

MINISTRY OF THE PRESIDENCY

ROYAL DECREE 1417/2006, of 1 December, which establishes the arbitral system for the resolution of complaints and claims with respect to matters of equal opportunity, non-discrimination and equal access for disabled people

Article 17 of Law 51/2003, of 2 December, on equal opportunities, non-discrimination and equal access for persons with disabilities provides for the establishment of an arbitral system, among the defense measures referred to by Chapter III of the legal text. The arbitral system shall, without special formalities, attend to and resolve the complaints or claims of persons with disabilities in matters that are the subject of the law, its decisions being of a binding and enforceable nature for the involved parties. To this end the thirteenth final provision of said legal text entrusts the Government with the establishment of an arbitral system within two years from the entry into force of the law.

The abovementioned provision contemplates the provisions set forth in the Community legislation—Directive 2000/43/CE of the Council, of 29 June and Directive 2002/73/CE of the European Parliament and of the Council, of 23 September, which modifies Directive 76/207/CE of the Council—which anticipates the establishment of settlement procedures in addition to the judiciary and administrative procedures in the member States of the European Union.

The present royal decree fulfills the abovementioned mandate by means of the establishment and regulation of a specific arbitral system for the resolution of conflicts in matters of equal opportunities, non-discrimination and equal access for persons with disabilities.

Pursuant to the provisions of section 4 of article 1 of Law 60/2003, of 23 December, on Arbitration, and considering the supplementary character of Law 51/2003 of 2 December, on the provisions of the specific legislation on measures for the application of the principle of equal treatment in employment and the exercise of trades, labour arbitration is excluded from the arbitral system referred to in the present royal decree.

In accordance with the abovementioned article 17 of Law 51/2003, of 2 December, the present royal decree provides for participation in the arbitral entities, which shall take the form of arbitration boards, by representatives of the sectors concerned, the organizations most representing persons with disabilities and their families and the public authorities.

The present royal decree has been the subject of consultation with the autonomous regions and the cities of Ceuta and Melilla, the Spanish Confederation of Business Organisations (la Confederación Española de Organizaciones Empresariales) and the Spanish Confederation of Small and Medium-sized Enterprises and the Spanish Committee of Representatives of Persons with Disabilities, and has been favourably reviewed by the National Council on Disabilities.

By virtue whereof, at the behest of the Ministries of Justice, of Labour and Social Affairs, of Health and Consumer Affairs and of Housing, with the previous approval of the Minister of Public Administration, in accordance with the Council of State, and following deliberation by the Council of Ministers on 1 December 2006,

I DECLARE:

CHAPTER I

General provisions

Article 1. Object.

1. The object of the present royal decree is the establishment and regulation of the arbitral system anticipated in article 17 of Law 51/2003, of 2 December, on equal opportunities, non-discrimination and equal access for persons with disabilities.

2. The arbitral system shall be established, without special formalities, being binding on both parties, to attend to and resolve the complaints or claims of persons with disabilities in matters of equal opportunities, non-discrimination and equal access, insofar as there are no reasonable indications of criminality, without precluding government or judicial protection which may be appropriate in each case.

3. The parties' submission to the arbitral system shall be voluntary and shall be expressly stated in writing.

Article 2. Scope of application.

1. The object of the arbitral system regulated by this royal decree shall be the complaints and claims that may arise in matters of equal opportunities, non-discrimination and equal access for persons with disabilities.

The disputes shall refer to some one of the following spheres:

- a) Telecommunications and the information society.
- b) Developed public areas, infrastructures and building.
- c) Transportation.
- d) Personal and real property, products, services, activities or functions marketed directly to consumers as end users that are produced, provided, supplied or issued by natural personas or legal entities, individual or collective, professional or owners of public or private establishments, permanent or travelling, under private law.
- e) Relations with the public authorities within the sphere of private law.

2. The following shall not be subject to arbitration:

- a) Disputes in matters that have been resolved by the final and definitive judgement of a court of law in cases where the subject, deed and grounds coincide.
- b) Those in which the Public Prosecutor's Office must intervene in representation and defense of the persons with disabilities who are unable to act or do not have legal representation and cannot act for themselves.
- c) Those in which there exist reasonable indications of criminality.
- d) Questions which are determined in administrative contracts, as well as other matters that are not unrestricted according to the law.

3. In accordance with the provisions of section 4 of article 1 of Law 60/2003, of 23 December, on Arbitration, labour arbitration is excluded from the arbitral system referred to in the present royal decree.

