



Draft Decree approving the Accessibility Code of Catalonia

Impact assessment report

23 March 2022



Impact assessment of the Draft Decree approving the Accessibility Code of Catalonia

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0. Introduction

This report has been drawn up in accordance with the provisions of Article 64(3) of Law 26/2010 of 3 August 2010 on the legal and procedural regime of the public administrations of Catalonia; Article 4 of Decree 106/2008 of 6 May 2008 on measures to eliminate formalities and simplify procedures to facilitate economic activity; the Guide to Good Practice for the drawing up and revision of regulations with an impact on economic activity, and the Recommendations regarding the assessment report on the impact of proposed measures of the Government Office.



1. Context analysis and identification of regulatory options

A. Identification of the problem

- a) The promotion of accessibility is fundamental in all areas of society because it has a direct and positive impact on being able to carry out everyday activities, be it in the home, urban spaces, work, education, culture, leisure, transport, products or services.

An accessible environment is an essential condition for increasing the autonomy of all people, especially those with disabilities or the elderly, improves quality of life, promotes social inclusion and participation, allows for equal opportunities and the exercise of the rights and dignity of all people, whatever their situation or capacity.

These are basic objectives for the welfare state, and justify, in accordance with the guiding principles of care policies, being promoted and monitored by the Department of Social Rights, with the participation and co-responsibility of all departments, bearing in mind both the competences of administrations in each area and the needs of citizens.

Nevertheless, the age of the building stock as well as the complexity of renovating urban spaces and much of the existing public transport system means that, currently, a large number of barriers of all kinds persist, despite efforts in recent years to tackle these barriers.

Housing and businesses are the areas in which the lack of accessibility is most visible. However, in order to ensure genuine equal opportunities, barriers affecting mobility, services and attitudes must also be removed.

- b) Currently, accessibility regulations are complex and have developed as a result of various evolutionary processes at state and regional level.

The State legislation is established by Royal Legislative Decree 1/2013 of 29 November 2013 approving the consolidated text of the General Law on the Rights of Persons with Disabilities and their Social Inclusion, and is implemented through a set of provisions that set out the basic conditions of accessibility in various areas: Order VIV 561/2010 of 1 February 2010 on urbanised public spaces; Royal Decree 173/2010 of 19 February 2010 on buildings; Royal Decree 1544/2007 of 23 November on means of public transport, among others on more specific aspects. These provisions identify many of the conditions that must be met by public roads, buildings and newly built vehicles, but do not specify how to adapt the existing environment. Likewise, despite containing extensive and detailed regulations, the basic conditions are not intended to exhaust the regulatory framework, which is why it falls to the autonomous communities, in exercise of their powers, to supplement these basic conditions, expanding, specifying and developing all aspects appropriate to responding to the circumstances and needs of their territory, by means of regional legislation.

The regional legislation of Catalonia on accessibility began with Decree 100/1984 of 10 April 1984 on the elimination of architectural barriers and Law 20/1991 of 25 November 1991 on promoting accessibility and removing architectural barriers. It recently, however, made a very significant qualitative and quantitative leap with the approval of Law 13/2014 of 30 October 2014 on accessibility, which not only updates and improves the previous regulation, but incorporates new aspects that are essential to



achieve its objectives. Nevertheless, Decree 135/1995 of 24 March 1995 implementing Law 20/1991 of 25 November 1991 promoting accessibility and the removal of architectural barriers and adopting the Accessibility Code, despite being obsolete and insufficient in most of the parameters and measures contained therein, remains applicable until the Decree that is the subject of this Impact Assessment Report is approved. Also, in the absence of an updated Accessibility Code, various sectoral regulations have been incorporating specific accessibility conditions in their annexes, as is the case for Decree 141/2012 of 30 October 2012 regulating the minimum conditions of habitability, and Decree 205/2015 of 15 September 2015 on the system of administrative authorisation and prior communication of social services and the Registry of Entities, Services and Social Establishments.

- c) All this means that the current regulatory framework is quite fragmented and articulated around a range of provisions that do not cover all situations, contain insufficiently regulated aspects and others with discordant regulations. These circumstances hinder interpretation and can cause some conditions to be applied incorrectly.

The existence of unregulated or insufficiently regulated situations mainly affects the areas of services, management and maintenance of accessible elements and communication elements related to sensory and cognitive disabilities. However, it also affects partial aspects such as mobility scooter users accessing public transport or the design of single-level streets, among others, situations that have been the subject of complaints by professional bodies and associations in the participatory process carried out through the Participa.gencat portal during the consultation prior to the processing of this Decree.

It is also necessary to mention various situations in which, despite there being a regulation in force, it becomes quantitatively insufficient, in part due to the increase in the number of persons with disabilities (see data in section A.1), but above all due to the increased mobility and willingness to participate of these persons. As barriers are removed, there are more facilities and opportunities to access more places and the need for adequate resources increases. Parking spaces, spectator accommodation and accommodation in public residential establishments are three elements that require increasing the proportion of accessible units and developing an adequate and sufficient offer for various accessibility needs. In premises with spectator accommodation, it is especially urgent to resolve the deficiencies in communicative accessibility, which affect people with visual and auditory disabilities and that cause the absence or scarcity of programmes that are genuinely accessible for these groups.

Regulatory ambiguity has the greatest impact on the regulation of reasonable accommodation required when intervening in the existing environment. Despite the fact that Royal Legislative Decree 1/2013 of 29 November 2013; Royal Decree 173/2010 of 19 February 2010 and Ministerial Order VIV/561/2010 of 1 February 2010 refer to the application of the principle of proportionality, they at no time specify or give minimum indications as to which conditions are enforceable or admissible in each situation, which hinders monitoring and inspection measures, creates legal uncertainty among the various agents and actors (promoters, technicians, users) and impairs the application of the sanctioning regime.



The doubts, difficulties and possible non-compliances regarding the adequacy of the existing environment are evidenced by the constant increase of consultations and complaints for these reasons that are received in the Area of Promotion of Accessibility and that in 2019 alone have involved more than 1,500 consultations and more than 900 complaints.

The regulatory duplication that we find regarding the same elements is another recurring problem and is the result of the very historical evolution of the regulatory framework on accessibility to which we have referred. Legislation on accessibility, starting in the 1990s, was initiated and led by the autonomous communities, which in the exercise of their competences developed criteria, conditions and technical parameters according to the needs and circumstances of each territory. Subsequently, between 2003 and 2010, the central government decided to promote and approve a basic regulation with a very broad and detailed definition although conceptually it was in response to 'minimal' legislation. The emergence of this new regulation has generated very varied situations, as in many elements it maintains or increases the prior level of requirement, but on other occasions it establishes conditions lower than those that the regional legislation had already consolidated or even proposes solutions that are difficult to comply with, all of which make it essential to adapt the current Accessibility Code.

