

# MINISTRY OF THE PRESIDENCY

## **ROYAL DECREE 366/2007, of 16 March, which sets forth the conditions of accessibility and non-discrimination of people with disabilities in their relations with the General State Administration.**

In its Article 9.2, the Spanish Constitution sets forth that it is the responsibility of the public authorities to promote the conditions so that the freedom and equality of individuals are effective. Within this context, Article 49 contains a mandate so that the abovementioned public authorities implement an integration policy for people with disabilities and protect them so that they enjoy the rights recognized in Heading I of our Magna Carta.

In compliance with this constitutional mandate, Law 13/1982, of 7 April, on the Social Integration of the Disabled, was passed, which was complemented by incorporating new conceptions on disability by Law 51/2003, of 2 December, on Equal Opportunities, Non-Discrimination and Universal Accessibility of People with Disabilities, whose Final Provision Five entrusts the Government, amongst other issues, with setting within a time period of two years from its coming-into-force, the conditions of accessibility and non-discrimination which must be met by public bureaux, facilities and citizen help services. For its part, Law 6/1997, of 14 April, on the Organisation and Functioning of the General State Administration, lays down, among the principles regulated in its Article 4, that the action of the General State Administration must guarantee citizens the effectiveness of their rights when they relate to the Administration, and the ongoing improvement of procedures, services and public provisions, in accordance with the policies set by the Government and taking into account available resources, determining in this regard the benefits provided by state services, their contents and the corresponding quality standards.

Furthermore, this precept lays down that the General State Administration shall undertake its activity and shall organise administrative facilities and, especially, peripheral bureaux, in a manner so that citizens may complete their formalities, obtain help in the formal drafting of administrative documents and receive information of general interest by telephone, computer and telematic means.

Consequently, the above makes it necessary to establish, within the scope of the General State Administration, and of its affiliated and dependent public bodies, a series of measures which define the accessibility conditions which must be met by bureaux and citizen help services in order to ensure that the accessibility and non-discrimination of people with disabilities in their relations with the Administration are real and effective.

This objective is fulfilled by the measures passed via this Royal Decree, which are structured in the following areas:

### I. Accessibility measures in Citizen Services Bureaux:

1. Location of Citizen Services Bureaux.
2. Access to Citizen Services Bureaux.
3. Reception in Citizen Services Bureaux.
4. Signposting inside the bureaux.
5. Configuration of service points.
6. Interactive information systems.
7. Ancillary elements in Citizen Services Bureaux.

### II. Measures to guarantee accessibility in relation to administrative forms and documents.

III. Measures to guarantee accessibility in the rendering of citizen help services.

The project has received information from the National Disability Council and has been analysed by the Sectorial Conference on Social Affairs.

By its virtue, at the joint proposal of the Ministries of Labour and Social Affairs and of Public Administrations, in accordance with the State Council and following the deliberations of the Cabinet in its meeting held on 16 March 2007,

## **I H E R E B Y D E C R E E:**

### **CHAPTER I**

#### **Provisions of a general nature**

##### ***Article 1. Purpose and scope of application.***

1. The Royal Decree herein regulates the conditions of accessibility and non-discrimination which, in respect of persons with disabilities, must be presented by Citizen Services Bureaux, forms and any other resources which are especially dedicated by the General State Administration and within the scope of its competences to relations with citizens.

2. To said end, the following shall be considered to be preferential citizen relation resources which must fulfil accessibility conditions:

a) Citizen Services Bureaux: Facilities and physical spaces which the General State Administration dedicates exclusively or primarily to direct contact with citizens and their representatives for the purposes of obtaining information, guidance and advice on benefits, services and procedures; the receipt of documentation, applications and communications; the practice of personal appearances of the interested persons or, finally, the undertaking of formalities which are directly related to the competences or services of the General State Administration.

b) Standard forms: Forms placed at the disposal of citizens by the General State Administration so they can make applications, declarations, allegations, appeals or any intention or manifestation of will before said Administration.

3. Other resources of the General State Administration shall fulfil the accessibility conditions provided for in the general regulations which are applicable in each case, abiding at all times by the principles of equal opportunities and non-discrimination of persons with disabilities.