CHAPTER II

On equal opportunity, non-discrimination and equal access arbitration boards

Article 3. Constitution of the arbitration boards for equal opportunity, non-discrimination and equal access.

1. The arbitration boards for equal opportunity, non-discrimination and equal access are the governing entities which manage and administer the arbitral system referred to in the present royal decree.

2. A Central Arbitration Board for equal opportunity, non-discrimination and equal access shall be constituted at the state level, attached to the Ministry of Labor and Social Affairs through the office of the Secretary of State for Social Services, Families and Disabilities, which shall be aware of the applications for arbitration at a national level presented by persons with disabilities or their legal representatives and by the organisations representing persons with disabilities and their families, and which refer to:

a) Complaints and claims that affect a territorial area larger than an autonomous region.

b) Complaints and claims that relate to matters whose implementation is jurisdiction of the state.

3. In every autonomous region and in the cities of Ceuta and Melilla an equal opportunity, non-discrimination and equal access arbitration board shall be constituted, corresponding in territorial scope. The arbitration boards shall be constituted by means of the collaboration agreements signed by the Ministry of Labour and Social Affairs and the respective autonomous regions and the cities of Ceuta and Melilla.

The collaboration agreements referred to in the previous paragraph shall establish the functional scope and other operational conditions of the arbitration boards. Also, upon receipt of a favourable review by the Ministry of Economy and Housing, the honorariums for the arbitrators and any economic compensations that may proceed, where applicable, for the members of the arbitration boards and of the arbitration entities referred to in article 12 shall be set, applying the provisions of Royal Decree 462/2002, of 24 May, on compensation due to service.

4. The arbitration boards of the autonomous regions and of the cities of Ceuta and Melilla shall have knowledge of the complaints and claims presented by persons with disabilities or their legal representatives and by the organisations representing persons with disabilities and their families whose domicile is within their territorial area.

They will also resolve those complaints and claims in which, although not falling into this category, the celebration, execution or fulfillment of the contract or the action that has given rise to the complaint or claim has been carried out in their territorial area, insofar as none of the parties is expressly opposed to it.

5. The arbitration board considered as having no jurisdiction due to reasons of the material or the territory shall transfer the matter to that which is considered competent, any conflicts resulting from these transfers being settled by the Central Arbitration Board.

6. The establishment of unified technical criteria in arbitral matters shall be the jurisdiction of the Central Arbitration Board.

Article 4. Functions of the equal opportunity, non-discrimination and equal access arbitration boards.

The equal opportunity, non-discrimination and equal access arbitration boards shall carry out the following functions, taking into particular consideration the principles of normalization and accessibility:

- a) The promotion of membership in the arbitral system for equal opportunity, non-discrimination and equal access by means of public offerings of submission.
- b) Development and updating of the register of natural persons and legal entities who have made public offerings of submission to the arbitral system in their territorial areas. The register shall include the scope of the offer.
- c) Develop and make readily available the models of the documents that must be used to make public offerings of submission to the arbitral system and the formalization of said submissions, respectively, to the concerned parties.
- d) Development and maintenance of updated lists of arbitrators accredited by the organisations representing persons with disabilities and their families and by the non-profit organisations, being in both cases those that have the greatest presence in the territorial area of the arbitration board.
- e) Designation of arbitrators in each proceeding.
- f) Management and administration of arbitral proceedings.
- g) Provision of the means and actions necessary for the optimum exercising of its functions by the college of arbitrators.
- h) Management of a register of awards pronounced.

Article 5. Composition of the Central Arbitration Board for equal opportunity, non-discrimination and equal access.

1. The Central Arbitration Board for equal opportunity, non-discrimination and equal access shall be made up of a president, a secretary and two members, appointed to their posts for the period of four years by the titleholder of the Office of the Secretary of State for Social Services, Families and Disabilities, whose appointment shall be published in the Official State Gazette ("Boletín Oficial del Estado").

2. The offices of president and secretary shall be filled by persons employed in said Office of the Secretary of State.

The president shall hold a law degree.

3. The members shall be appointed as per the suggestions, respectively, of:

- a) The organisation representing persons with different types of disability and their families having the greatest presence in the national territory.
- b) The non-profit organisation having the greatest presence in the national territory.

Article 6. Composition of the equal opportunity, non-discrimination and equal access arbitration boards.