The request for a regulation that unifies and clarifies the current legal framework has been a constant in the petitions and contributions that have been submitted through the Participa.gencat portal.

- d) In this context, the Accessibility Plans are one of the most effective tools for public administrations to properly diagnose, prioritise and plan actions to make the areas falling under their competence accessible. The current Accessibility Code (Decree 135/1995) already provides for the mandatory nature of these Plans, however, although the planned deadlines have passed, around 70% of the municipalities still do not have them. These are, mostly, municipalities with few inhabitants, whose total represents less than 20% of the population of Catalonia, and one of the reasons that they have not yet drawn them up is the current regulatory vacuum regarding how existing urban spaces have to be adapted, an aspect that has a greater impact in small municipalities with a shortage of technical personnel.

The 2021 document from the '*Observatorio de Accesibilidad Universal en los municipios de España*', in which the Ministry of Social Rights, the ONCE foundation, CERMI and FEMP (Spanish Federation of Municipalities and Provinces) are involved, makes a comparison of the conditions of accessibility on public roads and municipal buildings in the autonomous communities and places Catalonia in first place, however, according to this study, only 43% of Catalan public roads are considered fit for walking autonomously and safely; only 27% of open spaces and services on the street are deemed sufficiently accessible, and only 59% of municipal buildings are considered usable by everyone.

To resolve this situation, Law 13/2014 of 30 October 2014 on accessibility establishes new measures to promote and monitor the approval and implementation of the Decree that is the subject of this report once it has entered into force, and this Decree regulates extensively and in detail how to adapt the existing spaces.



e) It should be noted that in the various citizen participation bodies (such as the Council for the Promotion of Accessibility or the Disability Council of Catalonia) the groups of people with physical, sensory, visual, auditory or mixed, intellectual and other disabilities have repeatedly called for a new Code of Accessibility in Catalonia as they still live in situations of inequality of opportunities, deficiencies and difficulties in social participation and discriminatory attitudes.

Catalonia, firstly, in compliance with the principles and objectives established in the Statute of Autonomy, and secondly, in accordance with the United Nations Convention on the Rights of Persons with Disabilities (NY 2006 and in force since 2008) and EU guidelines on accessibility, wishes to continue to be a benchmark in terms of accessibility for everyone, to make progress in inclusion, participation and quality of life of all people, and to be an advanced, autonomous, creative and respectful society and a driver of activity.

To reverse the situation, Law 13/2014 of 30 October 2014 on accessibility establishes a series of guidelines and measures, the effectiveness of which still depends on the regulation building upon it. The third final provision establishes that the implementation of the regulation is mandatory and many of the paragraphs contain an express reference (Articles 10, 13, 14, 15, 20, 21, 23, 25, 26, 34, 35, 42, 46, 47, 48, 55, 59, 60, 65, 81 and 83) so that the regulation specifies the conditions to be fulfilled in each of the areas (urbanisation, construction, means of transport, products and services), depending on whether it concerns new actions or the application of reasonable accommodation.

The implementation of the regulation needs to take into account basic state legislation and accessibility guidelines drawn up and further developed by the EU, one of the most recent being Directive 2019/882 of 17 April 2019 on the accessibility requirements for products and services. In order to facilitate the incorporation of future requirements established by European guidelines and the basic legislation, and more quickly respond to new needs, the final provision of the Draft Decree makes it possible to amend the annexes by Order when such circumstances arise.

A1 Relevant data

In order to contextualise the problems identified and allow a correct assessment of their impact, the following data set must be taken into account:

	Population	2015:	2017:	2020:
Catalonia	<i>Total population</i>	7,508,106	7,555,830	7,722,203
	<i>Persons between the ages of 65 and 74 with disabilities</i>	102,743 (1.37%)	111,435 (1.47%)	121,501 (1.57%)
	<i>Persons aged 75 and over with disabilities</i>	120,349 (1.60%)	130,623 (1.73%)	163,973 (2.12%)
	Total number of persons with disabilities (all ages)	514,886 (6.86%)	551,440 (7.30%)	616,053 (7.98%)
	Population over 60 years old	1,758,000 (23.41%)	1,817,684 (24.06%)	1,913,151 (24.77%)



Spain	<i>Total population</i>	46,449,565	46,527,039	46,722,980
	<i>Persons between the ages of 65 and 79 with disabilities</i>	771,474 (1.67%)	821,087 (1.76%)	833,728 (1.78%)
	<i>Persons aged 80 and over with disabilities</i>	513,013 (1.10%)	598,737 (1.28%)	564,255 (1.21%)
	Total number of persons with disabilities (all ages)	2,998,639 (6.46%)	3,177,531 (6.8%)	3,163,992 (6.8%)
	Population over 60 years old	11,262,000 (24.25%)	11,673,334 (25.06%)	12,270,291 (26.26%)
EU	<i>Total population</i>	508,540,103	511,378,572	(**)
	<i>Persons aged 65 and over with disabilities (*)</i>	(**)	(**)	(**)
	Total number of persons with disabilities (all ages) (*)	(**)	(**)	(**)
	EU-28 population over 60 years old	146,128,574 (28.73%)	150,663,319 (29.46%)	(**)

Source.- IDESCAT/DTSF (Catalonia data)

INE (Spain data)

EUROSTAT (EU data)

(*) The criteria for accounting for persons with disabilities are different.

(**) Data not available

Persons with legal recognition of disability. Catalonia 2017					
	Value				Increase
	2017	2018	2019	2020	2017-2020
Total	551,440	582,028	611,035	616,053	11.7%

Source.- IDESCAT (data from Catalonia); DTSF

Population data shows the importance of the segments corresponding to persons with disabilities and to persons over 60 years of age with respect to the population as a whole. The weight of these segments shows a clear upward trend due to both the steady increase in life expectancy and consistently low birth rate expectations.

B. Establishment of objectives

The objectives of the proposed regulation are:

1. Fulfilling the mandate of the third final provision of Law 13/2014 of 30 October 2014 on accessibility, and determining the requirements, parameters and criteria that allow it to be implemented and its objectives achieved.
2. Implementing the principle of universal accessibility for persons with disabilities on an equal basis to persons who do not suffer from disabilities.
3. Facilitating the inclusion, social participation and participation in the labour market of people with physical, organic, sensory, visual, auditory or mixed, intellectual and other disabilities.



4. Increasing legal certainty in determining the applicable law.

C. Identification of regulatory options

In relation to non-legislative regulatory options, the option of not regulating or not intervening is ruled out, as the starting point is the recognition and defence of the rights of persons with disabilities, who in most situations are in a situation of weakness, even helplessness, and cannot be left at the expense of the good will of their representative.

