

LAW 27/2007, of October 23, by which Spanish sign languages are recognized, and speech communication aids for the deaf, hard of hearing and deafblind, are regulated.

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KING OF SPAIN

To all those who read and understand it.

Let it be known: That the Parliament has approved and I therefore sanction the following law.

PREAMBLE

I

The deaf, hard of hearing and deafblind live in a society made up mostly of hearing persons so that, in order to be integrated into this society, they must overcome barriers in communication that are not apparent to persons without hearing impairment. The present Law attempts to correct this situation and to promote access to information and communication, bearing in mind the heterogeneity of this disability and the specific needs of each group.

Similarly, in the Law the governing principle is the freedom of deaf persons, whatever their level of hearing impairment, and the deafblind, to choose their form of communication, so that the knowledge, learning and use of Spanish sign language, as well as of speech communication aids, are recognized and regulated in differentiated ways.

There is no doubt that language is the main instrument of communication. The knowledge and use of a language encourages and permits access to and transmission of knowledge and information, besides being the basic means for structuring individual and social relationships. Thus, language is not a simple manifestation of individual freedom, but rather goes farther than just personal environments and becomes an essential tool for life in society.

Deaf persons, hard of hearing and deafblind cannot always have access to information and communication with their surroundings, either because they do not have a sign language interpreter, which is the case of deaf and deafblind persons who are sign language users, or because they do not have the necessary aids to make communication through spoken language possible. In fact, in most of the areas in which this Law must be applied, there are often no visual or acoustic adaptations available that would permit enhancement of their hearing and reception of auditory information, or the necessary speech communication aids, or sign language interpretation service.

A special difficulty is presented by deafblindness, which is a disability that results from the combination of two sensory deficiencies (i.e. visual and auditory) and that causes unique communication problems in persons who suffer from it, and gives rise to special necessities derived from the difficulty in acquiring a general perception of one's surroundings, becoming familiar with them and thus becoming interested in and developing within them. Some deafblind are completely deafblind, whereas others have residual hearing and/or vision.

The demand for public access as an inherent characteristic of the Rule of Law, through which standards must be accessible to all citizens; the realization that one cannot speak of a real, effective citizen participation in the context of a democratic system without access to information and communication, and without the expression of one's ideas and will through a language; the awareness that it is only possible to achieve social and cultural integration of a universal nature from the moment citizen participation

is projected into every social and cultural context (the requirement of a social State) through access to the knowledge and use of language - all of these are matters which, together with the importance acquired by the transmission of information by written and audiovisual means in contemporary societies, oblige us to consider the use and knowledge of a language to be a right that is linked to the free development of each person's personality and, in short, the achievement of a decent human life.

In any event, the deaf, hard of hearing and deafblind form a very diverse group that does not correspond to any one pattern of communication because of not hearing, or not hearing or seeing, as in the case of deafblindness, which combines both disabilities. Therefore, the use of the spoken language or Spanish sign languages and speech communication aids in their communication with their surroundings, in their learning, in access to information and culture, must respond to a free, individual choice or, in the case of minors, a choice to be made by their parents or guardians.

II

The historical background of sign languages in Spain begins, from the educational point of view, in the 16th century, when monks undertook the work of educating deaf children. The Benedictine monk, Don Pedro Ponce de Leon, taught the deaf children in his care to communicate, a fact that brought about a reappraisal of the beliefs held for a long time regarding deaf persons, thus contributing to a gradual change in the mentality of the time regarding the deaf and their place in society. The monasteries at that time were forced to remain silent and they communicated using hand signs; so, for example, the Benedictines had available to them "signs for the things of greatest importance, by which they made themselves understood". Pedro Ponce de Leon must have realized that it was possible to express reason without speech, because he did so himself every time he expressed his thoughts by means of the monks' signs, and so used a gestural system of communication with the deaf children.

In the 17th century, the methodology changed, and Don Manuel Ramírez de Carrión thus used the pedagogy of his time to instruct deaf children, preparing them for integration into society.

In the second half of the 18th century, Don Lorenzo Hervas y Panduro published his treatise "The Spanish School for Deaf-Mutes or the Art of Teaching Them to Write and Speak the Spanish Language", which represented a fundamental milestone in the pedagogic effort to integrate deaf persons.

The Spanish school was even able to produce works of such significance for the natural language of deaf persons as Francisco Fernández Villabrille's Dictionary of mimic and finger spelling, which included 1,500 signs of Spanish sign language and described how to form them. This is undoubtedly the most important step toward the standardization of Spanish sign language until that time, and shows not only the natural quality but also the historic nature of Spanish sign language.

In the 19th century, with the establishment in Spain of the first schools for teaching deaf-mutes and the blind, the institutionalisation of education for the deaf, blind and deafblind, was made possible, with the resulting linguistic and social interaction among them, as well as the beginning of the systematized development of the Spanish and Catalan proto-sign-languages.

