



Notification Number: 2009/489/E

**Draft Royal Decree amending the Technical Building Code approved by Royal Decree 314/2006 of 17 March and amended by Royal Decree 1371/2007 of 19 October and by Order VIV/984/2009 of 15 April.**

Date received : 01/09/2009

End of Standstill : 02/12/2009

**Message**

Message 002

Communication from the Commission - SG(2009) D/52034

Directive 98/34/EC

Translation of the message 001

Notification: 2009/0489/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200902034.EN)

**1. Structured Information Line**

MSG 002 IND 2009 0489 E EN 02-12-2009 01-09-2009 E NOTIF 02-12-2009

**2. Member State**

E

**3. Department Responsible**

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Coordinación del Mercado Interior y Otras Políticas Comunitarias

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### 4. Notification Number

2009/0489/E-BOO

### 5. Title

Draft Royal Decree amending the Technical Building Code approved by Royal Decree 314/2006 of 17 March and amended by Royal Decree 1371/2007 of 19 October and by Order VIV/984/2009 of 15 April.

### 6. Products Concerned

Construction products to be incorporated into buildings and which affect conditions of access for disabled persons, which, in application of part I of the Technical Building Code approved by Royal Decree 314/2006 of 17 March, must satisfy all the requirements deriving from the application of Construction Products Directive 89/106/EEC and bear the corresponding CE marking where appropriate.

### 7. Notification Under Another Act

Council Directive 89/106/EEC of 21 December 1988, on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (CPD).

### 8. Main Content

The purpose of the draft is to amend the Technical Building Code (CTE) to incorporate the new requirement of access for disabled persons, combining it with the existing requirement on safety of use, and the basic document regarding said combined requirement, which is to be renamed 'Documento Básico SUA-Seguridad de utilización y accesibilidad' (Basic Document SUA-Safety of Use and Access) and whose purpose is to establish rules and procedures to ensure compliance with the basic building requirements in relation to safety of use and access.

### 9. Brief Statement of Grounds

This Royal Decree shall enforce the mandate contained in Article 10 and in the ninth final provision of Law 51/2003 of 2 December on equal opportunities, non-discrimination and universal access for disabled persons (LIONDAU).

### 10. Reference Documents - Basic Texts

- Law 51/2003 of 2 December on equal opportunities, non-discrimination and universal access for disabled persons.
- Royal Decree 314/2006 of 17 March, introduced to pass the Technical Building Code. Recognised by the Commission with reference number 2004/020/E.



**11. Invocation of the Emergency Procedure**

NO

**12. Grounds for the Emergency**

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**13. Confidentiality**

NO

**14. Fiscal measures**

NO

**15. Impact assessment**

NO

**16. TBT and SPS aspects**

NO

TBT aspect

iii) The draft has no significant impact on international trade.

SPS aspect

i) The draft is not a sanitary or phytosanitary measure within the meaning of Appendix A to the SPS Agreement.

iii) The draft has no significant impact on international trade.

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**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers