification of a delegated act to the European Parliament and the Council shall state the reasons for the use of the urgency procedure.			
42.	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 the Council.			

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43.	10. Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)**			
44.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to personal protective equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way, the Annexes to Directive 89/656/EEC. It is of particular importance that the Commission carry out appropriate consultations during its		In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to personal protective equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 89/656/EEC. It is of particular importance that the Commission carry out appropriate	

** OJ L 393, 30.12.1989, p. 18.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	
45.			<p>It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			Council Decision of 22 July 2003^{††}.	
46.	Accordingly, Directive 89/656/EEC is amended as follows:			
47.	(1) Article 9 is replaced by the following: "Article 9 Amendments to the Annexes			

^{††} Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
48.	The Commission is empowered to adopt delegated acts in accordance with Article 9a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation relating to personal protective equipment, technical progress, changes in international regulations or specifications and knowledge in the field of personal protective equipment.		The Commission is empowered to adopt delegated acts in accordance with Article 9a introducing strictly technical amendments to [...] the Annexes, [...], in order to take account of technical harmonisation and standardisation relating to personal protective equipment, technical progress, changes in international regulations or specifications and knowledge in the field of personal protective equipment.	
49.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
50.	(2) the following Articles 9a and 9b are inserted:		(2) the following Article [...] is inserted:	
51.	" <i>Article 9a</i> Exercise of the delegation			
52.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
53.	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for <i>a</i> period of five years from ...[date of entry into force of this <i>amending Regulation</i>]. <i>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</i>	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless	

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		<i>identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
54.	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.			
55.	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 Inter-		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles	

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	institutional Agreement on Better Law-Making of 13 April 2016*.		laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
56.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
57.	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			

* OJ L 123, 12.5.2016, p. 1.";

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	initiative of the European Parliament or the Council.			
58.	<i>Article 9b</i> Urgency procedure		[...]	
59.	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.			
60.	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			

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	such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or the Council.			
61.	11. Council Directive 90/269/EEC 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)^{††}			
62.	In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to manual handling of loads where there is a risk particularly of back injury to workers, the power to adopt acts in accordance with Article 290		In order to take account of technical progress, changes in international regulations or specifications and knowledge with regard to manual handling of loads where there is a risk particularly of back injury to workers, the power to adopt acts in accordance with Article 290	

003 setting up an Advisory Com

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>of the Treaty should be delegated to the Commission to amend the Annexes to Directive 90/269/EEC, in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 90/269/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	

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63.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{§§}.	
64.	Accordingly, Directive 90/269/EEC is amended as follows:			
65.	(1) Article 8 is replaced by the following:			

^{§§} Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

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66.	"Article 8 Amendments to the Annexes			
67.	The Commission is empowered to adopt delegated acts in accordance with Article 8a amending, in a technical way, the Annexes in order to take account of technical progress, changes in international regulations or specifications and knowledge in the field of the manual handling of loads.		The Commission is empowered to adopt delegated acts in accordance with Article 8a introducing strictly technical amendments to [...] the Annexes in order to take account of technical progress, changes in international regulations or specifications and knowledge in the field of the manual handling of loads.	
68.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 8b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
69.	(2) the following Articles 8a and 8b are inserted:		(2) the following Article [...] is inserted:	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
70.	"Article 8a Exercise of the delegation			
71.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
72.	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	

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73.	<p>3. The delegation of power referred to in Article 8 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.</p>			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
74.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016*.		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 Inter-institutional Agreement of 13 April 2016 on Better Law [...]*	
75.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
76.	6. A delegated act adopted pursuant to Article 8 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 the Council.			
77.	<i>Article 8b</i> Urgency procedure		[...]	
78.	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			

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	reasons for the use of the urgency procedure.			
79.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 8a(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 the Council.			
80.	12. Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) ***			
81.	In order to take account of technical progress, changes in international regulations or		In order to take account of technical progress, changes in international regulations or	

Work (OJ C 218, 13.9.2003, p. 1

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	<p>specifications and knowledge with regard to display screen equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 90/270/EEC, in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>specifications and knowledge with regard to display screen equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 90/270/EEC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			groups dealing with the preparation of delegated acts.	
82.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{†††}.	
83.	Accordingly, Directive 90/270/EEC is amended as follows:			
84.	(1) Article 10 is replaced by the following:			
85.	<i>"Article 10</i> Amendments to the Annex			

^{†††} Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
86.	The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the Annex, in a technical way, in order to take account of technical progress, developments in international regulations or specifications and knowledge in the field of display screen equipment.		The Commission is empowered to adopt delegated acts in accordance with Article 10a introducing strictly technical amendments to [...] the Annex, [...] in order to take account of technical progress, developments in international regulations or specifications and knowledge in the field of display screen equipment.	
87.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
88.	(2) the following Articles 10a and 10b are inserted:		(2) the following Article [...] is inserted:	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
89.	"Article 10a Exercise of the delegation			
90.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
91.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
92.	3. The delegation of power referred to in Article 10 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.			
93.	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 Inter-		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	institutional Agreement on Better Law-Making of 13 April 2016*.		laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	
94.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
95.	6. A delegated act adopted pursuant to Article 10 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			

*OJ L 123, 12.5.2016, p. 1".