The last quarter of the 20th century brought about the recovery of the Spanish and Catalan sign languages as instruments of communication for those deaf persons who freely choose one of them. Many national and international symposia have debated the need for their recognition and use in order to guarantee full access to education, services, economic and cultural life, the media and new information technologies, as well as requiring them for a proper personal development and social participation for deaf persons who have opted for this form of communication.

The relevance of the use and knowledge of the language constitutes an unquestionable reality at the present time. Nevertheless, in spite of it, this construction of the importance and relevance of the language has taken shape disregarding other situations. In fact, recognition of the value of language must reflect the needs of persons with hearing impairment.

Spanish sign languages, being languages used by the deaf and deafblind who have opted for this form of language, have not been given the recognition or development they deserve, in spite of the fact that numerous studies conducted in national and international contexts have shown that sign languages fulfil all the requirements of a natural language and possess their own grammatical, syntactic and lexical characteristics. In recent years this situation has been corrected, and proof of this is the fact that several standards have been approved, including, in particular, several Statutes of Autonomy, recognizing the importance of sign languages.

III

In Spain, as opposed to other countries that lack this wealth, the reality of sign language acquires a new dimension, since the existence of the Catalan sign language shows clearly how, through this vehicle of communication, it is possible to participate fully in the political, economic, social and cultural life around them.

Catalan sign language, which is the language used by the deaf persons of Catalonia who have opted for this form of communication, and the one they use, therefore, in their day to day communication, underwent a similar development in Catalonia to that of Spanish sign language in the rest of Spain, so that it has acquired a linguistic structure that is bound up with its corresponding geographical, historical and cultural environment. The Parliament of Catalonia on June 30th, 1994, approved the "Non-Legislative Motion on the promotion and dissemination of the knowledge of sign language", and some Catalan universities offer a postgraduate program specialising in the "interpretation of Catalan sign language" whose professional aspect is guaranteed for purposes of work. In 2005, the first "Basic Grammar of Catalan Sign Language" appeared and there is also an extensive scientific bibliography of great linguistic value on the same topic. Finally, in 2006, the Statute of Autonomy of Catalonia officially recognized Catalan sign language.

IV

The use of resources to promote and make spoken communication easier through speech communication aids such as lip-reading, hearing aids, subtitling, and any other technological improvement represents a fundamental, basic right for the deaf, hard of hearing and deafblind who have freely chosen this form of communication.

The 20th century was a time for the most dramatic breakthroughs related to hearing, in the fields of medicine, audiology, science, technology, pedagogy and lip-reading. Thus the contributions of these disciplines have fulfilled incredible expectations for education and access to speech communication for the hearing impaired, as well as their integration with, and more active participation in, their surroundings.

Technological breakthroughs permit a deaf, hard of hearing or deafblind person, with the stimulation of their hearing aids and speech communication aids and resources, access to the spoken language of their cultural, working and social environment. It must be borne in mind that hearing loss could be congenital, could appear at an early age or could be acquired throughout the adult years, so that it is necessary to anticipate all the resources necessary to encourage each person's maximum personal, working, cultural and even academic, development, fulfilling the principles of autonomy, normalization,

social and educational integration, and participation in community life and providing adequate, properly qualified professionals who can attend to all their needs.

V

For a long time, society, in projecting the idea of dignity, has taken as its point of reference a universal model of the human being, and based on this - and not without considerable effort - has tried to recognize and evaluate differences by using the principle of positive differentiation. This type of standard employs a concept of equality that is based precisely on the recognition of difference, and aims at minimising as far as possible the effects it produces on the enjoyment of one's rights and on the development of a decent human life.

The treatment of disability has not failed to be affected by this tendency. In the past few years, in both international and national contexts, a number of standards have appeared that, in understanding that the condition of disability is an important situation, seek to recognize specific rights.

In addition to this, and in direct relation to the situation of the disabled, an attempt has been made to justify this type of measure along other lines of reasoning. Actually, since the seventies, we have begun to experience a change in the way we understand disability that has culminated in a new way of looking at this issue.

These changes have had repercussions on the area of International Law, where the right to equal opportunities is recognized in several documents, including in particular the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, in which accessibility of communication is collected in several provisions. Thus the United Nations Organization in its Resolution 48/96, of December 20, 1993, specifically in its Article 5, Section 7, contemplates "the use of sign language in the education of deaf children, in their families and communities. Sign language interpretation services should also be provided to facilitate the communication between deaf persons and others". At the same time, Section 6 establishes the obligation of States to use "appropriate technologies to provide access to spoken information for persons with hearing impairment."

Also the European Union, through its Charter of Fundamental Rights, and the Council of Europe by means of the European Convention for the Protection of Human Rights and Fundamental Freedoms, recognize the right of all persons to equality before the Law and to protection from discrimination. The European Union recognizes and respects the right of the disabled to benefit from measures that guarantee their autonomy, social integration and participation in community life. On the other hand, the European Agency for Development in Special Needs Education, in its 2003 Document on the Key Principles for Special Needs Education, recommends States a legislative and political framework that would support integration with the allocation of means that would expand developments and processes working toward inclusion.