1. The equal opportunity, non-discrimination and equal access arbitration boards of the autonomous regions and the cities of Ceuta and Melilla shall be made up of a president, a secretary and two members, named to their posts for the period of four years by the Administration responsible for the arbitration board, and whose nomination shall be published in the corresponding Official Gazette.

2. The offices of president and secretary shall be filled by persons employed in the respective public Administrations.

The president of the arbitration board shall hold a law degree.

3. The members shall be appointed as per the suggestions, respectively, of:

- a) The organisation representing persons with different types of disability and their families having the greatest presence in the territorial area of the arbitration board.
- b) The non-profit organisation having the greatest presence in the territorial area of the arbitration board.

CHAPTER III

On the arbitral agreement

Article 7. Submission to the arbitral system.

1. Any natural person or legal entity of a private nature that imports, produces, supplies or makes accessible places, products, goods and services to persons with disabilities may make a public offering of submission to the equal opportunity, non-discrimination and equal access arbitral system in its territorial area with regards to future disputes in matters of equal opportunity, non-discrimination and equal access relating to disabilities.

Likewise, organisations representing persons with disabilities and their families, as well as non-profit organisations may make public offerings of submission to the arbitral system.

2. The public offering of submission shall be communicated in writing to the arbitration board through which they adhere to the system. Said offer may also be communicated by means of electronics, computer technology or telecommunications, provided that proof exists of its having been sent and received.

3. The arbitral agreement by means of which the public offering of submission is legally implemented shall include the following requirements:

- a) Express submission in writing to the arbitral system regulated by the present royal decree.
- b) Scope of the offer.
- c) Commitment of compliance with the arbitration award.
- d) Period of validity of the offer. In the event that this requirement does not figure, the offer shall be understood to be open-ended.

4. The arbitration board through which the public offering of submission is made shall decide on its acceptance or inadmissibility.

Article 8. Renunciation of the public offering of submission to arbitration.

1. The natural persons or legal entities that may have made public offering to the equal opportunity, non-discrimination and equal access arbitral system may renounce it by means of a communication effected through the arbitration board with whom they made said offer, in writing or by electronic or telecommunication channels, provided that proof exists of its having been sent and received. The renunciation shall entail the loss of the right to display the official distinguishing symbol of membership which is referred to in the following article, as of the date of its notification.

If, once the renunciation is made and during the period when the distinguishing symbol of membership were still in use, an application for arbitration were presented, the arbitration board may understand the arbitral agreement to be formalized.

2. The renunciation shall take effect thirty days from its communication to the arbitration board.

If at the time the renunciation is made one or various arbitration boards were participated in, or applications for arbitration in which the entity presenting their renunciation were part, the arbitration actions shall be initiated or continued.

Article 9. Official distinguishing symbol of membership in the arbitral system.

1. The equal opportunity, non-discrimination and equal access arbitration boards shall award an official distinguishing symbol of membership to those who make public offerings of submission to the equal opportunity, non-discrimination and equal access arbitral system.

2. The right to use the official distinguishing symbol of membership will be lost and it shall be removed from the corresponding registry of the arbitral boards and the Central Registry of public offers of submission to the equal opportunity, non-discrimination and equal access arbitral system in the event of:

- a) Renunciation of the public offering of submission to the equal opportunity, non-discrimination and equal access arbitral system.
- b) Fraudulent use of the official distinguishing symbol of membership.
- c) Repeated non-compliance with the awards.
- d) Serious and repeated violations in matters of equal opportunities, non-discrimination and access, firmly penalised by the relevant public authorities.
- e) The carrying out of practices that seriously injure the legitimate rights and interests of persons with disabilities, as ascertained by the relevant public authorities.

3. The president of the arbitration board that awarded the official distinguishing symbol of membership shall be the person who pronounces the decision to withdraw the symbol.

4. There must always be grounds for such a decision, with the exception of the event of a voluntary renunciation.

5. The awarding of official distinguishing membership symbols and their withdrawal shall be published in the corresponding Official Gazette.

Article 10. Central Registry of public offerings of submission to the equal opportunity, non-discrimination and equal access arbitral system.

1. A Central Registry of public offerings of submission to the equal opportunity, non-discrimination and equal access arbitral system is created, which shall be managed by the Ministry of Labour and Social Affairs through the Office of the Secretary of State of Social Services, Families and Disabilities.

2. The arbitration boards, when notifying the concerned parties of the award of the official distinguishing symbol of membership, shall also notify the Central Registry of said notification.