The measures envisaged in the Decree not only respond to the need to ensure equality and non-discrimination against persons with disabilities, but also lay the foundations for transforming the existing environment to respond to the current and future needs of a modern, inclusive and efficient society.

Option A: 'do nothing'

The option of doing nothing is not considered admissible as the current shortcomings, contradictions and dispersed nature of the legislation generates a situation of ambiguity which often translates into a series of different interpretations on the same aspect and leads to conflicting situations and a high level of legal uncertainty.

This option would mean maintaining the legal vacuums affecting all those aspects that the current legislation does not address and choosing not to improve other aspects that, despite having regulated certain conditions of accessibility, have proven ineffective or insufficient.

The elements and situations with little or no regulation are diverse and affect all groups, but people with sensory disabilities are particularly disadvantaged as both communication and the provision of services are two of the least regulated aspects in the current regulatory framework.

In addition, failure to regulate this matter would mean breaching the mandate of the third final provision of Law 13/2014 and would render ineffective those articles that refer to subsequent regulatory development.

Option B: 'non-legislative regulation'

Other non-legislative regulatory measures such as self-regulation, the establishment of financial incentives or the provision of economic instruments, such as subsidies, cannot replace the regulation proposed in this Decree, since they would neither solve the problem of legal uncertainty nor serve to guarantee the rights of persons with disabilities.

As indicated in the previous paragraph, legislative regulation is necessary to supplement the articles of Law 13/2014 that refer to a subsequent regulatory development.

It should be said that the legislative regulation does not rule out the possibility of complementary measures such as subsidies, but on the contrary, Article 53 of Law 13/2014 explicitly mentions the promotion of measures to promote accessibility.



Option C: regulate each partial area by means of independent regulations

The alternative of fragmented regulation through a series of partial decrees has been ruled out because it would reproduce some of the deficits and problems of the current regulatory framework (contradictions, aspects that are not included in any regulation, doubts as to interpretation...), and would not comply with the goal of regulatory simplification set out in Law 13/2014 that provides for the drafting of a single provision that unifies, aligns and coordinates the set of requirements and conditions applicable to each area.

It is necessary to take into account, as explained in the previous paragraph, that both in the participatory process of the prior consultation, as well as in other participation bodies, entities and professional associations have expressed the desirability of unifying the regulations to facilitate the understanding of and compliance with these regulations and to prevent situations of legal vacuums remaining.

The possibility of developing only the conditions that supplement the basic state legislation and making continuous referrals to this legislation has been ruled out as this procedure would hinder the consistency and application of the new Accessibility Code of Catalonia. This type of partial regulation would not only mean having to be continuously consulting different regulations (state and regional) to identify all the technical parameters to be met for each element, but would compromise those situations in which the Code regulates from an overall perspective and defines conditions that do not correspond to the simple sum of individual conditions of each element, but that are established and adapted according to the context in which they are found.

Option D: Draft Decree (standardised legislation)

It is considered the appropriate way to address the problems identified in paragraph 2.1 and to achieve the objectives of paragraph 2.2.

It should be mentioned that in the drafting of the regulations several meetings have been held with the different sectors in order to reach maximum agreement on the regulation, which is why it can be affirmed that a model of co-participation has been adopted.

Since it is a regulation that develops the provisions of the Accessibility Act and given the scope of the subjects subject to regulation, the appropriate instrument to do so is by means of a decree.

This decree, in addition to clarifying and developing the contents of the basic regulations that require it, mainly the transformation of the existing environment as already mentioned; incorporates and regulates elements and aspects that this basic regulation does not include, such as single-level streets, elevator platforms, solutions to make a swimming pool accessible, discretionary transport, access for mobility scooters to public transport, vending machines, different communication and information products (planes, models, electronic displays...) and the management of certain situations and accessible elements, among the most notable; qualitatively and quantitatively improves the current regulation in areas necessary to ensure equal opportunities for persons with disabilities, such as evacuation, spectator places, public



accommodation and parking spaces, and introduces new measures that facilitate the achievement of the objectives of Law 13/2004, such as now the quality mark and the accessibility conditions sheet for certain establishments for public use.



2. Analysis of the impact of the regulatory options considered

A. Report on budgetary impact

A1. Budgetary impact on the administration of the Generalitat

The purpose of this section is to assess the budgetary impact that the proposed regulation generates for the Administration of the Generalitat de Catalunya.

Assessment of the regulatory options considered

A1.1 Option A: 'do nothing' and option B: 'non-legislative regulation'

In addition to the arguments set out in paragraph 1 that justify excluding these options, from a budgetary point of view, the increase in conflict and complaints that would ensue from maintaining the current ambiguity and legal uncertainty would have a twofold impact:

- Cost increases due to the need to make subsequent reforms and modifications in works, services, vehicles or products that, due to lack of clear references, have been carried out, implemented or acquired with lower conditions of accessibility than those required.
- Increase in the costs of material and personnel resources aimed at resolving conflict, both at judicial and extrajudicial level (preliminary consultation, reports, clarifications, administrative procedures...).

A1.2 Option C: regulate each partial area by means of independent regulations

The budgetary impact of this option would be the same as the one analysed for Option D, with the addition that the costs corresponding to the sections 'Drawing up the regulation' and 'Drawing up the departmental accessibility plans' would be increased. This increase would be proportional to the number of regulations to be drawn up and the number of areas to be developed separately.

A1.3 Option D: Draft Decree (standardised legislation)

The assessment of the economic impact or additional resources required by the measures proposed in the Decree is carried out by means of an overall cost estimate which costs are broken down into the following blocks:

- Cost of drawing up the regulation
- Cost of drawing up the departmental accessibility plans
- Impact on the real investments chapter
- Impact on the staff chapter
- Impact on the expenditure on current goods and services chapter
- Impact of support actions and support to adapt the existing environment

A1.3.1 Cost of drawing up the regulation



The main and general bulk of the tasks of drafting the regulation has been assumed by the staff assigned to the Area for the Promotion of Accessibility and Removal of Barriers of the Department of Social Rights (formerly the Department of Labour, Social Affairs and Families), in the exercise of their own functions and has not generated any additional cost compared to the usual operating costs of the Administration of the Generalitat de Catalunya, except for initial technical assistance that took place in 2015.

A1.3.2 Cost of drawing up the departmental accessibility plans

In accordance with Article 42 of Law 13/2014 of 30 October 2014 on accessibility, the departments of the Generalitat have to draw up accessibility plans that identify the set of actions that have to be carried out so that existing buildings, means of public transport, products and services falling within their competence are adapted to the conditions established by the Draft Decree.

Although in principle it is expected that the bulk of these plans will be drawn up by the staff of each department, the present economic report also provides for the possibility of contracting external support to carry out any of the tasks they require.