On the other hand, the Council of Europe Committee of Ministers prepared a Recommendation on the Protection of Sign Languages in the Member States of the Council of Europe (Doc. 9738 of March 17, 2003), recognizing sign language as a complete and natural means of communication and the ability to promote the integration of the hearing impaired in society and to facilitate their access to education, employment and justice. Along the same lines, Recommendation 1492 of the 2001 Parliamentary Assembly of the Council of Europe on the rights of national minorities has recommended that Member States give official recognition to sign languages. Also, in the same regard, Written Declaration 1/2004 of the European Parliament regarding the rights of the deafblind indicates that "deafblind persons should have the same rights as are enjoyed by all European Union citizens and that these rights should be enforced by means of appropriate legislation in each Member State."

VI

In Spain, Law 51/2003, of December 3, on Equal Opportunities, Non-Discrimination and Universal Accessibility of Persons with Disabilities, has been added to this new tendency. This Law, applying the precepts of the Spanish Constitution, tends, among other things, to promote the conditions that would make persons's freedom and equality real and effective, by removing the obstacles that impede or hinder their fulfilment and helping them to participate in the political, cultural and social life around them (Article 9.2 of the Spanish Constitution), thus fulfilling the obligation of public authorities to provide the disabled with the specialized attention that they require in order to enjoy the rights that the Constitution recognizes for all citizens (Article 49 of the Spanish Constitution).

The application of the principles that inspire Law 51/2003 requires the adoption of a number of measures that can normalize society, in the sense of opening it up as far as possible to all citizenry and, of course, to the disabled, and whose main purpose it is to grant them the same conditions, opportunities and possibilities for enjoying their fundamental rights and a decent life (Articles 10.1 and 14 of the Spanish Constitution). In this regard, the above-mentioned Law expressly contemplates the regulation of sign language and of speech communication aids.

Thus, from the importance of language as an instrument for information and knowledge, and from the Spanish constitutional and legal regulatory framework, it constitutes an obligation of public authorities both to develop the means for providing the deaf, hard of hearing, and deafblind with access to the verbal and written expression of the spoken language and to formulate the basic regulations for the learning, knowledge and use of Spanish sign languages.

VII

Thus, from the importance of language as an instrument for information and knowledge, and from the Spanish constitutional and legal regulatory framework, it constitutes an obligation both to develop the means for providing the deaf, hard of hearing, and deafblind with access to the verbal and written expression of spoken language and to formulate the basic regulations for the learning, knowledge and use of Spanish sign languages.

The Law takes as its starting point individuals' capabilities and potential, in order to guarantee the possibility of developing individual capabilities, always out of respect for human dignity. Aware that persons with hearing impairment and the deafblind - in whom two sensory deficiencies (visual and auditory) are combined - have different needs, which implies that some persons will opt for communication through sign language, while others will prefer the use of resources that promote and make spoken communication easier, the Law recognizes the right to choose, and leaves the definitive choice in the hands of the main persons concerned: hearing impaired persons and the deafblind, or their parents or guardians in the case of legal minors.

VIII

The Law is divided into a preliminary title, a first title with two chapters; a second title with two chapters; seven additional provisions, a repealing provision and six final provisions.

The Law, in its preliminary Title, establishes the recognition and regulation of Spanish sign languages, without prejudice to the recognition of Catalan sign language in its area of language use, and of speech communication aids, the right to the learning,

knowledge and use of both Spanish sign languages and speech communication aids, permitting free choice in the resources that enable communication with one's surroundings. It in turn regulates the effects of the application of the Law.

It also states the different concepts that arise throughout the present regulations, pausing to explain each one that is essential in ensuring an appropriate interpretation of the Law; the principles on which this Law is inspired are also established. Lastly, it defines the areas in which the Law is applicable, according to the cross-sectoral principle.

The first Title is dedicated to the learning, knowledge and use of Spanish sign languages; specifically, Chapter I regulates the learning of sign language in the educational system, and Chapter II defines the use of Spanish sign languages through language interpreters in the different public and private areas.

Finally, provision is made for the creation of the Centre for Linguistic Standardization of Spanish Sign Language. The second Title deals with the learning, knowledge and use of speech communication aids; specifically, Chapter I regulates this learning in the educational system, and Chapter II defines the use of speech communication aids in the different public and private areas.

Lastly, provision is made for the creation of the Spanish Centre for Subtitling and Audio Description.

The Law, in its first additional Provision, creates a Monitoring Committee within the National Council on Disability, and establishes a deadline of one year for its formation.

The second additional provision establishes guarantees for structural resources.

The third additional provision contemplates legal guarantees in connection with legal custody and arbitration.

The fourth additional provision determines the transitional regulation of the situation of Spanish sign language professionals and interpreters.