3. The arbitration board to whom the renunciation of the public offering of submission was directed shall so notify the Central Registry within five days. The Central Registry shall notify all of the arbitration boards.

CHAPTER IV

On the arbitrators

Article 11. Designation and accreditation of arbitrators.

1. The participation as arbitrators in the equal opportunity, non-discrimination and equal access arbitral system, shall require accreditation by the president of the arbitration board in which they shall have to participate.

2. The arbitrators shall hold a law degree or be experts or professionals in some one or more of the matters referred to in article 2.1 of this royal decree.

3. The arbitrators shall be nominated by the public authorities, the organisations representing persons with disabilities and their families and the non-profit organisations; in both cases, those with the greatest presence in the arbitration board's territorial area.

4. The arbitrators so nominated shall apply for the concession of their accreditation from the arbitration board in order to act before it. Said application shall imply the acceptance of their inclusion on the list of accredited arbitrators, and the acceptance of the post of arbitrator in the procedures in which they are so designated, except in the coincidence of just cause recognized as such by the president of the arbitration board.

Once accreditation is conceded, the concerned parties nominated shall be notified.

5. At any time, the arbitrators may be relieved of their status by the arbitration board before which they were accredited, following a reasoned agreement, due to gross non-compliance with their obligations.

6. The arbitration board secretary shall maintain a permanently updated list of arbitrators accredited before the board.

Article 12. Composition of the colleges of arbitrators.

1. The arbitration board shall designate an arbitral college composed of three accredited arbitrators, chosen respectively from among those nominated by the Administration, the organisations representing persons with disabilities and their families, as well as the non-profit organisations, in both cases those with the greatest presence in the territorial area of the arbitration board, which shall act jointly. The presidency of the college of arbitrators shall correspond to the arbitrator chosen from amongst those nominated by the Administration.

2. The president of the college of arbitrators shall decide on questions of organisation, processing and promotion of procedures, being able to consult with the other arbitrators on these questions if he or she so desires.

Article 13. Arbitrator abstention and recusal.

1. The arbitrators shall carry out their duties with all due independence and impartiality. At no time may they maintain personal, professional or business relations with the parties.

2. The parties may recuse the arbitrators within ten days from the time they are notified of the designation for the resolution of the dispute or from the time they learn of any circumstance which makes them suppose an absence of impartiality or independence.

3. The recusal request shall be submitted in writing to the president of the arbitration board, who shall make a decision following an interview with the arbitrator, within forty-eight hours. The arbitrator shall be notified of the reasoned decision to accept or reject the recusal, as shall the other members of the college of arbitrators as well as the parties.

4. In the event the recusal is accepted, a new arbitrator shall be designated in the same manner as the original arbitrator. The new arbitrator shall decide whether or not to continue the process already begun, acknowledging the actions taken, or taking them back to the moment when the college of arbitrators was designated.

In the event the new arbitrator assumes the actions taken, the procedure already initiated shall continue. If the new arbitrator decides to have the actions repeated, an extension shall be granted for the time necessary to perform them.

5. If the proposed recusal is rejected, the party that requested it may enforce the recusal by contesting the award.

6. The procedure shall remain suspended as long as a decision has not been made on the recusal, the time limit for deciding being extended for a time equal to that of the suspension.

CHAPTER V

On the arbitral procedure

Article 14. Principles.

1. The equal opportunity, non-discrimination and equal access arbitral procedure shall be governed by the principles of freedom from cost, voluntarism, equality of the parties, hearing, adversarial nature, absence of formalisms, normalization and accessibility.

When needed, to guarantee the equality of the parties, any necessary, reasonable adjustments of means shall be made.

2. The arbitrators, the parties and the arbitral organisations shall be obliged to respect the confidentiality of the information made known to them through these arbitration actions.

Article 15. Regulations applicable to the resolution of the dispute.

1. The arbitrator or college of arbitrators shall make their decision in equity unless the parties expressly opt for a decision in law.

In the event of the existence of a public offering of submission to arbitration in law, it shall be presumed, unless there is an indication to the contrary, that the claimant accepts this arbitration in law.

2. The applicable legal regulations and the stipulations of the contract, as the case may be, shall serve to support a decision in equity.

Article 16. Application for arbitration.

1. The persons with disabilities shall present their applications for arbitration to the corresponding arbitration board as per the provisions of article 3 of the present royal decree. Said applications shall be presented in writing or by means of electronics, computer technology or telecommunications, provided that proof exists of their having been sent and received. The presentation may be effected directly or through organisations representing persons with disabilities and their families that have the greatest presence in the territorial area of the arbitration board.

2. The application for arbitration shall meet the following requirements:

a) Name, last name(s) and identity document number of the applicant and, where applicable, of the person representing him or her, as well as home address and notification address.

b) Name, last name(s) or corporate name of the respondent, as well as the identity document number and address if known by the claimant.

c) A copy of the written contract that is behind the complaint or claim or which they are related to, if it exists.

d) Events that motivate the complaint or claim and the grounds the claim is based on.

e) A succinct explanation of the claimant's object, determining, where appropriate and to the extent possible, the amount of the same.

3. If the application does not meet the requirements indicated in the previous section, the applicant shall be required to remedy the lack, being informed that if this is not effected within ten days the application shall be deemed inadmissible.

4. Any documents considered appropriate shall be offered together with the application, this being the time for submission of the evidence that the claim is based on.

5. The arbitration boards shall have standardized models of application available, which may be downloaded through the Ministry of Labour and Social Affairs web page.

Article 17. Admission of applications.

Upon receipt of the application, the president of the arbitration board shall decide on its admission for processing, notifying the concerned parties, and with no appeals to this decision being admitted.

In addition to the reasons set forth in articles 2.2 and 16.3, applications shall be deemed inadmissible when the complaint or claim has no relation to the matters made reference to in article 2.1 of the present royal decree.

Article 18. Notification of application.

1. The application being admitted to procedure, the existence of public offering for the submission on the part of the respondent and the corresponding arbitral agreement must be confirmed.

2. In the event of the existence of an arbitral agreement, the president of the arbitration board shall grant the opening of the arbitration proceeding.

3. In the event no previous arbitral agreement exists, the respondent shall be notified of the application for arbitration, giving him or her ten working days from the day following the notification, to accept the application for arbitration.

If the respondent should reject or not respond accepting the invitation to arbitration within the set timeframe, the president of the arbitration board shall order the case closed, communicating this to the parties.

If the respondent should respond accepting the arbitration invitation, the president of the arbitration board shall grant the opening of the arbitration proceeding.

4. The decisions of the arbitration board president to open proceedings shall be communicated to the parties, with no appeals to these decisions being admitted.

Article 19. The beginning of arbitration.

The maximum duration of proceedings shall be calculated beginning on the day following the date of the decision by the president of the arbitration board to grant the opening of the arbitration proceeding.

Article 20. Designation of the college of arbitrators.

1. Once the decision to open the proceeding is announced, the president of the arbitration board shall designate the college of arbitrators which will hear the matter.

2. In arbitrations which shall be decided in law, the arbitrators must hold law degrees.

3. In arbitrations which shall be decided in equity, the arbitrators shall be designated from among the experts or professionals in the matter about which the complaint or claim which is the subject of the arbitration has been made.

Article 21. Secretariat of the college of arbitrators.

The secretary of the arbitration board shall execute the secretarial functions for the college of arbitrators, facilitating administrative support and being responsible for the notifications, acting with voice but no vote.

Article 22. Arbitral actions.

1. Once constituted, the college of arbitrators shall send the respondent the documentation presented by the claimant, indicating that pleadings, submission of documentation and proposal of tests that he or she may consider advisable must be presented within fifteen days.

2. The deadline indicated in the previous article having passed, and the respondent having been sent a copy of the claim presented by the claimant, the college of arbitrators shall convene, if it deems necessary, an on-site hearing or, otherwise, grant a term not above fifteen days to both parties for the formulation of pleadings.

If the parties have not offered any evidence, they shall at this time be required to do so.

3. In the event that the college of arbitrators did not convoke an on-site hearing, and a second phase of pleadings is necessary, a period of not more than seven days may be granted for their execution.

Article 23. Conciliatory award.

If, once initiated the arbitral proceeding, the parties arrive at an agreement that resolves the dispute, it shall be incorporated by the arbitrators in a resolution under the agreed-upon terms and provided that there are no grounds for opposition.

The college of arbitrators may urge the parties to settle.

Article 24. Evidence.

1. The college of arbitrators shall determine whether or not to accept the evidence offered by the parties, as well as whether to undertake such other actions to obtain evidence as he or she considers appropriate and necessary for proper resolution of the dispute.