The drawing up of the accessibility plans consists of two distinct stages: The diagnosis stage, in which information on the current state of affairs is collected, compliance with the accessibility conditions is checked, and the shortcomings to be addressed are identified; and the proposals for action stage, which additionally includes establishing priority criteria and scheduling an action plan in accordance with these criteria.

The plans must include all the areas set out in the Accessibility Law, but in the case of the departments of the Administration of the Generalitat de Catalunya it is undoubtedly the area of buildings that accounts for the largest and most significant part of its content. For this reason, external support focused on this area is a possibility.

The scope of the accessibility plan can be very different between one department and another, taking into account the difference in the real estate assets they manage, so we have chosen to adopt an overall approach.

Based on data from the inventory of goods and rights of the Generalitat de Catalunya of 2021, published in the Department of the Vice-Presidency and Economy and Finance, the Generalitat de Catalunya has the following real estate assets:

Province of Barcelona:	1,908
Province of Tarragona:	544
Province of Lleida:	451
Province of Girona:	513
Total:	3,416 buildings

In order to quantify the cost of possible external support in the drafting of the accessibility plan, the following criteria have been adopted:

- a. Reference has been made to the document 'Guidance scale for COAC fees for the purpose of estimating the reference fees of architects' published in 2004 (although the exercise of collegiate professions is carried out under free competition in terms of the offer of services and fixing of their remuneration).



This scale, in relation to the drafting of opinions accompanied by a report, recommends a minimum amount of:

$$525 \times Ka^{(*)} = \text{EUR } 694.58 + \text{VAT (current recommended value)}$$

() Ka being the restatement factor. (The update of the General CPI is considered between January 2004 and January 2021, which is 32.3%).*

- b. Given the great diversity of characteristics of the buildings, what has been considered is an average building situation, both with respect to the surface area and the complexity.
- c. Given the partial and complementary nature of the possible external support, it has been hypothesised to group four buildings per report.

According to these criteria and applying the current VAT, an estimated maximum cost is obtained of:

$$(3416 / 4) \times 840.44 = \text{EUR } 717,736 \text{ (VAT included)}$$

Since Law 13/2014 on accessibility provides for a period of 3 years to prepare or update the accessibility plans, the following impact is considered:

$$\text{EUR } 717,736 / 3 \text{ years} = \text{EUR } 239,245/\text{year (VAT included)}^{(*)}$$

() Note - This is a maximum expenditure forecast in the event that all departments deem it necessary to contract external support.*

A1.3.3 Impact on chapter 1 (Staff remuneration)

- a) Department responsible for accessibility.

The personnel needs of the department responsible for the promotion of accessibility will be determined to a large extent by the monitoring deemed necessary to ensure and supervise the implementation of this Decree, as well as by the systems of care and actions towards citizens that are defined and their level of demand.

This action will be taken on by the department's own staff and does not imply an increase in staff.

- b) Other departments.

With respect to the other departments, no significant impact is foreseen in relation to the material and human resources that will continue as until now, without prejudice to some adaptations in the internal structure for the creation or designation of a figure as 'accessibility manager'.

This function does not necessarily have to involve the creation of a singular place since it can be carried out by staff of the department itself with the necessary training to carry out the tasks.



A1.3.4 Impact on Chapter 2 (Expenditure on goods and services)

Three distinct areas are considered:

- Communications
- Information and dissemination
- Training

a) Communication-related services

One of the novelties of the Decree is the definition of the conditions of accessibility in communication that must be met by conferences, public events, and other cultural events and services of a similar nature.

The occasional and scattered nature of this type of event and the difficulty in determining a priori the accessibility needs of the people who will register, justify ruling out the option of allocating a stable set of human and material resources. For this reason, the contracting of external services is included in order to provide in each case the corresponding services (audio description, subtitling, sign language interpreters...).

The aim is to ensure equal opportunities for people with sensory disabilities. The measures to be taken range from the adequacy of signalling elements to the adoption of support devices and products (such as magnetic loop installations, electronic displays, etc.)

To quantify the budgetary impact of this type of action, an average amount determined from actual services contracted during 2020 by the Department of Labour, Social Affairs and Families has been taken as a reference.

The services include the following:

Services of two Catalan Sign Language interpreters, for a duration of 4 hours	EUR 330
Service for accessibility to information and communication for people with hearing impairments, including subtitling and temporary installation of a magnetic loop, as well as an audio description service in certain cases	EUR 411

The resulting amount is: EUR 741/act

The number of acts in which communication accessibility measures have to be adopted ultimately depends on the demand that occurs and may vary significantly between departments.

The average value has been deemed to be a ratio of 10 acts per department.

Although the number of departments is also a variable factor, the current structure consisting of 13 departments has been considered.

According to these values, an approximate annual cost of:

$$13 \times 10 \times 741 = \text{EUR } 96,330 \text{ /year }^{(*)}$$

() Note - We are aware of the likelihood that technology will be developed in the near future that will lower the costs of these services, especially subtitling.*



b) Information and dissemination

It is expected that once the Decree is published, dissemination actions will be carried out aimed at the groups deemed most relevant for its implementation: official, professional and technical colleges, local authorities, associations and foundations, students, etc.

It is up to each department to determine the type of actions and the convenience of hiring external companies therefor.

This report provides for an estimate of one annual campaign for every three departments, with an average cost not exceeding EUR 3,000.

$$13 \times 1/3 \times 3000 = \text{EUR } 13,000/\text{year}$$

c) Training

It should be envisaged that the departments will carry out some actions in their areas of influence and within the framework of their annual training programme.

It is considered that the training is carried out in spaces belonging to the departments themselves, which is why only the contracting of external services of professionals specialised in accessibility, with a reference price of EUR 120/hour is taken into account.

8 hours of training are envisaged for each department for its own staff: technical services or personnel dealing with the public.

In addition, there is estimated to be a total of 10 annual training activities of 8 hours, aimed at external groups and staff of coordinating and collaborating bodies.

The estimated cost of each training activity is: EUR 120/h x 4 h = EUR 480.

The resulting cost is as follows:

$$13 \text{ departments} \times 8 \times 120 = \text{EUR } 12,480$$

$$10 \times 8 \times 120 = \text{EUR } 9,600$$

$$\text{Total: EUR } 22,080/\text{year}$$

A1.3.5 Impact on Chapter 4 (Current transfers)

a) Department responsible for accessibility

The budget corresponding to the *Area for the Promotion of Accessibility and Removal of Barriers* of the Directorate-General for Equality includes grants and transfers for support in the field of accessibility:

- Support scheme for local authorities in the area of accessibility through the Programme Contract (2016-2019; 2020, 2021 and 2022-2025)
- Grant scheme to promote accessibility to entities (COSPE)

In the first case, the progressive increase in the budget allocation is already included in the successive Contracts programme for coordination, cooperation and collaboration between the Department of Labour, Social Affairs and Families and the municipalities.