The fifth additional provision charges the Government with the preparation of a study on sign language professionals and the certification necessary to work in this area.

The sixth additional provision is dedicated to the special attention that persons with deafblindness require.

The seventh additional provision refers to the financing of technical hearing aids.

The repealing provision revokes any provisions of equal or lower rank that are opposed to what is established in the Law.

The first final provision contemplates the basic nature of the Law.

The second final provision establishes the suppletivity of Law 51/2003, of December 2.

The third final provision considers the financing of the Law.

The fourth final provision grants powers for the execution and regulation of the Law.

The fifth final provision establishes the gradual application of the Law.

The sixth final provision regulates the entry into force of the Law.

PRELIMINARY TITLE

Article 1. Object of the law

The object of the present Law is to recognize and regulate Spanish sign language as the language of the deaf, hard of hearing and deafblind in Spain who choose to use it, without prejudice to the recognition of Catalan sign language in its area of language use, as well as the regulation of speech communication aids.

The object of the present Law is also to recognize Catalan sign language as the language of the deaf, hard of hearing and deafblind in Catalonia who choose to use it, without prejudice to any subsequent regulatory and legislative regulations corresponding to the Generalitat de Catalunya, in the exercise of its authority.

Any allusion made by this Law to Spanish sign language shall be understood to apply to other Spanish sign languages, in their own territorial extension, without prejudice to provisions established by the particular regulations of the respective autonomous communities in the exercise of their authority.

Another purpose of this Law is to regulate speech communication aids intended for the deaf, hard of hearing and deafblind.

Article 2. Right to the learning, knowledge and use of Spanish sign languages and of speech communication aids

The right of the deaf, hard of hearing and deafblind to freely choose the learning, knowledge and use of Spanish sign languages, or different speech communication aids, is recognized in the terms established in this Law.

Article 3. Effects of the Law

1. The standards established in the present Law shall have effect throughout Spanish territory, without prejudice to the regulation corresponding to the area of the Autonomous Communities, with the equality referred to in the first final provision being guaranteed in any event.

2. The present Law establishes measures and guarantees necessary for the deaf, hard of hearing and deafblind to make free use of Spanish sign languages and/or speech communication aids in all public and private areas, in order to exercise their constitutional liberties and rights in practice, in particular the free development of their personality, training in respect for fundamental rights and liberties, the right to education, and full participation in the political, economic, social and cultural life around them.

3. The measures and guarantees established in Title II of this Law shall be fully applicable to the deaf, hard of hearing and deafblind users of Spanish sign languages when they make use of spoken languages.

Article 4. Definitions

For purposes of this Law, the terms given below are understood to have the following meaning:

a) Sign language: These are languages or linguistic systems of a visual, spatial, gestural and manual nature in the formation of which there are historical, cultural, linguistic and social factors at play, used traditionally as languages by the signing deaf, hard of hearing and deafblind persons in Spain.

b) Spoken language: These are languages or linguistic systems corresponding to the languages recognized officially in the Spanish Constitution and, for their respective territorial extensions, in the Statutes of Autonomy, used as a language by the oral deaf, hard of hearing and deafblind in Spain.

c) Speech communication aids: These are codes and means of communication, as well as technological resources and technical aids, used by the deaf, hard of hearing and deafblind that facilitate access to the verbal and written expression of the spoken language, favouring a fuller communication with their surroundings.

d) Deaf persons or hard of hearing: These are persons in whom a degree of this handicap equal to or greater than 33 percent has been recognized, who experience communication barriers in their daily life or who, in the case of having overcome them, require means and aids to do so.

e) Deafblind persons: These are persons with a combined impairment of sight and hearing that hampers their access to information, to communication and to mobility. This disability seriously affects the daily skills necessary for a minimally autonomous life, and

requires specialized services, personnel specifically trained for their care, and special methods of communication.

f) Language user: This is a person who uses a certain language to communicate with his/her surroundings. Those persons who are users of two languages are considered to be bilingual.

g) Sign language user: This is a person who uses sign language to communicate.

h) User of speech communication aids: a deaf, hard of hearing or deafblind person who requires speech communication aids in order to have access to information and communication in his/her social environment.

i) Sign language interpreter: A professional who interprets and translates information from sign language to oral and written language, and vice versa, in order to ensure communication between deaf, hard of hearing and deafblind users of this language, and their social environment.

j) Guide-interpreter: Professional who functions as an interpreter and guide for the deafblind person, making the necessary adaptations, serving as a link with the surroundings and making it easier for him/her to participate on equal terms.

k) Bilingual education: An educational project in which the teaching-learning process takes place in an environment in which two or more languages, each used as a common language, coexist. In the case of the deaf, hard of hearing and deafblind, this shall refer to the officially recognized oral languages and Spanish sign languages.

l) Speech therapist and Teacher specializing in hearing and language: Professionals specializing in alternative and/or amplifying systems to assist speech communication, who stimulate and facilitate the development of this communication.