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	initiative of the European Parliament or the Council.			
96.	<i>Article 10b</i> Urgency procedure		[...]	
97.	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.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
98.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(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 the Council.			
99.	13. Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels ^{***}			
100.	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to medical treatment on board vessels, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to		In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to medical treatment on board vessels, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical	

^{***} OJ L 113, 30.4.1992, p. 19.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>Directive 92/29/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>amendments to [...] the Annexes to Directive 92/29/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional of 13 April 2016 Agreement on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	
101.			<p>It is recalled that the Commission is assisted by the Advisory Committee on Safety</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{§§§}.	
102.	Accordingly, Directive 92/29/EEC is amended as follows:			
103.	(1) Article 8 is replaced by the following:			
104.	<i>"Article 8</i> Amendments to the Annexes			
105.	The Commission is empowered to adopt delegated acts in accordance with Article 8a amending the Annexes, in a technical way, in order to take account of technical progress or changes in international regulations or specifications and new findings concerning		The Commission is empowered to adopt delegated acts in accordance with Article 8a introducing strictly technical amendments to [...] the Annexes, [...] in order to take account of technical progress or changes in international regulations or specifications and	

§§§ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	medical treatment on board vessels.		new findings concerning medical treatment on board vessels.	
106.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 8b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
107.	(2) the following Articles 8a and 8b are inserted:		(2) the following Article [...] is inserted:	
108.	" <i>Article 8a</i> Exercise of the delegation			
109.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
110.	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for an	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for <i>a</i> period of	2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for a period of	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	indeterminate period of time from [date of entry into force of this Omnibus].	<i>five years</i> from ... [date of entry into force of this amending Regulation]. <i>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.</i>	five years from ... [date of entry into force of this amending Regulation]. 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.	
111.	3. The delegation of power referred to in Article 8 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			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	therein. It shall not affect the validity of any delegated acts already in force.			
112.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
113.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
114.	6. A delegated act adopted pursuant to Article 8 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			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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 the Council.			
115.	<i>Article 8b</i> Urgency procedure		[...]	
116.	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.			
117.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 8a(6). In such a case, the Commission shall repeal the act immediately			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	following the notification of the decision to object by the European Parliament or the Council.			
118.	14. Council Directive 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)****			
119.	In order to take account of technical harmonisation and standardisation technical progress, changes in international regulations or specifications and knowledge with regard to temporary or mobile construction sites, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend		In order to take account of technical harmonisation and standardisation technical progress, changes in international regulations or specifications and knowledge with regard to temporary or mobile construction sites, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make	

**** OJ L 245, 26.8.1992, p. 6.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	Annex IV to Directive 92/57/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		strictly technical amendments to [...] Annex IV to Directive 92/57/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
120.			It is recalled that the Commission is assisted by the Advisory Committee on Safety	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{††††}.	
121.	Accordingly, Directive 92/57/EEC is amended as follows:			
122.	(1) Article 13 is replaced by the following:			
123.	<i>"Article 13</i> Amendments to Annex IV			
124.	The Commission is empowered to adopt delegated acts in accordance with Article 13a amending Annex IV in a technical way in order to take account of technical harmonisation and standardisation regarding temporary or mobile construction sites, as well as		The Commission is empowered to adopt delegated acts in accordance with Article 13a introducing strictly technical amendments to [...] Annex IV [...] in order to take account of technical harmonisation and standardisation regarding temporary or mobile construction sites, as well as	

^{††††} Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	technical progress, changes in international regulations or specifications or knowledge in the field of temporary or mobile construction sites.		technical progress, changes in international regulations or specifications or knowledge in the field of temporary or mobile construction sites.	
125.	Where, in the case of imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 13b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
126.	(2) the following Articles 13a and 13b are inserted:		(2) the following Article [...] is inserted:	
127.	<i>"Article 13a</i> Exercise of the delegation			
128.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
129.	<p>2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for a period of five years from ...[date of entry into force of this amending Regulation]. 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.</p>	<p>2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for a period of five years from ...[date of entry into force of this amending Regulation]. 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.</p>	
130.	<p>3. The delegation of power referred to in Article 13 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</p>			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
131.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
132.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
133.	6. A delegated act adopted pursuant to Article 13 shall enter into force only if no objection			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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 the Council.			
134.	<i>Article 13b</i> Urgency procedure		[...]	
135.	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.			
136.	2. Either the European Parliament or the Council may			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	object to a delegated act in accordance with the procedure referred to in Article 13a(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 the Council.			
137.	15. 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) ^{***}			
138.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to safety and health signs at work, the power to adopt acts in accordance with Article 290 of the Treaty should		In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and knowledge with regard to safety and health signs at work, the power to adopt acts in accordance with Article 290 of the Treaty should be	