The budget for institutions is expected to increase by 5% per annum compared to the 2022 budget.



With regard to the special circumstances caused by the pandemic that have affected the implementation of the actions planned for the years 2020 and 2021, the starting data to be used is the corresponding data for the year 2019.

On the basis of this criterion, the following budgetary impact is considered in the short term:

1. Support scheme for the local authorities in the area of accessibility in the Programme Contracts:

Amount awarded in 2019:	EUR 601,072
2022 forecast:	EUR 1,482,348
2023 forecast:	EUR 1,581,192

2. Grant scheme to promote accessibility to entities (COSPE):

L1 Promoting accessibility in communication.

L2 Promoting accessibility in access to the establishment and in the inside of the establishment.

Amount awarded in 2019:	EUR 264,050
2022 forecast:	EUR 310,526
2023 forecast:	EUR 326,052

According to this, the following values are obtained:

Support and grants 2019:	EUR 865,122
2022 increase:	EUR 1,792,874
2023 increase:	EUR 1,907,244

b) Other departments

The departments whose competences are most directly involved in services and programmes to promote accessibility have been carrying out support actions and been helping to remove barriers and promote accessibility for years.

For the same reason stated in point a) above, and given that the incidents in services throughout 2020 did not allow for the collection and processing of all data corresponding to 2019, the data for the year 2018 are taken as starting data.

The data for 2018 are:

Department	Support and grants
Culture	EUR 705,166
Business and Knowledge	EUR 464,377
Governance, Public Administrations and Housing	EUR 2,122,483
Territory and Sustainability	EUR 7,561,286
TOTAL	EUR 10,853,312

Source - Report of the Department of Labour, Social Affairs and Families 2018

The very nature of these measures means that their scheduling is determined annually according to the circumstances involved, such as budgetary availability, priorities and



strategic lines of each department, possibility of integration into other calls for support, etc.

It is considered that the budgetary impact that this block may generate does not respond to a predictable pattern quantifiable a priori, but rather is generated in the framework of departmental decisions with a variable margin of action as the context requires.

A1.3.6 Impact on Chapter 6 (Real investments)

To analyse the impact on the budgets of the Generalitat that the application of the new technical requirements and parameters, with respect to those already established by the current regulations (Accessibility Code of Catalonia and basic accessibility regulations of state scope), may represent, the following two groups are distinguished:

- Buildings, means of transport, newly created or acquired products and services.
- Adaptation of existing buildings, means of transport, existing products and services.

a) Buildings, means of transport, newly created or acquired products and services

Circumstances to consider:

The majority of accessibility requirements established by the Draft Decree are already provided for in the current regulations.

With regard to the new requirements, their budgetary impact is very limited, given that:

- In most cases, the new requirements can be perfectly resolved and integrated at no additional cost if they are provided for in the project from the initial design and the appropriate solutions are adopted to respond to them.
- In the other cases, the impact on the final cost will be of little relevance and can be easily compensated by adapting the scheduling of these investments, for example in the size of the building or buildings to be built, in the number of vehicles or products to be purchased or in the scope of the services to be implemented.

If we do not work with these criteria, the additional cost of adapting elements subsequently with poor accessibility conditions, and the discrimination and harm that these deficiencies cause for people with disabilities while they remain unresolved, are clear arguments to conclude that proper accessibility must be prioritised with respect to the number of actions.

According to the arguments set out above, the application of the accessibility conditions provided for in the Draft Decree in newly acquired or created buildings, vehicles, products and services:

There is deemed to be no budgetary impact.

b) Adaptation of existing buildings, means of transport, products and services

Circumstances to consider:

The obligation to adapt the existing environment to accessibility conditions that do not discriminate against people on the grounds of disability, in everything subject to reasonable accommodation, is already present repeatedly in the current regulations. We can mention among others:



1. Article 15 of Law 13/2014
2. The 3rd additional provision of RDL 1/2013
3. Article 5 of the United Nations Convention on the Rights of Persons with Disabilities
4. Article 19 of Decree 135/1995

This Draft Decree defines and specifies what reasonable accommodation is applicable in each situation. This eliminates interpretative doubts and prevents incorrect solutions from being implemented. In addition, and as a significant indirect consequence, it causes a significant reduction in the number of claims and possible subsequent litigation, which are undoubtedly much more frequent if the rules are inaccurate, as is currently the case.

The Generalitat has to carry out this reasonable accommodation on a progressive basis. The instrument that Law 13/2014 sets out for planning these actions is the Departmental Accessibility Plans, whose wording has already been evaluated.

As regards budgetary management, the Decree does not set a predetermined annual percentage for the removal of barriers, but allows each department sufficient freedom to decide, depending on the circumstances and needs of its buildings, spaces or services, the amount allocated for this purpose.

To quantify the budgetary impact of the actions provided for in the accessibility plans, we take as a reference the amounts that the various departments have allocated for this purpose in recent years.

As explained in section 4.1.5, given that the actions in the years 2020 and 2021 were affected by the declaration of the state of emergency and the circumstances of the pandemic, the data for the year 2019 are being used as starting data.

Given the specific characteristics and disproportionate weight of the Department of Territory and Sustainability's actions on the whole, this department is assessed independently.

b1) Group of departments with the exception of the Department of Territory and Sustainability

The investment made in 2018 in accessibility actions in all the departments was **EUR 3,895,727**, as broken down in the following table:

Department	Accessibility in communication , web, APPs and ICT	Acquisition of accessible elements	Accessibility works	TOTAL BY DEPARTMENT
External Action, Rel. Inst. and	EUR 1,618			EUR 1,618
Culture	EUR 32,819			EUR 32,819
Education	EUR 826,676	EUR 189,612	EUR 1,012,597	EUR 2,028,885
Business and Knowledge	EUR 247,684	EUR 516	EUR 23,456	EUR 271,656
Governance, Public Administration and				



Housing		EUR 12,120	EUR 610,222	EUR 622,342
Justice	EUR 7,215		EUR 32,362	EUR 39,577
Presidency			EUR 662	EUR 662
Health	EUR 3,230		EUR 399,039	EUR 402,269
Labour, Social Affairs and Families	EUR 11,335	EUR 2,978	EUR 325,263	EUR 339,576
Vice-Presidency and Economics and Finance	EUR 92,623		EUR 63,700	EUR 156,323
TOTAL	EUR 1,223,200	EUR 205,226	EUR 2,467,301	EUR 3,895,727

Source - Report of the Department of Labour, Social Affairs and Families 2018

It is estimated that the impact of the additional measures established in the Decree with respect to the current regulations will represent an increase of approximately 5% compared to these investments. This estimate is justified because the main bulk will continue to be the physical adaptation works of existing buildings to achieve the conditions already established in the Technical Building Code (*RD 173/2010, of 19 February 2010, amending the Technical Building Code, in terms of accessibility and non-discrimination of persons with disabilities*), while the additional measures resulting from this Decree mainly affect accessibility aspects in communication that have a relatively low impact on the budget.

