



Notification Number: 1994/95/E

Draft Royal Decree approving the private security regulation.

Date received : 21/04/1994

End of Standstill : 11/07/1994

Issue of comments by : Commission

Message

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REP PERMANENTE IRLANDE

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MINISTRY OF INDUSTRY, ENERGY & TECHNOLOGY
ATT. MR. Z.P. MAVROUKAS

HELLINIKOS ORG. TYPOPISEOS
ATT. MR. MELAGRAKIS

DGS INTERNATIONAL BELGIUM

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
ATT. MR. E. ALLEN

INST INDUST RESEARCH.
ATT. MR. J. NULTY

EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY
ATT. M. BOHR

TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (94) D/50542/2
DIRECTIVES 83/189/EEC AND 88/182/EEC
TRANSLATION OF TELEX 001
NOTIFICATION 94/0095/E

- 3B1 : 9400542.EN

1. Structured Information Line

TLX 002 IND- 94 0095 E-- EN ----- 940421 --- ---



2. Member State

SPAIN

3. Department Responsible

SECRETARIA DE ESTADO PARA LA COMUNIDADES EUROPEAS
DIRECCION GENERAL DE COORDINACION TECNICA COMUNITARIA
SUBDIRECCION GENERAL PARA ASUNTOS INDUSTRIALES,
ENERGETICOS Y DE TRANSPORTES. MINISTERIO DE ASUNTOS
EXTERIORES, C/MARIA DE MOLINA, 39 - PLANTA 10

3. Originating Department

MINISTERIO DEL INTERIOR

4. Notification Number

94/0095/E

5. Title

Draft Royal Decree approving the private security regulation.

6. Products Concerned

Security services and systems

7. Notification Under Another Act

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8. Main Content

This draft regulation establishes the operating framework for security firms and fixes the bases for the future establishment of the characteristics of the technical and material means which may be used, which shall subsequently be established.

9. Brief Statement of Grounds

The aim of this draft is to develop properly the provisions of Law 23/1992 of 30 July, on private security and of Organic Law 1/1992, of 21 February, on the protection of civilian safety.

10. Reference Documents - Basic Texts

Basic texts:

- 1.- Law 23/1992, of 30 July.
- 2.- Organic Law 1/1992 of 21 February

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

- The Spanish authorities are requesting the emergency procedure for this draft for the following reasons:

1. They consider that the draft private security regulation is not properly a draft technical



regulation. However, some of its precepts, principally articles 18 and 32 on transport vehicles, 25 on gunsmiths, 39 and 40 on material and technical means, and 119 to 134 which regulate security measures, set the bases for the future establishment of resolutions which could merit the description of technical specifications on the subjects listed.

The Spanish authorities propose to submit, in due course, to the procedure of article 8 of directive 83/189/EEC, the draft Ministerial Orders developing the private security regulation, in which the said resolutions are established. However, in view of the uncertainty as to whether this private security regulation could be considered a technical regulation, they are submitting the same to the procedure of the said directive, in order to avoid any problems in the future.

2. The promulgation of the private security regulation is very urgent, because Law 23/1992, of 30 July, on private security, whose content it is intended to develop through the said regulation, is practically in a position of *vacatio legis*, since the lack of complementary regulations impedes its implementation, thereby producing very serious problems for the operation of the whole private security sector, with major repercussions and negative effects on public security.

D. WILLIAMSON
COMEUR
NNNN