2. The arbitrators' decisions on matters of testing shall be communicated to the parties, who shall have the option of attending, insofar as their presence does not disrupt or hinder the execution of the action(s).

3. Each party shall finance the action that he or she may have proposed. If a test is proposed by both parties, jointly or separately, the costs incurred shall be distributed equally.

4. The actions proposed by the college of arbitrators shall be financed by the corresponding arbitration board.

Article 25. Failure to appear by the parties.

As a general rule, the failure to act or appear by the parties at any time in the arbitral proceeding or in the on-site hearing shall not impede the award being made, nor shall it deprive it of effect, provided that the arbitrators are able to resolve the dispute with the documentation provided and the tests conducted.

Article 26. Adoption of decisions.

The arbitral award, or any agreement or resolution not related to the organisation, promotion or processing of the proceeding shall be adopted by majority. In the event that a majority agreement does not exist on the scope of the ruling for the claimant, the president shall decide.

Article 27. Period for the pronouncement of the award.

1. The period for pronouncement of an award shall not be more than four months from the day following the decision of the president of the arbitration board to open the proceeding.

2. If the parties arrive at a conciliatory agreement once the arbitral proceeding has begun, the period for pronouncement of the award shall be 15 days from the time said agreement is reached.

Article 28. Form, content and communication of the award.

1. In that which relates to the form and content of awards the provisions of Law 60/2003, of 23 December, on Arbitration, shall be applied. It shall be taken into consideration that the awards may not be the object of appeal or potential restitution and they shall be subject also to the provisions of said Law as regards their cancellation and execution and other judicial actions supporting and controlling arbitration.

2. The arbitration board secretary shall be responsible for the communication of the award.

First additional provision. Guarantee of accessibility of the arbitral system.

The processes, procedures, communications, notifications and, in general, the information flows that make up the arbitral system regulated in this royal decree shall be accessible to persons with disabilities.

Second additional provision. Individual arbitration.

Those arbitrations in which the amount of the claim is under three thousand euro, shall be heard by one sole arbitrator, designated by the public authorities from among the personnel in its service included in the list of accredited arbitrators. The designee shall assume the functions assigned to the president of the college of arbitrators under this royal decree.

In any event, the president of the arbitration board may order the designation of a college of arbitrators, whose composition shall be as set forth in article 12 of this royal decree.

Third additional provision. Human and material resources.

The Ministry of Labour and Social Affairs shall attend to the start-up and operation of the Central Arbitration Board for equal opportunity, non-discrimination and equal access with its own human and material resources.

The Ministry of Labour and Social Affairs and the corresponding public Administrations shall facilitate the human and material resources necessary for the start-up of the arbitration boards, in the terms set forth in the corresponding collaboration agreements.

Fourth additional provision. Constitution of the Central Arbitration Board for equal opportunity, non-discrimination and equal access.

The Central Arbitration Board for equal opportunity, non-discrimination and equal access shall be constituted not later than six months from the entry into force of this royal decree.

Fifth additional provision. Protection of personal data.

In the procedure regulated by this royal decree, as well as in the operations of the registries it provides for, the provisions of Organic Law 15/1999, of 13 September, on the Protection of Personal Data as well as its complementary provisions shall be taken into consideration.

First final provision. Supplementary rules of application.

1. For matters not provided for in this royal decree, Law 60/2003, of 23 December, on Arbitration

2. Likewise, Law 30/1992, of 26 November, on the Legal Framework of Public Administrations and the Common Administrative Procedure shall be of supplementary application in those aspects relative to the functioning of the collective entities and the rules with respect to the collaboration agreements between the General Administration of the State and its public entities, and the Governments of the autonomous regions.

Second final provision. Primary jurisdiction.

This royal decree is announced under the jurisdiction of the State in matters of procedural legislation, in accordance with article 149.1.6th of the Constitution.

Third final provision. Authorization for regulatory implementation.

The Ministry of Labour and Social Affairs, in the sphere of its jurisdiction, is authorized to enact the provisions necessary for the execution and development of the provisions of this royal decree.

Fourth final provision. Coming-into-force.

The present royal decree shall enter into force the day following its publication in the Official State Gazette (B.O.E.).

Signed in Madrid, 1 December 2006.

JUAN CARLOS R.

The First Vice-President of the Government and Minister of the Presidency,
MARÍA TERESA FERNÁNDEZ DE LA VEGA SANZ