4. Under the terms provided for in Article 10 of Law 51/2003, of 2 December, on Equal Opportunities, Non-Discrimination and Universal Accessibility of Persons with Disabilities, the regulations contained in the Royal Decree herein are applicable to the General State Administration and to its affiliated or dependent public bodies.

##### ***Article 2. Principles and actions of the General State Administration in its relations with citizens with disabilities.***

In accordance with the provisions of the second paragraph of Section 1 of Final Provision Five of Law 51/2003, of 2 December, the action of the General State

Administration shall guarantee citizens with disabilities the effectiveness of their rights in their relations with the Administration by:

- a) Guaranteeing equal opportunities, non-discrimination on disability grounds and universal accessibility.
- b) Implementing positive action in order to offset the disadvantages which these citizens may experience in their relations with the Administration.
- c) Adopting measures and placing at the disposal of citizens with disabilities, where appropriate, additional human and material resources and support so that they may exercise and regulate in a normal manner the rights they are entitled to.
- d) Eliminating and correcting any rule, criterion, instruction, action, practice or decision which represents a violation of the equal opportunities of persons with disabilities.

## **CHAPTER II**

### **Accessibility in Citizen Services Bureaux.**

#### ***Article 3. Determination of the Citizen Services Bureaux.***

The General State Administration, via a Resolution of the General Secretariat for Public Administration, following consultation with the Ministerial Departments in question, shall determine the Bureaux which must be adapted to the accessibility conditions provided for in the Royal Decree herein and shall publish a list of them which shall be permanently updated and at the disposal of the public.

#### ***Article 4. Location of the Citizen Services Bureaux.***

1. The General State Administration shall locate the Citizen Services Bureaux in environments which guarantee the access of persons with disabilities.

2. For the purposes of the provisions of the preceding sections, decisions on the location of these Bureaux shall take the following recommendations into consideration:

a) With a preferential nature and provided that it is possible, the Bureau shall be located on a floor which is at street level. If not, it shall have access ramps or lifts with specifications which allow it to be used independently and safely by persons with disabilities.

b) The Bureau must be correctly signposted visually from the outside, so that it can be identified easily. The signposting must be designed in such a way that it is intelligible and comprehensible by persons with intellectual disabilities.

c) At least one of the routes linking the Bureau's entrances to the public thoroughfare, to ancillary services or buildings and to the car parks must be accessible in accordance with the conditions laid down for an accessible urban route. To said end, it is considered sufficient to comply with the criteria laid down in Standard UNE 41510:2002 Building Accessibility. Horizontal Communication Spaces.

d) If they should have parking spaces, the Citizen Services Bureaux shall reserve a sufficient number of suitably signposted places exclusively for people with reduced mobility, which are properly sized so that vehicles can be accessed from the side and from the back, guaranteeing the existence of routes which are accessible between the parking spaces and the Bureau itself.

3. Any Citizen Services Bureaux which are special, either because of their itinerant or mobile nature or because they are designated provisionally for service reasons outside an established administrative facility or environment, shall be applied the necessary singularities or exceptions, provided that they do not lessen the rights of persons with disabilities.

#### ***Article 5. Access to the Bureaux.***

1. Accesses to Citizen Services Bureaux shall be designed so that they can be easily used by persons with disabilities, especially as regards doors, intercoms and warning and call systems.

2. For the purposes of the provisions of the preceding paragraph, the design and execution of accesses to the Bureaux shall take the following recommendations into consideration:

a) The space which adjoins the entrance door to the Bureau, both inside and outside, must be horizontal and not entail any obstacles, allowing all users to draw close to and open the door in an independent manner.

b) In the outside and inside space, the floor must be continuous. Any element on the floor such as water collection gutters, doormats, etc., must be on the same level as the pavement.

c) Next to the main entrance, preferably on the right hand side of the door, a sign shall indicate, where appropriate, the number and letter of the doorway and its use in cases of buildings of general interest. The abovementioned signs must have a good contrast, differentiating texture and colour, and be placed at a suitable height.