^{***} OJ L 245, 26.8.1992, p. 23.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>be delegated to the Commission to amend the Annexes to Directive 92/58/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>delegated to the Commission to make strictly technical amendments to [...]the Annexes to Directive 92/58/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	
139.			<p>It is recalled that the Commission is assisted by the</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{§§§§}.	
140.	Accordingly, Directive 92/58/EEC is amended as follows:			
141.	(1) Article 9 is replaced by the following:			
142.	<i>"Article 9</i> Amendments to the Annexes			
143.	The Commission is empowered to adopt delegated acts in accordance with Article 9a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation concerning the design and manufacture of		The Commission is empowered to adopt delegated acts in accordance with Article 9a introducing strictly technical amendments to [...] the Annexes, [...], in order to take account of technical harmonisation and standardisation concerning the	

§§§§ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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 health signs or devices at work.		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 health signs or devices at work.	
144.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 9b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
145.	(2) the following Articles 9a and 9b are inserted:		(2) the following Article [...] is inserted:	
146.	<i>"Article 9a</i> Exercise of the delegation			
147.	1. The power to adopt delegated acts is conferred on the			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	Commission subject to the conditions laid down in this Article.			
148.	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	
149.	3. The delegation of power referred to in Article 9 may be revoked at any time by the European Parliament or by the			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
150.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
151.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	the European Parliament and to the Council.			
152.	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 the Council.			
153.	<i>Article 9b</i> Urgency procedure		[...]	
154.	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			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	and the Council shall state the reasons for the use of the urgency procedure.			
155.	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 the Council.			
156.	16. 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) *****			

***** OJ L 348, 28.11.1992, p. 9.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
157.	<p>In order to take account of technical harmonisation and standardisation, of technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 92/91/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at</p>		<p>In order to take account of technical harmonisation and standardisation, [...]technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 92/91/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
158.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{††††}.	
159.	Accordingly, Directive 92/91/EEC is amended as follows:			
160.	(1) Article 11 is replaced by the following:			

^{††††} Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
161.	" <i>Article 11</i> Amendments to the Annex			
162.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending the Annex, in a technical way, in order to take account of technical harmonisation and standardisation concerning the mineral-extracting industries through drilling, as well as technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling.		The Commission is empowered to adopt delegated acts in accordance with Article 11a introducing strictly technical amendments to [...] the Annex, [...], in order to take account of technical harmonisation and standardisation concerning the mineral-extracting industries through drilling, as well as technical progress, changes in international regulations or specifications and knowledge with regard to the mineral-extracting industries through drilling.	
163.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to		[...]"	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	delegated acts adopted pursuant to this Article.";			
164.	(2) the following Articles 11a and 11b are inserted:		(2) the following Article [...] is inserted:	
165.	" <i>Article 11a</i> Exercise of the delegation			
166.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
167.	2. The power to adopt delegated acts referred to in 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of five years from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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</i>	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
		<i>identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
168.	3. The delegation of power referred to in Article 11 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.			
169.	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 Inter-		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 Inter-	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
170.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
171.	6. A delegated act adopted pursuant to Article 11 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 the Council.			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
172.	<i>Article 11b</i> Urgency procedure		[...]	
173.	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.			
174.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(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 the Council.			
175.	17. Council Directive 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)****			
176.	In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings concerning the surface and underground mineral-extracting industries, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 92/104/EEC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in		In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings concerning the surface and underground mineral-extracting industries, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 92/104/EEC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those	

**** OJ L 404, 31.12.1992, p. 10.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
177.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			Council Decision of 22 July 2003 ^{§§§§§} .	
178.	Accordingly, Directive 92/104/EEC is amended as follows:			
179.	(1) Article 11 is replaced by the following:			
180.	<i>"Article 11</i> Amendments to the Annex			
181.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending the Annex , in a technical way, in order to take account of technical harmonisation and standardisation concerning the surface and underground mineral-extracting industries, as well as technical progress, changes in international regulations or specifications and new findings concerning the		The Commission is empowered to adopt delegated acts in accordance with Article 11a introducing strictly technical amendments to [...] the Annex, [...] in order to take account of technical harmonisation and standardisation concerning the surface and underground mineral-extracting industries, as well as technical progress, changes in international regulations or specifications and new findings concerning the	

