

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 228 final.

Brussels, 30 May 1978.

PROPOSAL FOR A DIRECTIVE (EURATOM) OF THE COUNCIL

amending the Directive of 1st June 1976 laying down the revised Basic Safety Standards for the health protection of the general public and workers against the dangers of ionizing radiation

(submitted to the Council by the Commission)

COM(78) 228 final.

EXPLANATORY MEMORANDUM

Article 30 of the Treaty establishing the EAEC (Euratom) states that "Basic standards shall be laid down within the Community for the protection of the health of workers and the general public against the dangers arising from ionizing radiations".

Article 31 of the Treaty stipulates that the basic standards shall be worked out by the Commission, after it has obtained the opinion of a group of persons appointed by the Scientific and Technical Committee from among scientific experts, and in particular public health experts, in the Member States. A Group of Experts on Basic Safety Standards took part in drawing up the initial directives which were adopted by the Council on 2 February 1959 (OJ No 11 of 20 February 1959) and revised on 5 March 1962 (OJ No 57 of 9 July 1962), on 27 October 1966 (OJ No 216 of 26 November 1966) and on 1 June 1976 (OJ No L 187 of 12 July 1976),

By drawing up and amending these directives it has been possible to establish harmonized radiation protection legislation - based on common values and principles - in the Member States of the Community,

The basic safety standards laid down in these directives constitute a system of principles and values which are primarily based on the scientific recommendations of the International Commission on Radiological Protection (ICRP), a scientific organization recognized throughout the world. In 1977, taking into account the most recent scientific information in the field of radiobiology and radiation protection, the International Commission on Radiological Protection published new recommendations which modify a certain number of basic concepts in the field of radiation protection, previously published in 1966.

The existence of this new information, which is also presented in the latest report by the United Nations Scientific Committee on Effects of Atomic Radiation, has prompted the international organizations concerned (IAEA, WHO, ILO) to revise their recommendations.

It thus became necessary to carry out at Community level a study of the new recommendations of the International Commission on Radiological Protection, in order to determine which provisions of the Directive of 1 June 1976 would have to be adapted. After a thorough examination, the competent services of the Commission, working in close cooperation with the Group of Experts on Basic Safety Standards, came to the conclusion that it was desirable to revise the Directive without delay.

In fact, this revision is only one stage in the process of harmonization of legislation in the Member States of the European Community and another step forward in the endeavour to optimize radiation protection of workers and the general public. In effect, although the systems and procedures created by the directives are constantly developing and undergoing changes, the guarantees given on the most important points remain the same.

However it should be noted that the Directive of 1 June 1976 makes it incumbent on the Member States to bring their legislation into line with the basic safety standards before 12 July 1978.

Taking into account the fact that the basic safety standards are to be revised in the near future, the Member States would be obliged to amend their legislation on two occasions within a short period of time. Thus, it has been considered advisable to extend by two years the time limit for the application of the Directive of 1 June 1976.

Proposed amendment to the Directive of 1 June 1976
laying down the revised basic safety standards for the
health protection of the general public and workers
against the dangers of ionizing radiation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community and in particular Articles 31 and 32 thereof,

Having regard to the proposal from the Commission, worked out after obtaining the opinion of a group of persons appointed by the Scientific and Technical Committee from among the scientific experts,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas the Treaty establishing the European Atomic Energy Community prescribes that the basic standards for the protection of the health of the general public and workers against the dangers arising from ionizing radiation, as provided for in particular in Article 30 thereof, must be laid down in order to enable each Member State, in accordance with Article 33, to lay down the appropriate provisions by legislation, regulation or administrative action to ensure compliance with the basic safety standards;

Whereas the Council, on 1 June 1976, adopted Directive 76/579/Euratom (3) laying down the abovementioned basic safety standards;

Whereas the International Commission on Radiological Protection, whose recommendations constitute an important scientific background for the Euratom basic safety standards, has in its most recent recommendations, in particular in Recommendation No 26, modified certain fundamental scientific concepts in the field of radiological protection;

(1) corresponding reference
(2) corresponding reference
(3) OJ No L 187, 12. 7. 1976

Whereas in the light of increasing scientific knowledge of radiation protection, and in view of the fact that the national radiological protection provisions aimed at ensuring the best possible health protection of the workers and population should always correspond to the latest state of the art, it is expedient that the national legislative, regulatory and administrative provisions in the field of radiation protection should be amended as soon as possible, and

Whereas it has in the meantime become necessary to extend from two to four years the time limit laid down in Article 40, paragraph 1 of Directive 76/579/Euratom referred to above;

Has adopted this Directive :

Article 1

Article 40, paragraph 1 of the Directive of 1 June 1976 shall be amended as follows :

The Member States shall take the measures necessary to comply with this Directive within a time limit of four years from the date of notification thereof.

Article 2

This Directive is addressed to all Member States.

Done at Brussels,

For the Council

Composition du groupe d'experts "Normes de base"
visés à l'article 31 du Traité Euratom

Zusammensetzung der in Artikel 31 des Euratom-Vertrages
genannten Sachverständigengruppe "Grundnormen"

Composition of the Group of experts "Basic Safety Standards"
referred to in Article 31 of the Euratom Treaty

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