d) Intercoms and warning and call systems shall be accessible, both in terms of their usage modality (text and voice) and of their location.

e) Entrance doors shall be accessible to users, not only in terms of their opening system, which shall be either sliding or folding, and of the size of the space for passing through, but also as regards their opening and closing mechanisms and of the manoeuvre force needed to open them. To said end, it is considered sufficient to comply with Section 6 of Standard UNE 41520: Building Accessibility. Vertical Communication Spaces.

f) Automatic doors shall comply with the specifications indicated in the preceding point and, furthermore, any which eliminate risks of being trapped or struck.

g) If windbreak doors are fitted, the existing space shall be such that it allows users to manoeuvre, draw close to and open the doors.

h) When the doors are made of glass, they shall be protected in such a way that breakage due to impact is prevented and they shall be signposted by means of two horizontal strips measuring 20 centimetres wide, whose colour contrasts with the rest of the surface. The first shall be placed at a height of between 100 and 120 centimetres, and the second between 150 and 170 centimetres. Glass which produces reflections on its surface shall not be used.

#### ***Article 6. Reception in Citizen Services Bureaux.***

1. Reception areas and systems in Citizen Services Bureaux, especially lobbies and access control and security systems, shall be organised in such a way that their use by persons with disabilities is guaranteed.

2. For the purposes of the provisions of the preceding paragraph, the design and execution of reception areas and systems in the Bureaux shall take the following recommendations into consideration:

a) Access control systems shall not represent an obstacle for the movement of persons with walking difficulties or wheelchair users, or for the movement of persons who use other mobility assistance devices such as dogs for guidance or assistance or mobility sticks. Neither shall they interfere with personal electromagnetic devices such as pacemakers or hearing aids.

b) When the security or access control systems are not big enough to allow persons in wheelchairs to pass through, alternative measures or resources shall be provided for passing this control so that the persons keep their technical aid with them.

c) Security systems must be duly signposted and offer accurate instructions on what must be done in particular cases, such as wheelchairs, hearing aids or pacemakers.

d) The reception lobby shall be organised in such a way that it facilitates users' orientation. To said end, the routes which access the different areas and uses of the building, the vertical communication hubs and the entrances to and exits from the building shall be signposted both visually and using a tactile method.

e) If the Bureau should have a waiting area, the latter shall be outfitted with furniture which is conceived in keeping with "design-for-everyone" criteria.

### ***Article 7. Accessible indoor signposting.***

Indoor signposting must be positioned in a place which is close to the entrance and can be easily located taking into account the uses and characteristics of the facility and the following recommendations:

a) Permanent or temporary graphic information panels shall be located parallel to the direction taken by incoming persons and, whenever possible, adjacent to a wall or a surface so that they are not hidden by any obstacles, whether this may be the gathering of people, open doors or furniture or ornamental or decorative elements. They shall not be protected by glass and shall always enable people to come close to them so they can interact with them.

b) The contents of the information shall be concise and basic and use simple symbols which are easy to understand avoiding any superfluous information.

c) Important information shall be given in at least two or three sensorial modalities: visual, acoustic and touch (high-relief or Braille), so that they can also be fully perceived by persons with visual and hearing disabilities.

d) Visual signing shall be accompanied by symbols and graphic characters, preferably international standard symbols which increase their comprehension. The sign must be easy to differentiate from the surrounding area. Colours shall be used which provide the greatest contrast between the figure and the background in elements such as the text and the supporting system; the supporting system and the wall on which they are located; doors and door handles; handrails and mechanisms; and letters and numbers must not be placed on illustrations or photographs which limit the contrast and make it difficult to distinguish them.

e) In order to attend to persons who use hearing aids, acoustic signposting shall be adapted to an audible range and which cannot be interfered with by frequencies and intensities, and an attention, visual or acoustic signal shall be used prior to the message.

The sound pressure level of audible messages shall be at least higher than the background noise level.

In public address systems, an attempt shall be made to achieve a low sound level, but which is well-distributed in the room or building through several broad-band speakers which are well distributed.