§§§§§ Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	surface or underground mineral-extracting industries.		surface or underground mineral-extracting industries.	
182.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
183.	(2) the following Articles 11a and 11b are inserted:		(2) the following Article [...] is inserted:	
184.	<i>"Article 11a</i> Exercise of the delegation			
185.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
186.	<p>2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ...[date of entry into force of this <i>amending Regulation</i>]. <i>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.</i></p>	<p>2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
187.	3. The delegation of power referred to in Article 11 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.			
188.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	

¹ * OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
189.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
190.	6. A delegated act adopted pursuant to Article 11 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 the Council.			
191.	<i>Article 11b</i> Urgency procedure		[...]	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
192.	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.			
193.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(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 the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
194.	<p>18. Council Directive 93/103/EC of 23 November 1993 concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)*****</p>			

***** OJ L 307, 13.12.1993, p. 1.

195.	<p>In order to take account of technical harmonisation and standardisation, technical progress, changes in international regulations or specifications and new findings in the field of safety and health on board fishing vessels, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 93/103/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts</p>		[...]	
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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			
196.			There is no need to empower the Commission to amend the Annexes to Directive 93/103/EC. Therefore, the possibility to adopt those implementing measures in accordance with the regulatory procedure with scrutiny should be removed from Directive 93/103/EC, without replacing it with an empowerment conferred in accordance with Article 290(1) or Article 291(2) of the Treaty.	
197.	Accordingly, Directive 93/103/EC is amended as follows:		Accordingly, Article 12 of Directive 93/103/EC is deleted. [...]	
198.	(1) Article 12 is replaced by the following:		[...] <i>(Deletion of the remainder of this point of the Annex)</i>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
199.	<i>"Article 12</i> Amendments to the Annexes			
200.	The Commission is empowered to adopt delegated acts in accordance with Article 12a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation concerning certain aspects of safety and health on board fishing vessels, as well as technical progress, changes in international regulations or specifications and new findings in the field of safety and health on board fishing vessels.			
201.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.";			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
202.	(2) the following Articles 12a and 12b are inserted:			
203.	<i>"Article 12a</i> Exercise of the delegation			
204.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
205.	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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</i>		

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
		<i>not later than three months before the end of each period.</i>		
206.	3. The delegation of power referred to in Article 12 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.			
207.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016.			

OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
208.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
209.	6. A delegated act adopted pursuant to Article 12 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 the Council.			
210.	<i>Article 12b</i> Urgency procedure			
211.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
212.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 12a(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 the Council.			
213.	19. Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work^{††††††}			
214.	In order to achieve adequate protection of young people at work and to take account of technical progress, changes in		In order to achieve adequate protection of young people at work and to take account of technical progress, changes in	

†††††† OJ L 216, 20.8.1994, p. 12.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>international standards or specifications and new findings, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 94/33/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>international [...] rules or specifications and [...] advances in knowledge, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 94/33/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			groups dealing with the preparation of delegated acts.	
215.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003*****.	
216.	Accordingly, Directive 94/33/EC is amended as follows:			
217.	(1) Article 15 is replaced by the following:			
218.	<i>"Article 15</i> Amendments of the Annex			
219.	The Commission is empowered to adopt delegated acts in accordance with Article 15a		The Commission is empowered to adopt delegated acts in accordance with Article 15a	

***** Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	amending the Annex, in a technical way, in the light of technical progress, changes in international rules or specifications and advances in knowledge concerning the protection of young people at work.";		introducing strictly technical amendments to [...] the Annex, [...] in the light of technical progress, changes in international rules or specifications and advances in knowledge concerning the protection of young people at work.";	
220.	(2) the following Article 15a is inserted:		(2) the following Article [...]is inserted:	
221.	" <i>Article 15a</i> Exercise of the delegation			
222.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
223.	2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for an indeterminate period of time	2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission for <i>a</i> period of five years from ... [date of entry into force of this <i>amending</i>	2. The power to adopt delegated acts referred to in Article 15 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation].	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	from [date of entry into force of this Omnibus].	<i>Regulation]. 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.</i>	The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	
224.	3. The delegation of power referred to in Article 15 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			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	validity of any delegated acts already in force.			
225.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
226.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
227.	6. A delegated act adopted pursuant to Article 15 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			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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 the Council.			
228.	20. Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) §§§§§§			
229.	In order to achieve adequate protection of workers from risks to their health and safety and to take account of technical harmonisation and standardisation, technical progress, changes in international standards or specifications and new findings		In order to achieve adequate protection of workers from risks to their health and safety and to take account of technical harmonisation and standardisation, technical progress, changes in international standards or specifications and new findings	