Article 5. General principles

This Law is inspired by the following principles:

a) The cross-sectoral nature of the policies regarding sign language and speech communication aids: The activities carried out by the Public Administration shall not be limited to specific plans, programs and actions, intended exclusively for the deaf, hard of hearing and deafblind users of these forms of language or aids, but must rather include policies and lines of action of a general nature in any of the spheres of public activities, bearing in mind the various needs and requirements of the persons using them.

b) Universal accessibility: Surroundings, processes, goods, products and services, as well as objects and instruments, tools and devices must fulfil the conditions necessary for them to be comprehensible, usable and practicable for all persons in conditions of safety and comfort and in the most autonomous, natural way possible.

c) Freedom of choice: The deaf, hard of hearing and deafblind and, when applicable, their parents or legal representatives, in the case of legal minors or incapacitated, shall be able to opt for oral language and/or Spanish sign language and/or sign languages of the Autonomous Communities.

d) Non-discrimination: No person may be discriminated against or treated unequally, either directly or indirectly, for exercising his/her right to choose Spanish sign language and/or the sign languages of the Autonomous Communities and/or speech communication aids in any environment, whether public or private.

e) Normalization: A principle by virtue of which the deaf, hard of hearing and deafblind must be able to lead a normal life, having access to the same places, environments, goods and services that are available to any other person.

Article 6. Scope of application

In accordance with the cross-sectoral principle of policies regarding disability, provisions in this Law shall be applied to the following areas:

1. Goods and services available to the public
2. Transportation
3. Relations with the Public Administration
4. Political participation
5. The media, telecommunications and the information society.

TITLE I

The learning, knowledge and use of Spanish sign languages

CHAPTER I

The learning and knowledge of Spanish sign languages

Article 7. On learning in Regulated Training

1. The Education Administration shall have available to them the resources necessary for providing the teaching of Spanish sign languages in centres to be determined, in accordance with provisions established in the educational legislation in force, to deaf, hard of hearing and deafblind pupils who, in accordance with provisions in Article 5.c) of this Law, have opted for this form of language. If these persons are legal minors or incapacitated, the choice is to be made by their parents or legal representatives.

2. In centres to be determined, the Education Administration shall offer bilingual educational models, among others, that shall be freely chosen by deaf, hard of hearing and deafblind pupils or by their parents or legal representatives, when these pupils are legal minors or incapacitated.

3. In the above-mentioned centres, the plans of studies may include the learning of Spanish sign languages as an optional subject for the pupils as a group, thus facilitating the social inclusion of deaf, hard of hearing and deafblind pupils who are users of Spanish sign languages, and fostering values of equality and respect for linguistic and cultural diversity.

4. In order to have professionals who are properly qualified in the teaching of Spanish sign languages and, where applicable, for the use anticipated in Chapter II of Title I of this Law, the competent Education Administration authority shall decide on the certifications it may consider appropriate, according to the existing regulations concerning requirements for working in this area, and shall assist in their initial and permanent training.

5. The Education Administration shall establish Training Plans and Programs for teaching staff who attend to deaf, hard of hearing and deafblind pupils.

Article 8. On learning in Non-Regulated Training

1. The Education Administration shall foster the cooperation of families with minors who are deaf, hard of hearing and deafblind, with the school or academic institution, and shall cooperate with associations of deaf persons, hard of hearing and deafblind and their families in giving training courses for learning Spanish sign languages.

2. The competent authority of the Public Administration shall also cooperate with universities and associations of deaf persons, hard of hearing and deafblind and their families in the learning of Spanish sign languages in other social environments.

CHAPTER II

Use of Spanish sign languages

Article 9. Object

In accordance with the present Law, public authorities are charged with encouraging the provision of Spanish sign language interpreting services to all deaf persons, hard of hearing and deafblind, when they so require, in the different public and private areas specified in the present chapter.

Public authorities, in terms established in Law 51/2003, of December 2, and in their standards for the issuance of enabling regulations, shall also promote measures against discrimination, and establish measures for positive action in favour of deaf, hard of hearing and deafblind users of Spanish sign languages, in accordance with the stipulations of this present chapter.

Article 10. Access to goods and services available to the public

a) Education

The Education Administration shall provide users of Spanish sign languages with the use of these languages as a common language for teaching in educational centres to be determined.

They shall also encourage the provision of Spanish sign language interpreting services for users of Spanish sign languages, in centres to be determined.

Within the framework of services of attention to disabled university students, programs and specific initiatives for attention to deaf, hard of hearing and deafblind university students shall be promoted in order to provide them with advisory and support measures.

b) Training and Employment

The provisions in Chapter III of Title II of Law 62/2003, of December 30, on fiscal, administrative and social measures, regarding measures for the application of the principle of equal treatment in the work environment, shall be followed.

c) Health

The competent authority of the Public Administration shall encourage the provision of interpreting services in Spanish sign language and/or in sign languages of the autonomous communities if available, if they are requested in advance, for users who may require it, in health centres that attend to deaf persons, hard of hearing and deafblind.