An attention signal shall be used prior to the message. The public address system shall be fitted with magnetic induction loops and magnetic field amplifiers which are needed to enable persons who use hearing aids to hear better.

Any information broadcast over the public address system must also be shown in clearly visible text panels.

f) Tactile signing shall be provided by means of rough textures and characters or symbols in high relief or in Braille.

g) The location and handling of number collection systems or any system established for turn-taking must be easily accessible and be fitted with visual and sound information resources.

h) Warning systems, including those of alarm or indicating danger, must be broadcast simultaneously via sound and visual means which are easy to understand and recognise.

### ***Article 8. Configuration of service points.***

1. Service points shall be located in such a way so that they are easy to locate and so that they do not obstruct or hinder movement in the building. Whether they are attended by service personnel or they are information points which are administered by users themselves in an independent manner, they shall be designed in such a way so that all users can draw close to them and use them.

2. For the purposes of the provisions of the preceding section, service points shall take the following recommendations into consideration:

a) The height of counters and information points must be suited to receiving all kinds of users. At least one part of the counter or service desk must be at the height of a work table in order to serve persons of different heights, wheelchair and crutch users and, in general, persons who need to sit down.

b) The movement space directly in front of the counters and information points must be free from obstacles and have sufficient manoeuvre space so that wheelchair users can draw close to them.

c) Counters and attention points shall not have glass or other obstacles which make the transfer of sound and visual communication between the user and the employee more difficult.

d) Counters and service points must have magnetic induction loop systems, which are properly signposted in order to enable persons with hearing aids to hear and understand better.

e) Telephone information points and any citizen telephone help services shall be fitted with text and fax telephony systems and, if it is technically possible, with video telephony to make lip reading easier. Furthermore, the personnel must be trained and know how to use the systems properly.

### ***Article 9. Interactive information systems.***

1. Information points which are not directly attended by personnel shall be fitted with additional information systems such as graphic panels, audiovisual systems and tactile plans.

2. For the purposes of the provisions of the preceding paragraph, the following recommendations shall be taken into consideration in the configuration of additional information systems:

a) Their location shall be accessible and easy to find.

- b) Their height and other sizes shall be those which are suited to normal use by all kinds of persons with disabilities. Their regular interaction with persons with manipulation difficulties must be guaranteed.
- c) Any information in text format must also be given in sound format.
- d) Any sound information must also be transcribed in text format.
- e) Any audiovisual devices which are used must also have amplification and hearing signal improvement systems.
- f) Any actions which are activated must be confirmed by sound messages.
- g) Controls, keyboards and buttons must be adapted with high-contrast labels and icons, and large letters in high relief and Braille.
- h) Screen surfaces must be anti-reflecting and have a good contrast.
- i) Information must be clear, without too many options on the same screen and allow for a lengthy response time.
- j) Tactile screens shall offer an alternative system for accessing information for any people who need it. This system shall be based on the verbalisation of the different information options and shall be activated by pressing a touch-sensitive area located on the bottom left-hand side and labelled with the expression «easy-to-use» which once pressed will give brief instructions on how to use the system.

***Article 10. Complementary accessibility elements in Citizen Services Bureaux.***

1. Services Bureaux shall have at least one accessible hygiene-sanitary area, whose configuration shall take into account the technical features and specifications which are referred to in Final Provision Two of the Royal Decree herein.

2. The laying of paving in Services Bureaux shall take into account the technical features and specifications which are referred to in Final Provision Two of the Royal Decree herein.

3. The fire safety systems fitted in Services Bureaux shall abide by the technical criteria and specifications which are referred to in Final Provision Two of the Royal Decree herein.

***Article 11. Exceptions.***

1. The accessibility and non-discrimination conditions laid down in the CHAPTER herein may be partially excluded when in the building in which the Bureau is located, or in its surrounding area, infrastructure and heritage protection circumstances occur which make their application impossible materially or economically.

2. By means of a Resolution of the Secretariat General for Public Administration, the General State Administration shall set forth the exceptions referred to in the Article herein. At all events, the circumstances mentioned in the preceding section must be included in the corresponding resolution.