The expected annual increase is therefore:

$$3,895,727 \times 0.05 = \text{EUR } 194,786/\text{year}$$

b2) Department of Territory and Sustainability

Unlike the other departments, the main part of their annual expenditure is concentrated in a very small number of actions, but each with a very high cost because they are transport infrastructure.

The renovation of a station, mainly to install elevators, but also to raise the level of the platform, involves works of great scope and technical complexity, with the additional difficulty of having to carry out these works without interrupting the service.

Specifically, in 2018, the following four actions stand out, with amounts exceeding EUR 500,000 each:

Action	Amount
Carrying out accessibility works in Metro station: JAUME I	EUR 4,000,000
Execution of 1 st phase of accessibility works in Metro station: VALLCARCA	EUR 1,800,000
Works and installation of escalators downstairs to the FGC station of Plaza Major de Sabadell.	EUR 700,788
Works and installation of a new elevator in the street Hort de la Vila of the station of Sarrià d'FGC.	EUR 507,008



The total amount of investments reported by the Department of Territory and Sustainability is:

	Accessibility in communication , web, APPs and ICT	Acquisition of accessible elements	Accessibility works	TOTAL BY DEPARTMENT
Territory and Sustainability	EUR 354,949	EUR 63,000	EUR 8,681,751	EUR 9,099,700

The uniqueness of the actions that generate the main expenditure makes it impossible to extrapolate the cost of investments from one year to the next.

Furthermore, when assessing the pending actions, it must be taken into account that most stations have already been adapted, at least with respect to the most important works, and that, therefore, the number of stations to be renovated is low and limited. Specifically, in the case of the metro, 15 stations and 2 links remain pending.

Therefore, the budget effort made by the Department of Territory and Sustainability in recent years is considered sufficient to respond to the measures envisaged in the Decree. Therefore:

No budget increase is required.

A1.3.7 Estimated budgetary impact — Summary table (all departments)

Paragrap h	Description	2018 data	2022 increase	2023 increase
A.1.3.2	Drawing up the departmental accessibility plans	57,847	--- (1)	239,245
A.1.3.3.a	Chapter 1 (Personnel) Dep. responsible for accessibility	---	---	---
A.1.3.3.b	Chapter 1 (Personnel) Other departments	---	---	---
A.1.3.4.a	Chapter 2 (Goods) Communication	94,600	96,330	96,330
A.1.3.4.b	Chapter 2 (Goods) Information and dissemination	19,447	13,000	13,000
A.1.3.4.c	Chapter 2 (Goods) Training	81,370	22,080	22,080
A.1.3.5.a	Chapter 4 (Current transfers) Dep. responsible for accessibility	865,122 (2)	927,752	1,042,122
A.1.3.5.b	Chapter 4 (Current transfers) Other departments	10,853,312	---	---
A.1.3.6.a	Chapter 6 (Real Investments) New work	---	---	---
A.1.3.6.b1	Chapter 6 (Real investments) Existing environment (excluding TES) Dep.	3,895,727	194,786	194,786
A.1.3.6.b2	Chapter 6 (Real Investments) Existing Environment — TES	9,099,700	---	---



	TOTAL	24,967,125	1,253,948	1,607,563
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(1) With regard to the new adopting provision of the Decree, this expenditure will be made from 2023.

(2) 2019 data

A2. Budgetary impact on local government

Effects:

The conditions of accessibility that are subject to regulation affect the territory (urban planning), the building, the means of transport, the products and the services that fall under the competence of the local authorities.

In order to estimate the impact of the new regulation and to carry out a cost-benefit analysis, the following two aspects have been considered separately:

- Drafting of the Municipal Accessibility Plans
- Implementation of the Municipal Accessibility Plans
- Monitoring measures

A2.1 Drafting of the Municipal Accessibility Plans

A. Costs:

- There are municipalities that do not yet have an Accessibility Plan, although Law 20/1991 of 25 November 1991 on the promotion of accessibility already established the obligation to have one. It is not appropriate to consider any additional costs for those municipalities which, in breach of the time limits laid down in the law, still have not adopted this measure.
- In relation to municipalities that do have an Accessibility Plan, Law 20/1991 also indicated that these plans had to be reviewed every 5 years. Although they often fail to carry out this review, this provision is reiterated in the Law currently in force and the municipalities are urged to comply with it, so that the necessary revision, where appropriate, must serve to reflect the requirements established by the regulations and, therefore, allow them to be adapted to the content of the Decree without incurring a new cost.
- In any case, as an indication, and although its wording does not represent an additional cost compared to the obligations prior to this Decree, the corresponding tender prices are indicated in the specifications of the Provincial Council of Barcelona for the contracting of drafting municipal accessibility plans (December 2019):

Municipality	Population	Tender price
• Alella	9,904	25,000.00 (VAT included)
• Saint Margarida de Montbui	10,225	25,000.00 (VAT included)
• Montornès del Vallès	16,644	30,000.00 (VAT included)
• Masnou	23,831	35,000.00 (VAT included)



• Santa Perpètua de Mogoda	25,999	38,000.00 (VAT included)
• Ripollet	39,179	40,000.00 (VAT included)
• Pineda de Mar	27,984	40,000.00 (VAT included)
• Sabadell	216,520	90,000.00 (VAT included)

B. Benefits:

The benefits of the drafting of the Municipal Accessibility Plans are undoubted, inasmuch as they allow a complete diagnosis of accessibility deficiencies, establish informed priorities and schedule actions based on an adapted overall vision.

Article 44 of Law 13/2014 introduces for the first time the obligation to publicise the Municipal Accessibility Plans on the Internet, an aspect that facilitates citizens being aware of the envisaged measures and the monitoring of compliance with the established objectives.

A2.2 Implementation of the Municipal Accessibility Plans

A. Costs:

As a preliminary point, it is necessary to emphasise that the majority of actions to be carried out are already required under the basic state legislation, which establishes the obligation to adapt everything subject to reasonable accommodation (third additional provision of RDL 1/2013 of 29 November 2013) and determines the optimal conditions that urbanised spaces, buildings and means of transport have to achieve (Order VIV 561/2010 of 1 February 2010; in the RD 173/2010 of 19 February 2010; and in RD1544/2007 of 23 November 2007 respectively).

In fact, in most situations, the Decree that is the subject of this impact assessment specifies flexibility measures and develops the alternatives that are considered reasonable accommodation, in order to make the adaptation of the existing environment more viable and to find a balance between the scope of the mandatory reform and the functionality of the resulting spaces.