§§§§§§ OJ L 131, 5.5.1998, p. 11.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>concerning chemical agents, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 98/24/EC, in a technical way, and to supplement that Directive by establishing or revising indicative occupational exposure limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to</p>		<p>concerning chemical agents, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annexes to Directive 98/24/EC [...], and to supplement that Directive by establishing or revising indicative occupational exposure limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	meetings of Commission expert groups dealing with the preparation of delegated acts.		systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
230.	Accordingly, Directive 98/24/EC is amended as follows:			
231.	(1) in Article 3(2), the second subparagraph is replaced by the following:			
232.	“The Commission is empowered to adopt delegated acts in accordance with Article 12a concerning the establishment or revision of indicative occupational exposure limit values, taking into account the availability of measurement techniques.”	“The Commission is empowered to adopt delegated acts in accordance with Article 12a <i>to supplement this Directive by establishing or revising</i> indicative occupational exposure limit values, taking into account the availability of measurement techniques.”	"The Commission is empowered to adopt delegated acts in accordance with Article 12a in order to supplement this Directive by establishing or revising the [...] indicative occupational exposure limit values referred to in the first subparagraph of this paragraph , taking into account the availability of measurement techniques.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
233.	Member States shall keep workers' and employers' organisations informed of indicative occupational exposure limit values set at Union level.			
234.	Where, in the case of exceptional possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this paragraph."		[...]"	
235.	(2) in Article 12, paragraph 1 is replaced by the following:			
236.	"1. The Commission is empowered to adopt delegated acts in accordance with Article 12a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation concerning chemical agents, as well as technical progress, changes in international standards or		"1. The Commission is empowered to adopt delegated acts in accordance with Article 12a introducing strictly technical amendments to [...] the Annexes, [...] in order to take account of technical harmonisation and standardisation concerning chemical agents, as well as technical progress,	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	specifications and new findings with regard to chemical agents.		changes in international standards or specifications and new findings with regard to chemical agents.	
237.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
238.	(3) the following Articles 12a and 12b are inserted:		(3) the following Article [...] is inserted:	
239.	<i>"Article 12a</i> Exercise of the delegation			
240.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
241.	<p>2. The power to adopt delegated acts referred to in Article 3(2) and Article 12(1) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].</p>	<p>2. The power to adopt delegated acts referred to in Article Article 3(2) and Article 12(1) shall be conferred on the Commission for a period of five years from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i></p>	<p>2. The power to adopt delegated acts referred to in the second subparagraph of Article 3(2) and Article 12(1) shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
242.	<p>3. The delegation of power referred to in Article 3(2) and Article 12(1) 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.</p>		<p>3. The delegation of power referred to in the second subparagraph of Article 3(2) and Article 12(1) 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.</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
243.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
244.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
245.	<p>6. A delegated act adopted pursuant to Article 3(2) and Article 12(1) 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 the Council.</p>		<p>6. A delegated act adopted pursuant to the second subparagraph of Article 3(2) and Article 12(1) 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 the Council.</p>	
246.	<p><i>Article 12b</i> Urgency procedure</p>		[...]	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
247.	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.			
248.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 12a(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 the Council.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
249.	<p>21. Directive 1999/92/EC of the European Parliament and of the Council of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (15th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)*****</p>			

***** OJ L 23, 28.1.2000, p. 57.

250.	<p>In order to take account of technical harmonisation and standardisation in the field of explosion protection, technical progress, changes in international regulations or specifications and new findings on the prevention of and protection against explosions, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 1999/92/EC in a technical way.</p> <p>It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States'</p>		[...]	
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	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			
251.			There is no need to empower the Commission to amend the Annexes to Directive 1999/92/EC. Therefore, the possibility to adopt those implementing measures in accordance with the regulatory procedure with scrutiny should be removed from Directive 1999/92/EC, without replacing it with an empowerment conferred in accordance with Article 290(1) or Article 291(2) of the Treaty.	
252.	Accordingly, Directive 1999/92/EC is amended as follows:		Accordingly, Article 10 of Directive 1999/92/EC is deleted.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
253.	(1) Article 10 is replaced by the following:		[...] <i>((Deletion of the remainder of this point of the Annex))</i>	
254.	<i>"Article 10</i> Amendments to the Annexes			
255.	The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation in the field of explosion protection, technical progress, changes in international regulations or specifications and new findings with regard to the prevention of and protection against explosions.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
256.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article.";			
257.	(2) the following Articles 10a and 10b are inserted:			
258.	<i>"Article 10a</i> Exercise of the delegation			
259.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
260.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>The Commission shall draw up a report in respect of the delegation of power not later than nine</i>		

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
		<i>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.</i>		
261.	3. The delegation of power referred to in Article 10 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.			
262.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .			
263.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
264.	6. A delegated act adopted pursuant to Article 10 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			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	initiative of the European Parliament or the Council.			
265.	<i>Article 10b</i> Urgency procedure			
266.	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.			
267.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(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 the Council.			
268.	22. Directive 2000/54/EC of the European Parliament and of			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC)^{††††††}			
269.	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to exposure to biological agents, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annexes to Directive 2000/54/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles		In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to exposure to biological agents, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] Annexes II, III, IV and VII to Directive 2000/54/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in	

†††††† OJ L 262, 17.10.2000, p. 21.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
270.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003*****.	

***** Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
271.			<p>There is no need to empower the Commission to amend Annexes I, V, VI, VIII and IX to Directive 2000/54/EC. Therefore, the possibility to adopt those implementing measures in accordance with the regulatory procedure with scrutiny should be removed from Directive 2000/54/EC, without replacing it with an empowerment conferred in accordance with Article 290(1) or Article 291(2) of the Treaty.</p>	
272.	Accordingly, Directive 2000/54/EC is amended as follows:			
273.	(1) Article 19 is replaced by the following:			
274.	<i>"Article 19</i> Amendments to the Annexes		<i>"Article 19</i> Amendments to [...]Annexes II, III, IV and VII	
275.	The Commission is empowered to adopt delegated acts in		The Commission is empowered to adopt delegated acts in	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	accordance with Article 19a amending the Annexes, in a technical way, in order to adapt them to technical progress, changes in international regulations or specifications and new findings in the field of exposure to biological agents.		accordance with Article 19a introducing strictly technical amendments to [...] Annexes II, III, IV and VII , [...] in order to adapt them to technical progress, changes in international regulations or specifications and new findings in the field of exposure to biological agents.	
276.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 19b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
277.	(2) the following Articles 19a and 19b are inserted:		(2) the following Article [...] is inserted:	
278.	<i>"Article 19a</i> Exercise of the delegation			
279.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
280.	2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 19 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	
281.	3. The delegation of power referred to in Article 19 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			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
282.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 [†] .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...] [†] .	
283.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
284.	6. A delegated act adopted pursuant to Article 19 shall enter			

[†] OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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 the Council.			
285.	<i>Article 19b</i> Urgency procedure		[...]	
286.	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.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
287.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 19a(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 the Council.			
288.	23. Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) §§§§§§§§			
289.	In order to take account of technical harmonisation and standardisation with regard to the design, building,		In order to take account of technical harmonisation and standardisation with regard to the design, building,	

§§§§§§§§ OJ L 177, 6.7.2002, p. 13.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the Annex to Directive 2002/44/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts</p>		<p>manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] the Annex to Directive 2002/44/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States'</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
290.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003*****.	
291.	Accordingly, Directive 2002/44/EC is amended as follows:			
292.	(1) Article 11 is replaced by the following:			
293.	"Article 11 Amendments to the Annex			

***** Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
294.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending the Annex, in a technical way, in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration.		The Commission is empowered to adopt delegated acts in accordance with Article 11a introducing strictly technical amendments to [...] the Annex, [...] in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning mechanical vibration.	
295.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.";		[...]"	
296.	(2) the following Articles 11a and 11b are inserted:		(2) the following Article [...] is inserted:	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
297.	"Article 11a Exercise of the delegation			
298.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
299.	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
300.	3. The delegation of power referred to in Article 11 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.			
301.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*.	

¹ OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
302.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
303.	6. A delegated act adopted pursuant to Article 11 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 the Council.			
304.	<i>Article 11b</i> Urgency procedure		[...]	
305.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
306.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(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 the Council.			
307.	(3) Article 12 is deleted.			
308.	24. Directive 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise)			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	(Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) ^{††††††††}			
309.	In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend, in a technical way, Directive 2003/10/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles		In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make strictly technical amendments to [...] Directive 2003/10/EC. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles	

^{††††††††} OJ L 042, 15.2.2003, p. 38.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
310.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003*****.	

***** Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
311.	Accordingly, Directive 2003/10/EC is amended as follows:			
312.	(1) Article 12 is replaced by the following:			
313.	<i>"Article 12</i> Amendments to the Directive			
314.	The Commission is empowered to adopt delegated acts in accordance with Article 12a amending, in a technical way, this Directive in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise.		The Commission is empowered to adopt delegated acts in accordance with Article 12a introducing strictly technical amendments to [...] this Directive in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment and workplaces, technical progress, changes in harmonised European standards or specifications and new findings concerning noise.	
315.	Where, in the case of possible imminent risks to workers'		[...]"	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	health and safety, imperative grounds of urgency so require, the procedure provided for in Article 12b shall apply to delegated acts adopted pursuant to this Article.";			
316.	(2) the following Articles 12a and 12b are inserted:		(2) the following Article [...] is inserted:	
317.	<i>"Article 12a</i> Exercise of the delegation			
318.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
319.	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for <i>a</i> period of five years from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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</i>	2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
		<i>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.</i>	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.	
320.	3. The delegation of power referred to in Article 12 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.			
321.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
322.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
323.	6. A delegated act adopted pursuant to Article 12 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			