The necessary measures for informative and preventive health campaigns to be accessible to deaf persons, hard of hearing and deafblind in Spanish sign languages, shall also be adopted.

d) Culture, Sport and Leisure

The competent authority of the Public Administration shall encourage the provision of Spanish sign language interpreting services, if they are requested in advance, for persons who are users of these languages, in any cultural, sports, entertainment and leisure activities to be determined, such as cinemas, theatres and national museums, historical-artistic State Heritage monuments and guided tours in which deaf, hard of hearing and deafblind persons may participate.

Article 11. Transport

1. In stations of sea, ground and air transport to be determined by the competent administrative authorities, if the volume of travellers warrants them, interpreting services shall be provided in Spanish sign language and/or in sign languages of the autonomous communities, if available, in their territorial extension, for deaf, hard of hearing and deafblind, at assistance and information points for the public to be established, according to the stipulations contained in the cooperation mechanisms to which the third final provision of the Law refers.

2. The necessary measures for instructions to be disseminated regarding the standards in transportation security and operation, shall be adopted, whenever possible, in sign language.

Article 12. Relations with the Public Administration

1. The competent authority of the Public Administration shall encourage the provision of interpreting services in Spanish sign language and/or in sign languages of the autonomous communities if available, if they are requested in advance, for persons who are users of these, in order to facilitate relationships of deaf, hard of hearing and deafblind with the Public Administration.

2. Regarding the Justice and Prison Administration, the appropriate conditions shall be encouraged, such as training and availability of interpreting services in Spanish sign language and/or in sign languages of the autonomous communities if available, in order to put into practice the provisions in Article 143 of the Civil Prosecution Law, as well as in the processes governed by the Criminal Prosecution Law, regarding deaf, hard of hearing and deafblind.

Article 13. Political participation

1. Public authorities, political parties and social actors shall encourage institutional information and the free, obligatory broadcasts in the media, according to electoral and union legislation, to be fully accessible to deaf, hard of hearing and deafblind by means of their transmission or distribution in Spanish sign language and/or sign languages of the autonomous communities if available.

2. General Courts, Legislative Assemblies of the Autonomous Communities, Provincial Delegations and Corporations and Local Entities shall promote interpreting in Spanish sign language and/or in sign languages of the autonomous communities when available, in those plenary meetings of a public nature and in any others of general interest in which it is so determined, when there is participation by deaf, hard of hearing and deafblind and it is requested in advance.

Article 14. Media, telecommunications and the information society

1. In accordance with provisions in their specific regulations, public authorities shall promote the necessary measures for the accessibility of the media to deaf, hard of hearing and deafblind through the incorporation of Spanish sign languages.

2. Public authorities shall also adopt the necessary measures for the accessibility of institutional advertising campaigns, and the different audiovisual supports in which they are made available to the public, to these persons.

3. The necessary measures to motivate access to telecommunications in Spanish sign language shall be established.

4. Publicly owned or publicly financed Internet websites and portals shall adapt to the standards established at any given moment by the competent authorities in order to make them accessible to the deaf, hard of hearing and deafblind by making the

corresponding systems of access to information in the language corresponding to their linguistic environment, available on these websites.

5. When the Public Administration promotes or subsidizes Congresses, special Days, Symposia and Seminars in which deaf, hard of hearing and deafblind persons participate, it shall make them more accessible by providing interpreting services in Spanish sign language and/or in sign languages of the autonomous communities when available, if these are previously requested by the interested parties.

6. Messages regarding the declaration of a state of alert, state of emergency and state of siege, as well as institutional messages, shall be fully accessible to all deaf, hard of hearing and deafblind.

Article 15. The Centre for the Linguistic Normalization of Spanish Sign Language

The Centre for Linguistic Normalization of Spanish Sign Language is hereby created. The Government, having heard the National Council on Disability, shall regulate this centre in the Royal Patronage on Disability in order to investigate, promote, disseminate and monitor the proper use of this language. The Centre for Linguistic Normalization of Spanish Sign Language shall have expert professionals in Spanish sign language and in sociolinguistics, and shall carry out its actions holding consultations and establishing agreements with the Universities and the bodies representing deaf, hard of hearing and deafblind and their families. It shall be governed by a collegial body formed jointly by representatives of the State Administration and representatives of the grass-roots movement of the linguistic community of users of Spanish sign language. It shall also have a presidency and a secretary, positions that are to be held by representatives of the State Administration.

TITLE II

Learning, knowledge and use of speech communication aids

CHAPTER I

Learning and knowledge of speech communication aids

Article 16. On learning in Regulated Training

1. The Education Administration shall furnish all elements necessary for making possible the learning of oral language and of speech communication aids, as required, in accordance with the educational legislation in force, to the deaf, hard of hearing and deafblind pupils who, in accordance with stipulations in Article 5.c) of this Law, have chosen this language. If these pupils are legal minors or incapacitated, the choice is to be made by their parents or legal representatives.

2. In order to have professionals who are duly certified for teaching speech communication aids, when it is required, and, if applicable, for the use anticipated in Chapter II of Title II, the competent Education Administration shall decide on the certifications it may consider appropriate, according to the existing regulations concerning requirements for working in this area, and shall assist in their initial training.

3. The Education Administration shall promote training Programs and Plans for teaching staff who attend to deaf, hard of hearing and deafblind pupils.

Article 17. On learning in Non-Regulated Training

1. The Education Administration shall encourage the cooperation of families with deaf, hard of hearing and deafblind and the school or academic institution, and they shall cooperate with the associations of deaf, hard of hearing and deafblind and their families in giving training courses for learning speech communication aids that may require them.

2. The competent authority of the Public Administration shall also cooperate with the Universities and with associations for deaf, hard of hearing and deafblind and their families in learning speech communication aids.

CHAPTER II

Use of speech communication aids

Article 18. Object

In accordance with the present law, the public authorities are charged with promoting the use of speech communication aids for the deaf, hard of hearing and deafblind in the different areas specified in the present chapter.

The public authorities, in terms established in Law 51/2003, of December 2, on equal opportunities, non-discrimination and universal accessibility for disabled persons and in their standards for the issuance of enabling regulations, shall also promote measures against discrimination and shall establish positive action measures in favour of the deaf, hard of hearing and deafblind users of speech communication aids, in accordance with stipulations in the present chapter.

Article 19. Access to goods and services available to the public

a) Education

The Education Administration shall provide the use of oral communication to deaf, hard of hearing and deafblind users, in educational centres to be determined.

They shall also promote the use of speech communication aids for deaf, hard of hearing and deafblind users of oral communication in centres to be determined.

In the framework of services of attention to disabled university students, they shall promote programs and specific initiatives for attention to deaf, hard of hearing and deafblind university students in order to provide advice, orientation and speech communication aids.

b) Training and Employment

Provisions in Chapter III of Title II of Law 62/2003, of December 30, on fiscal, administrative and social measures, regarding measures for applying the principle of equal treatment in the workplace, shall be followed.

c) Health

The Health Administration shall promote speech communication aids for those users who require them in health centres that attend to the deaf, hard of hearing and deafblind.

They shall also adopt the measures necessary for making informative and preventive health campaigns accessible to the deaf, hard of hearing and deafblind by incorporating subtitling and other resources to aid speech communication.

d) Culture, Sport and Leisure

The competent Administration shall promote the establishment of speech communication aids for users of such, in any cultural, sport, recreation and leisure

activities to be determined, such as cinemas, theatres and national museums, historical-artistic State Heritage monuments and guided tours in which deaf, hard of hearing and deafblind persons participate.

Article 20. Transportation

Stations for sea, ground and air transportation to be determined by the competent administration, if the volume of travellers warrants them, shall have speech communication aids for the deaf, hard of hearing and deafblind at specific assistance and information points for the public also to be established, according to the stipulations contained in the cooperation mechanisms referred to in the third final provision of the Law.

The necessary measures shall be adopted so that instructions for operation and security standards in transportation can also be circulated, whenever possible, through speech communication aids.

Article 21. Relations with the Public Administration

The Public Administration shall promote the appropriate conditions, such as training in and availability of speech communication aids, to facilitate relations of deaf, hard of hearing and deafblind persons with the Public Administration. In regard to the Justice Administration, adequate conditions, such as training in and availability of speech communication aids, shall be promoted in order to put into practice the stipulations of Article 143 of the Civil Prosecution Law, as well as in processes governed by the Criminal Prosecution Law regarding deaf, hard of hearing and deafblind.

Article 22. Political participation

1. Public authorities, political parties and social agents shall enable institutional information and free, obligatory broadcasts in the media, according to electoral and union legislation, to be fully accessible to the deaf, hard of hearing and deafblind by transmitting or distributing them using speech communication aids.

2. The General Courts, Autonomous Communities Legislative Assemblies, Provincial Delegations and Corporations and Local Entities shall promote the existence and use of speech communication aids and subtitling, in plenary meetings of a public nature, and in any others of general interest in which it is established that there is participation by deaf, hard of hearing or deafblind persons, and when they request it in advance.

Article 23. Media, telecommunications and the information society

1. The public authorities shall promote the necessary measures so that publicly owned or public service media, in accordance with stipulations in their specific regulation, can be accessible to the deaf, hard of hearing and deafblind through speech communication aids.

2. Public authorities shall also adopt the measures necessary for institutional advertising campaigns and the different audiovisual supports in which these campaigns that are available to the public can be accessible to these persons by the incorporation of subtitling.

3. The measures necessary to motivate access to telecommunications through speech communication aids and subtitling, shall be established.

4. Publicly owned or publicly funded Internet websites and portals shall be adapted to the standards established at any given moment by the competent authorities in order to make them accessible to the deaf, hard of hearing and deafblind by making the corresponding systems of access to information available on these websites.

5. When the Public Administration promotes or subsidizes Congresses, special Days, Symposia and Seminars in which deaf, hard of hearing and deafblind persons participate, these events shall be made accessible by the use of speech communication aids, when requested in advance by the interested parties.

Article 24. Spanish Centre for Subtitling and Audio Description

The Spanish Centre for Subtitling and Audio Description is hereby created. The Government, having heard the National Council on Disability, shall regulate this centre in the Royal Patronage on Disability in order to investigate, encourage, promote initiatives, coordinate performances and expand subtitling and audio description as aids to communication for the deaf, hard of hearing and deafblind. The Spanish Centre for Subtitling and Audio Description shall carry out their actions, maintaining consultations and establishing agreements with the bodies representing the deaf, hard of hearing and deafblind and their families.

First additional provision. Law Monitoring Committee

A Monitoring Committee is created within the National Council on Disability, in which the organizations for deaf, hard of hearing and deafblind and their families shall be present in order to safeguard and give impetus to the execution of the measures contained in this Law, proposing proper measures for its full effectiveness. The above-mentioned Committee shall be formed within an interval of one year from the entry into force of this Law.

Second additional provision. Guarantees for structural resources

The public authorities shall promote the human, technical and economic resources necessary to cover the positive action measures that are the object of this Law.

Third additional provision. Legal guarantees

The provisions in Chapter III, Section 2, of Law 51/2003, of December 2, on equal opportunities, non-discrimination and universal accessibility for persons with disability, regarding arbitration and legal guardianship, shall be followed.

Fourth additional provision. Transitional regulation of the situation of interpreters and professionals of Spanish sign languages

The Government of the Nation, at the proposal of the competent administrations, according to the legislation in force in this area, shall analyze the situation of interpreters and professionals of Spanish sign languages who have acquired their training through non-regulated teaching, prior to the entry into force of this Law, with a view to their administrative regulation.

Fifth additional provision. Sign language professionals

After the entry into force of the present Law, the Government shall prepare a study on sign language professionals and the certification necessary for working in this area.

Sixth additional provision. Attention to deafblindness

The Ministry of Labour and Social Affairs shall conduct a study in which the number of persons with deafblindness, their living conditions and their geographical locations are

established, in order to determine the referral centres that shall be created, as well as the establishment of resources that are more fitting for the special necessities of this group.

Seventh additional provision. Technical hearing aids

The public authorities, in the area of their competence, shall contribute financing for the purchasing of technical aids for the deaf, hard of hearing and deafblind.

Sole repealing provision. Regulatory repeal

Any provisions of equal or lower rank opposed to stipulations in this Law are hereby repealed.

First final provision. Basic nature of the Law

This Law is issued under the exclusive authority of the State to regulate the basic conditions that can guarantee equality in the exercise of rights and fulfilment of constitutional duties, according to Article 149.1.1. of the Spanish Constitution.

Second final provision. Suppletivity of Law 51/2003, of December 2

Regarding any areas not specifically regulated in this Law, the provisions of Law 51/2003, of December 2, on equal opportunities, non-discrimination and universal accessibility for persons with disability, as well as the regulations thereof, shall be followed.

Third final provision. Financing

The Ministry of Labour and Social Affairs carries out the execution of the stipulations of the present Law with the budgets assigned for fulfilling its responsibilities in the area of disability.

To this end, cooperation mechanisms shall be established with the competent Ministries in the area and with the different competent authorities of the Public Administration, as applicable.

In particular, the General State Administration shall cooperate in financing the development, research and dissemination of the use of Catalan sign language.

Fourth final provision. Execution and regulation powers

The Government, in the area of its authority, and after consulting with the corresponding sectoral conferences and the National Council on Disability, is authorized to dictate whatever provisions may be necessary to regulate and enforce this Law. The Government shall also specifically prepare regulations for developing the use of Spanish sign language, as well as support for any type of technical aid that would help to eliminate communication barriers in favour of the social integration of the deaf, hard of hearing and deafblind.

Fifth final provision. Application of the Law

The stipulations contemplated in the present Law shall have gradual application in the different areas referred to in Article 6.

The regulations established in Articles 10, 11, 12, 13, 14, 19, 20, 21, 22 and 23 of the present Law shall be applied according to the anticipated time intervals and schedules in

the fifth, sixth, seventh, eighth and ninth final provisions regarding conditions of accessibility and non-discrimination in Law 51/2003, of December 2, on equal opportunities, non-discrimination and universal accessibility for persons with disability.

Sixth final provision. Entry into force

The present Law shall enter into force the day following its publication in the "Official State Bulletin".

Therefore, I command all Spanish citizens and authorities to observe this law and endure its observance.

Madrid, October 23rd, 2007.

JUAN CARLOS Rex

President of the Government, JOSÉ LUIS RODRÍGUEZ ZAPATERO