3. At any rate, the exceptions referred to in this Article shall adhere to the criteria expressed in Letter c) and in the antepenultimate paragraph of Article 7 of Law 51/2003, of 2 December, which defines what is meant by reasonable adaptation and disproportionate load.

**CHAPTER III**

**Accessibility conditions in forms and documents**

***Article 12. Availability of documents and forms.***

1. The availability of citizen-targeted documents and forms shall be guaranteed under conditions of full accessibility for persons with disabilities, by means of their location on shelves, in dispensers or other furniture which allows these persons to obtain them in a manner which is as independent as possible.

2. At the request of persons with disabilities, they shall be offered in alternative formats using large or enlarged typefaces, in Braille, or support personnel shall be provided to make it easier for them to be filled in.

3. Furthermore, at all events, the documents and forms must be available on the corresponding web pages and in an accessible electronic format.

4. Documents and forms available in paper format shall comply with the technical specifications referred to by Final Provision Two of the Royal Decree herein.

***Article 13. Content accessibility and structure of documents and forms.***

1. Documents and forms shall be drafted in simple and direct language, without using acronyms or abbreviations. Basic information documents which are used on a regular basis must have simplified versions for persons with intellectual disabilities or written comprehension difficulties. 2. On forms to be filled out by citizens, spaces will be left whose size makes them easy to fill in and the use of backgrounds containing drawings and inks with little contrast shall be avoided. They must be accompanied by clear, concise instructions.

## **CHAPTER IV**

### **Accessibility conditions in the rendering of services**

***Article 14. Rendering of services.***

1. In the rendering of verbal citizen help services through personal, face-to-face liaison or by means of the telephone or a similar channel, the technical accessibility specifications which are referred to in Final Provision Two of the Royal Decree herein shall be adhered to.

2. In the training of personnel of the General State Administration charged with rendering citizen help services, special attention shall be paid to knowledge of the different disabilities and their consequences in the undertaking of citizen help services, in the treatment and interaction with persons with disabilities and in the use of ancillary resources provided for said treatment.

***Single transitional provision.*** Transitional regime for the enforcement of compliance with conditions.

1. Following consultation with the affected Ministerial Departments, the Secretariat General for Public Administration shall determine the Citizen Services Bureaux existing on the coming-into-force of the Royal Decree herein which must comply with the conditions pursuant to its CHAPTER Two prior to 4 December 2012. To said end, a calendar of gradual adaptation of the Bureaux shall be established which shall be periodically updated and monitored.

2. Any documents and forms, the rendering of help services and other resources existing prior to the coming-into-force of the Royal Decree herein must

comply with the provisions of these conditions within a time period of one year from the coming-into-force of the Royal Decree herein.

***Final Provision One.*** No increase in public spending. Financing of the planned measures.

The passing of the Royal Decree herein does not mean any increase in public spending. The measures provided for in the Decree shall be adopted in conformance with the time periods pursuant to its Single Transitional Provision, and financed, at the time, on account of the budgetary credits planned for said purpose in the expenditure budgets of the competent public departments and public bodies.

To said end, in accordance with the valuations made by the technical services which are specialised in each of the areas which are referred to by this Royal Decree, competent public departments and bodies shall implement the necessary spending provisions in order to be able to undertake the measures provided for in the latter.

***Final Provision Two.*** Passing of technical specifications.

Within a time period of three months from the coming-into-force of this Royal Decree, the Ministries of Public Administrations of Work and Social Affairs, following a hearing with the National Disability Council, shall adopt by means of a joint ministerial order, following consultation with the Ministerial Departments, approved by the Ministry of the Presidency, the technical specifications and characteristics which specify and detail the conditions and criteria of accessibility and non-discrimination laid down in this regulation.

***Final Provision Three.*** Establishment of regulations.

Following consultation with the National Disability Council, the Ministries of Public Administrations and of Labour and Social Affairs are authorised to enact whatever provisions are necessary to develop and execute this Royal Decree.

***Final Provision Four.*** Coming-into-force.

The Royal Decree herein shall come into force on the day following that of its publication in the Official State Gazette (BOE).

Issued in Madrid, on 16 March 2007.

JUAN CARLOS R.

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