¹ OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	extended by two months at the initiative of the European Parliament or the Council.			
324.	<i>Article 12b</i> Urgency procedure		[...]	
325.	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.			
326.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 12a(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 the Council.			
327.	(3) Article 13 is deleted.			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
328.	25. Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) §§§§§§§§			
329.	In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens, the power to adopt acts in accordance with Article 290 of the Treaty Union should be delegated to the Commission to amend Annex II to Directive 2004/37/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including		In order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens, the power to adopt acts in accordance with Article 290 of the Treaty Union should be delegated to the Commission to make strictly technical amendments to [...] Annex II to Directive 2004/37/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during	

§§§§§§§§ OJ L 158, 30.4.2004, p. 50.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
330.			It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			Council Decision of 22 July 2003*****.	
331.	Accordingly, Directive 2004/37/EC is amended as follows:			
332.	(1) Article 17 is replaced by the following:			
333.	<i>"Article 17</i> Amendment of Annex II			
334.	The Commission is empowered to adopt delegated acts in accordance with Article 17a amending Annex II, in a technical way, in order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens.		The Commission is empowered to adopt delegated acts in accordance with Article 17a introducing strictly technical amendments to [...] Annex II, [...] in order to take account of technical progress, changes in international regulations or specifications and new findings with regard to carcinogens or mutagens.	
335.	Where, in the case of possible imminent risks to workers' health and safety, imperative		[...]"	

***** Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	grounds of urgency so require, the procedure provided for in Article 17b shall apply to delegated acts adopted pursuant to this Article.";			
336.	(2) the following Articles 17a and 17b are inserted:		(2) the following Article [...] is inserted:	
337.	" <i>Article 17a</i> Exercise of the delegation			
338.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
339.	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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</i>	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 year period. The delegation of power shall be tacitly extended for periods of	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
		<i>identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i>	an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
340.	3. The delegation of power referred to in Article 17 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.			
341.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016 [*] .		laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...] [*] .	
342.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
343.	6. A delegated act adopted pursuant to Article 17 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			

^{*} OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	initiative of the European Parliament or the Council.			
344.	<i>Article 17b</i> Urgency procedure		[...]	
345.	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.			
346.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 17a(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 the Council.			
347.	26. Directive 2006/25/EC of the European Parliament and of			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)††††††††</p>			
348.	<p>In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the</p>		<p>In order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to make</p>	

†††††††† OJ L 114, 27.4.2006, p. 38.

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	Annexes to Directive 2006/25/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		strictly technical amendments to [...] the Annexes to Directive 2006/25/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
349.			It is recalled that the Commission is assisted by the Advisory Committee on Safety	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			and Health at Work in the preparation, implementation and evaluation of activities in the fields of safety and health at work, in accordance with Council Decision of 22 July 2003*****.	
350.	Accordingly, Directive 2006/25/EC is amended as follows:			
351.	(1) Article 10 is replaced by the following:			
352.	<i>"Article 10</i> Amendment of the Annexes			
353.	The Commission is empowered to adopt delegated acts in accordance with Article 10a amending the Annexes, in a technical way, in order to take account of technical harmonisation and standardisation with regard to the design, building, manufacture or construction of		The Commission is empowered to adopt delegated acts in accordance with Article 10a introducing strictly technical amendments to [...] the Annexes, [...] in order to take account of technical harmonisation and standardisation with regard to the design, building,	

***** Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation.		manufacture or construction of work equipment or workplaces, technical progress, changes in harmonised European standards or international specifications and new scientific findings concerning occupational exposure to optical radiation. Those amendments may not result in a modification of the exposure limit values set out in the Annexes.	
354.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 10b shall apply to delegated acts adopted pursuant to this Article."		[...]"	
355.	(2) the following Articles 10a and 10b are inserted:		(2) the following Article [...] is inserted:	
356.	" <i>Article 10a</i> Exercise of the delegation			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
357.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
358.	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>an indeterminate</i> period of <i>time</i> from [date of entry into force of this <i>Omnibus</i>].	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 10 shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	
359.	3. The delegation of power referred to in Article 10 may be revoked at any time by the			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
360.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	
361.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to			

¹ OJ L 123, 12.5.2016, p. 1.";

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	the European Parliament and to the Council.			
362.	6. A delegated act adopted pursuant to Article 10 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 the Council.			
363.	<i>Article 10b</i> Urgency procedure		[...]	
364.	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			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	and the Council shall state the reasons for the use of the urgency procedure.			
365.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 10a(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 the Council.			
366.	(3) Article 11 is deleted.			
367.	27. Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) §§§§§§§§§§			

§§§§§§§§§§

OJ L 260, 3.10.2009, p. 5.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
368.	<p>In order to take account of technical harmonisation and standardisation, technical progress and changes in international regulations or specifications or knowledge in the field of work equipment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annexes I and II to Directive 2009/104/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States'</p>		[...]	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.			
369.			There is no need to empower the Commission to amend Annexes I and II to Directive 2009/104/EC. Therefore, the possibility to adopt those implementing measures in accordance with the regulatory procedure with scrutiny should be removed from Directive 2009/104/EC, without replacing it with an empowerment conferred in accordance with Article 290(1) or Article 291(2) of the Treaty.	
370.	Accordingly, Directive 2009/104/EC is amended as follows:		Accordingly, Article 11 of Directive 2009/104/EC is deleted. [...]	
371.	(1) Article 11 is replaced by the following:		[...] <i>(Deletion of the remainder of this point of the Annex)</i>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
372.	" <i>Article 11</i> Amendment of the Annexes			
373.	The Commission is empowered to adopt delegated acts in accordance with Article 11a amending Annexes I and II, in a technical way, in order to take account of technical harmonisation and standardisation of work equipment, as well as technical progress and changes in international regulations or specifications or knowledge in the field of work equipment.			
374.	Where, in the case of possible imminent risks to workers' health and safety, imperative grounds of urgency so require, the procedure provided for in Article 11b shall apply to delegated acts adopted pursuant to this Article.";			
375.	(2) the following Articles 11a and 11b are inserted:			
376.	" <i>Article 11a</i> Exercise of the delegation			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
377.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
378.	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 11 shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>		
379.	3. The delegation of power referred to in Article 11 may be revoked at any time by the European Parliament or by the			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
380.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .			
381.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
382.	6. A delegated act adopted pursuant to Article 11 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 the Council.			
383.	<i>Article 11b</i> Urgency procedure			
384.	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			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	reasons for the use of the urgency procedure.			
385.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11a(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 the Council.			
386.	28. Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from the risks related to exposure to asbestos at work *****			
387.	In order to take account of technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex I to Directive		In order to take account of technical progress, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend Annex I to Directive	

OJ L 330, 16.12.2009, p. 28.

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	<p>2009/148/EC in a technical way. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>		<p>2009/148/EC [...]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	
388.			<p>It is recalled that the Commission is assisted by the Advisory Committee on Safety and Health at Work in the preparation, implementation and evaluation of activities in</p>	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
			the fields of safety and health at work, in accordance with Council Decision of 22 July 2003^{††††††††††}.	
389.	Accordingly, Directive 2009/148/EC is amended as follows:			
390.	(1) Article 9 is deleted;			
391.	(2) in Article 18, paragraph 2 is replaced by the following:			
392.	"2. An assessment of each worker's state of health must be available prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of work.			
393.	That assessment shall include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers. The Commission is empowered to adopt delegated acts in		That assessment shall include a specific examination of the chest. Annex I gives practical recommendations to which the Member States may refer for the clinical surveillance of workers. The Commission is empowered to adopt delegated acts in	

^{††††††††††} Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (OJ C 218, 13.9.2003, p. 1).

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	accordance with Article 18a amending Annex I, in a technical way, to adapt it to technical progress.		accordance with Article 18a amending Annex I, [...] to adapt it to technical progress.	
394.	Where, in the case of possible imminent risks to workers' health and safety arising from exposure to asbestos at work, imperative grounds of urgency so require, the procedure provided for in Article 18b shall apply to delegated acts adopted pursuant to this paragraph.		[...]	
395.	A new assessment must be available at least once every 3 years for as long as exposure continues.			
396.	An individual health record shall be established in accordance with national laws and/or practices for each worker referred to in the first subparagraph.";			
397.	(3) the following Articles 18a and 18b are inserted:		(3) the following Article [...] 18a [...] is [...] inserted:	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
398.	"Article 18a			
399.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			
400.	2. The power to adopt delegated acts referred to in Article 18(2) shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this Omnibus].	2. The power to adopt delegated acts referred to in Article 18 (2) shall be conferred on the Commission for <i>a</i> period of <i>five years</i> from ... [date of entry into force of this <i>amending Regulation</i>]. <i>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.</i>	2. The power to adopt delegated acts referred to in Article 18(2) shall be conferred on the Commission [...] for a period of 5 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5 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.	

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
401.	3. The delegation of power referred to in Article 18(2) 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.			
402.	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 Inter-institutional Agreement on Better Law-Making of 13 April 2016 ¹ .		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 Inter-institutional Agreement of 13 April 2016 on Better Law-Making [...]*	

¹ OJ L 123, 12.5.2016, p. 1."

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
403.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
404.	6. A delegated act adopted pursuant to Article 18(2) 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 the Council.			
405.	<i>Article 18b</i>		[...]	
406.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as			

	COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT
	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.			
407.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 18a(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 the Council.			