



Notification Number: 2004/167/E

DRAFT DECREE REGULATING TANNING CENTRES WHICH USE ULTRAVIOLET RADIATION EQUIPMENT IN THE COMMUNITY OF MADRID

Date received : 12/05/2004
End of Standstill : Closed
Issue of comments by : Commission
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2004) D/50918
Directive 98/34/EC
Translation of the message 001
Notification: 2004/0167/E

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200400918.EN)

1. Structured Information Line

MSG 002 IND 2004 0167 E EN 13-08-2004 12-05-2004 E NOTIF 13-08-2004

2. Member State

Spain

3. Department Responsible

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4. Notification Number

2004/0167/E - I00

5. Title

DRAFT DECREE REGULATING TANNING CENTRES WHICH USE ULTRAVIOLET RADIATION EQUIPMENT IN THE COMMUNITY OF MADRID

6. Products Concerned

THE PRESENT DECREE ESTABLISHES THE OPERATING REQUIREMENTS FOR TANNING CENTRES WITHIN THE COMMUNITY OF MADRID. TO THIS END, THE REQUIREMENTS WHICH MUST BE MET BY THE DECLARATION TO BE SUBMITTED BY TANNING CENTRES TO THE COMPETENT BODY AND THE PROCEDURE FOR AUTHORISING THE TRAINING COURSES INTENDED FOR STAFF RESPONSIBLE FOR TANNING EQUIPMENT INVOLVING ULTRAVIOLET RADIATION ARE REGULATED HEREIN AND THE MECHANISM FOR INSPECTING AND SUPERVISING THIS ACTIVITY IS ALSO ESTABLISHED.

7. Notification Under Another Act

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8. Main Content

THE OBJECT OF THE PRESENT DECREE IS TO REGULATE TANNING CENTRES WHICH PROVIDE THEIR SERVICES WITHIN THE COMMUNITY OF MADRID. THIS REGULATION SHALL BE CARRIED OUT BY MEANS OF:

A) NOTIFICATION OF TANNING CENTRES: PROPRIETORS OF TANNING CENTRES SHALL BE OBLIGED TO COMMUNICATE THE DATE UPON WHICH THE CENTRE IS TO COMMENCE OPERATION TO THE COMPETENT ADMINISTRATIVE BODY IN THE TOWN IN WHICH IT IS LOCATED, PRIOR TO THIS TAKING PLACE.

B) MONITORING OF CONDITIONS REGARDING LIMITS ON EXPOSURE TO ULTRAVIOLET RADIATION AND SAFETY OF TANNING EQUIPMENT ARE ESTABLISHED IN ROYAL DECREE NO 1002/2002: IT SHALL BE THE RESPONSIBILITY OF THE PROPRIETOR OF THE TANNING CENTRE TO MONITOR THE RESTRICTIONS AND PROHIBITIONS RELATING TO THE USE OF THIS EQUIPMENT, AS WELL AS TO MAINTAIN THE HEALTH AND HYGIENE CONDITIONS OF ESTABLISHMENTS AND REQUIREMENTS RELATING TO USER INFORMATION AND INFORMED CONSENT.

C) THE REGISTER OF TANNING EQUIPMENT MAINTENANCE COMPANIES IS HEREBY CREATED. ALL THE COMPANIES, INDIVIDUAL ENTREPRENEURS OR LEGAL PERSONS CARRYING OUT THE ACTIVITY OF INSTALLATION, MAINTENANCE AND PERIODIC SERVICING OF TANNING EQUIPMENT SHALL BE REGISTERED HEREIN.

D) ALL STAFF OF COMPANIES OPERATING TANNING EQUIPMENT INVOLVING ULTRAVIOLET RADIATION IN A TANNING CENTRE MUST HAVE A SUFFICIENT AND APPROPRIATE LEVEL OF



KNOWLEDGE AND APTITUDE TO BE ABLE TO CARRY OUT THIS FUNCTION, HAVING TO COMPLETE AN AUTHORISED TRAINING COURSE, INDICATING THE PROCEDURE FOR WHICH THIS AUTHORISATION HAS BEEN OBTAINED.

E) THE PENALTY SYSTEM AND THE COMPETENCES OF THE VARIOUS PUBLIC BODIES INVOLVED, INCLUDING, IN ADDITIONAL PROVISIONS, THE DEADLINES FOR ADAPTATION TO THIS, ARE ESTABLISHED.

9. Brief Statement of Grounds

THIS DECREE SHALL FULFIL, WITHIN THE COMMUNITY OF MADRID, THAT ESTABLISHED AT A NATIONAL LEVEL BY ROYAL DECREE NO 1002 OF 27 SEPTEMBER 2002, WHICH LAYS DOWN THAT TANNING CENTRES, BEFORE OPENING, MUST SUBMIT TO THE COMPETENT AUTHORITY A DECLARATION CONTAINING THE TECHNICAL DESCRIPTION OF THE TANNING EQUIPMENT AND THE TRAINING RECEIVED BY THE STAFF OF THIS ESTABLISHMENT, AS WELL AS LAYING DOWN THE BASIC REQUIREMENTS FOR TRAINING COURSES FOR STAFF OF TANNING CENTRES, THE CONTENT AND INSPECTION OF WHICH SHALL BE THE RESPONSIBILITY OF THE COMPETENT BODIES OF THE AUTONOMOUS COMMUNITIES, ALSO BEING RESPONSIBLE FOR THE MONITORING AND INSPECTION OF THAT LAID DOWN THEREIN.

10. Reference Documents - Basic Texts

ROYAL DECREE NO 1002 OF 27 SEPTEMBER 2002, REGULATING THE SALE AND USE OF TANNING DEVICES USING ULTRAVIOLET RAYS

11. Invocation of the Emergency Procedure

YES: THE URGENCY PROCEDURE IS INVOKED.

12. Grounds for the Emergency

ROYAL DECREE NO 1002 OF 27 SEPTEMBER 2002, REGULATING THE SALE AND USE OF TANNING DEVICES USING ULTRAVIOLET RAYS, LAYS DOWN, IN THE ADDITIONAL PROVISIONS THERETO, TIME LIMIT EXTENSIONS FOR

1.- THE FULFILMENT OF AUTHORISATIONS FOR TRAINING COURSES FOR STAFF OF TANNING CENTRES RESPONSIBLE FOR OPERATING THE UV-RAY EQUIPMENT,

2.- TANNING CENTRES SHALL BE SUBJECT TO THE EQUIPMENT INSPECTIONS SPECIFIED THEREIN, AND

3.- THE CENTRES SHALL FORWARD THE MANDATORY NOTICES TO THE TOWN HALLS WHERE THEY ARE LOCATED.

THESE PERIODS HAVE ALREADY BEEN EXCEEDED, AND THE IMPLEMENTATION OF LAWS IN THE VARIOUS AUTONOMOUS COMMUNITIES IN LINE WITH THAT LAID DOWN IN THIS ROYAL DECREE IS THEREFORE IMPERATIVE.

13. Confidentiality

WE DO NOT ASK THAT THE INFORMATION PROVIDED PURSUANT TO ARTICLE 8 BE TREATED AS CONFIDENTIAL, IN ACCORDANCE WITH ARTICLE 8(4).

14. Fiscal measures

NO



15. Impact assessment

NO

16. TBT and SPS aspects

TBT Aspects

NO

SPS Aspects

NO

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