The analysis below presents the total cost of the actions to be carried out. It should be borne in mind that the majority of actions are to comply with the conditions of the basic state regulations, and that the additional aspects added by this Code are mostly accessibility actions in the areas of buildings, means of transport and services, without significant impact on public roads.

The assessment of the implementation costs of the Accessibility Plans is carried out taking into account the areas of municipal competence:

- Public roads
- Buildings belonging to the municipality
- Means of transport
- Services belonging to the municipality

To assess the relative weight of each of these areas, we use a study by the Provincial Council of Barcelona of March 2012 as a reference, in order to provide useful data for the financial report on the new accessibility regulations.

The data of this study are the result of the knowledge acquired by the Provincial Council of Barcelona after years of consulting, collaboration and support in the drafting of the accessibility plans of the municipalities involved. Although there may be some small differences, with the rest of the provinces being less densely populated, the data obtained are considered applicable to the rest of the territory.



According to the study indicated and the plans that we have, the implementation budgets for the accessibility plans drawn up in recent years are proportionally divided as follows:

- Public roads 85 %
- Buildings belonging to the municipality.....12%
- Means of transport and services belonging to the municipality. 3%

According to these data and the available sources, as a working methodology we will focus on assessing the costs of actions on public roads, and the costs corresponding to the other two areas will be obtained by apportionment in relation to this.

The Diputació study and Idescat data also offer three significant statistics to consider:

- Most of the population is concentrated in a small number of municipalities (just over 6% of the municipalities have more than 20,000 inhabitants and represent around 70% of the population).
- The vast majority of municipalities have a very small population (close to 55% of the municipalities have fewer than 1000 inhabitants and, overall, they only represent less than 3.50% of the population).
- The most populous municipalities have a much higher degree of accessibility than the least populous.

For this reason, given the low availability of municipal accessibility plans developed in recent years, six plans of intermediate dimension (municipalities of between 5000 and 20,000 inhabitants) are taken as reference, and the data are extrapolated from the population parameter:

Year of drafting	Municipality	Population	Execution cost (public roads)
2015	Vilassar de Dalt	8,961	1,982,000
2016	Argentona	12,133	4,121,000
2016	Sant Sadurní d'Anoia	12,749	1,015,376
2014	Berga	16,845	1,671,871
2021	Sant Just Desvern	17,494	4,984,948
2019	Banyoles	20,053	1,400,000
Aggregated data			
		88,235	15,175,195

An average ratio is obtained of:

EUR 172/inhab.

Applied to the whole territory:

7,722,203 inhab. x EUR 172/inhab. = EUR 1,328,111,706 estimated cost of adapting public roads

Moving this value to the percentage ratio indicated above:

Area:	Cost	Percentage
Public roads	1,328,111,706	85%
Buildings	187,498,123	12%



Means of transport and services	46,874,531	3%
Total	1,562,484,360	100%

In order to assess the average annual impact on municipalities, it is necessary to take into account the deadlines provided for in the first additional provision of Law 13/2014:

- a) Eight years, municipalities with more than fifty thousand inhabitants.
- b) Twelve years, municipalities with between twenty thousand and fifty thousand inhabitants.
- c) Fifteen years, municipalities with fewer than twenty thousand inhabitants.

According to these deadlines, the total cost is distributed for each tranche according to the percentage of population it represents.

To compensate for the fact (detected by the Diputación study) that the degree of accessibility of the least populated municipalities is significantly lower than that of the most populated municipalities (they have fewer resources), a corrective factor is applied, increasing the pending actions by 50%. In the intermediate municipalities, the average values are maintained, and in the larger municipalities, the amount that has been added to the smaller ones is reduced.

The resulting table is as follows (2019 population data):

Group	No. Muni	Population	% population	Initial cost	Adjustment	Rectified cost	Years	Average annual impact x municipality	
> 50 thousand	23	4,137,178	53.90%	842,227,121	-224,586,272	617,640,849	8	3,356,744	EUR 18.60/
Between 50 and	43	1,331,619	17.35%	271,084,695		271,084,695	12	525,358	EUR 17.00/
Between 20 and	394	2,013,652	26.24%	409,929,746	204,964,873	614,894,619	15	104,043	EUR 20.40/
< one thousand	487	192,768	2.51%	39,242,797	19,621,399	58,864,196	15	8,058	EUR 20.40/
Total	947	7,675,217	100%						

- The average value by the total number of municipalities in Catalonia results in the following annual impact: **Between EUR 18 and EUR 19/inhabitant.**
- It should be noted that the main bulk corresponds to interventions on public roads (85%), and that in general these interventions are planned to meet multiple simultaneous objectives: address maintenance deficiencies; improve or renew the image of specific areas; change, move or repair facilities (fibre optic, sanitation network...); introduce bike lanes or parking areas, etc., in addition to the adaptation to accessibility requirements that mainly affects pavements.
- That is to say that with proper management and scheduling, part of the indicated cost also serves to solve other very diverse aspects and, therefore, it would have to be shared among all of them instead of being fully accounted for as accessibility works.



B. Benefits:

In this section it is not appropriate to speak in terms of benefit but of rights of citizens (from their taxes) and obligations of the administrations.

The Decree determines the conditions to be met by public roads and public buildings, taking into account the limitations of the existing environment, where applicable.

Specifying and developing the alternative solutions that offer a sufficient minimum functionality and the circumstances in which they are applicable, allows to adjust the costs, choose the most efficient options and optimise the resources of the administrations.

This not only prevents disproportionate actions that are not justified by the improvement carried out and that can delay or compromise other interventions due to lack of budget, but it also offers solutions to complex situations in which it is impossible to reach the accessibility standards set for new construction.

However, once we have determined the reasonable accommodation and minimum conditions that allow functionality that does not exclude anyone, there can be no excuse for public roads, buildings, means of transport, products and services that fall within the competence of any public administration not reaching these conditions progressively and in accordance with the priorities and programming of the corresponding accessibility plan.

A2.3 Monitoring measures

A. Costs:

The prior and subsequent monitoring obligations that the local administration has in its areas of competence are already established in Law 13/2014 of 30 October 2014. The derived measures mainly affect technical services in matters of works and activities. The Decree facilitates these monitoring measures, both by extensively developing the conditions to be fulfilled when intervening in the existing environment, and through the adoption of certain measures, as is the case for the accessibility conditions sheet referred to above.

These measures not only facilitate monitoring tasks, but can also lead to a reduction in complaints while everyone has more information on the conditions required.

Therefore, it is deemed that no increase in the number of technical staff is required as a direct result of the Decree, and that the monitoring measures do not have to entail additional costs compared to the current ones.

Another issue is the awareness of the affected population and the claims actions that are expected to increase further in the future, aspects that may require greater dedication and attention from the services handling these claims.

B. Benefits:

Specifying the conditions to be fulfilled always means a benefit for all parties involved and for the improvement of the quality of society in general.



B. Report on economic and social impact

B1 Preliminary considerations

Population data are set out in section 2.2. Taking into account these data, in order to analyse the economic and social impact of the Decree, the various sectors in which the conditions of accessibility, subject to regulation, have a significant impact are to be considered separately.

The following sectors and areas are analysed:

1. Commercial sector
2. Tourism sector
3. Healthcare sector
4. Cultural sector
5. Education sector
6. Industrial sector
7. Professional and construction sector
8. Local administrations

Each of them determines the impact of the Draft Decree, the cost of the measures to be applied and the benefits that will be obtained.

B2 Assessment of the regulatory options considered

Option A: 'do nothing'

This option is completely rejected from the point of view of economic and social impact, since it does not solve the problems identified in section 2.1, neglects the necessary measures to ensure that the right to equal opportunities of persons with disabilities is effective in all areas, and maintains situations of legal uncertainty affecting all actors involved (employers, technicians, users).

Option B: regulate each partial area by means of independent regulations

The economic and social impact is similar to that of option C. It would only be necessary to clarify that regulating the conditions required in different regulations can hinder knowledge, management and application, impair the quality of interventions and increase the need for subsequent corrections.

Option C: Draft Decree (standardised legislation)

The economic and social impact is developed in the following sections for each of the sectors and areas identified in paragraph 4.2.1.

B3 Analysis by sector

B3.1 Impact on the commercial sector

A. Effects:

According to the structural statistics of companies in the services sector of Idescat for the year 2018 (latest available) the total of establishments in Catalonia for retail and wholesale



trade, including those for the sale and repair of motor vehicles, was 148,704 establishments.

The Decree regulates both the conditions of accessibility of the establishments and those of the products and services offered.

Removing existing barriers throughout the accessibility chain: housing, public spaces, means of transport, buildings and establishments and products and services, will allow an important sector of the population to rejoin and participate significantly in commercial activity.

The improvement of technical support (for getting around, for hygiene, for reading, for hearing...) also help these sectors of the population have and enjoy interacting with the environment, autonomy and capacity to use the available resources, which is increasingly evident.

Everything generates a cyclical succession of positive consequences that feed in to each other:

- Fewer barriers and better facilities for mobility results in a more dynamic and participatory attitude of people with disabilities and the elderly.
- A more dynamic and participatory attitude of people with disabilities and the elderly makes the removal of barriers more necessary and is more beneficial for establishments, which see an increase in their activity.

Overall, we can conclude that improving accessibility stimulates the improvement of commercial activity as a whole.

For the retailer in particular, it allows them to increase the number of potential customers and improve their corporate social image.

To properly assess this affectation, it is necessary to take into account not only the significant percentage of the population in Catalonia with disabilities and/or over 70 years of age, according to the data presented above, but also the foreseeable trend in the coming years for these percentages to increase.

B. Costs:

The great diversity of cases and circumstances does not allow for a simple numerical quantification of costs, but it does allow for the following considerations to be formulated:

- a. The Decree sets out a regulation of accessibility requirements specific to each situation that is flexible and proportionate.

This regulation supplements and improves a basic state regulation that starts from unique, much more demanding conditions that are difficult to apply to existing buildings and establishments without requiring great economic efforts, which in many cases would seriously compromise the viability of the business and, in practice, would lead to a situation of permanent, uncontrolled and unavoidable exceptions in order to resolve most particular cases.

- b. The progressive transformation of the existing environment, in compliance with the provisions of Article 15 of Law 13/2014, is ordered based on the criterion of opportunity. That is, taking advantage of those situations in which the existing building is intervened, such as when reform, extension or conversion works are carried out, to demand accessibility improvements that can be integrated in the context of the transformation of the premises without adding disproportionate or untimely obligations.
- c. However, the Decree also establishes maximum deadlines to carry out certain works to remove barriers, which have been carefully selected, assessing that they have a relevant impact on improving accessibility and that they are easy to implement and do not place an excessive burden on the entrepreneurs who have to take them on.



- d. The regulation established by the Decree will reduce costs to the extent that it determines the interventions to be carried out in what is really necessary and useful from the point of view of accessibility and establishes them according to the characteristics and possibilities of the existing building.
- e. Making current ambiguous provisions more specific will also result in a reduction in management costs and will avoid the additional cost of having to rectify poorly executed works due to misinterpretations of the rules.

C. Benefits:

- a. Increase in turnover due to the increase in the number of users in the commercial sector (it is necessary to consider not only persons with disabilities, but also their companions, and the advertising effect that can lead to the latter returning individually).
- b. Improved and increased competitiveness with respect to other shops or neighbouring commercial areas that present lack of accessibility.
- c. Improvement in the recruitment of the general public due to the 'psychological' effect of having comfortable and barrier-free access, facilitating entry into the establishment and all people receiving adequate and professional treatment. This is perceived by everyone, generates trust, increases the overall quality of trade and therefore generates activity.

B3.2 Impact on the tourism sector

A. Effects:

According to Idescat, the total number of establishments dedicated to hospitality in Catalonia in 2018 was 51,082 establishments.

Of these, 5,199 provided accommodation services and 45,883 were for catering.

Unlike the commercial sector, which is more dynamic with respect to the renovation of establishments, in the tourism sector, especially with regard to accommodation, we find a building stock of a certain age and, in many cases, with significant deficiencies regarding accessibility.

The Decree regulates both the conditions of accessibility of the buildings and the products and services offered (accommodation, hospitality, in general auxiliary entertainment and leisure activities, sporting activities, etc.)

B. Costs:

- a. As in the commercial sector, applying the criterion of opportunity when carrying out remodelling, extensions, etc., makes it possible to minimise the costs of removing existing barriers, insofar as it takes advantage of those situations in which the establishment is already undergoing a transformation process.
- b. It is considered necessary, however, to establish maximum deadlines for the adoption of certain measures which, at a relatively low and acceptable cost, allow for great improvement in the accessibility of the establishment.

In this case, the key factor is to determine these deadlines so that the those under obligation have a sufficient margin to pay the cost of the measures and can schedule and execute the works with the minimum possible impact on the activity.

Among these measures, as set out in Annex 3e of Chapter 3 and Annex 6b to Chapter 6, we highlight the following for public residential establishments:



- Minimum provision of accessible places and rooms, in the following proportion and deadlines:
 - Establishments with more than 100 places: they have to make 2% of places and rooms accessible, with a maximum requirement of 8 places and 5 rooms respectively, within 3 years from the entry into force of the Decree.
 - Establishments that have between 26 and 100 places: they must make 1 room accessible within 6 years from the entry into force of the Decree.
 - Establishments with 25 or fewer places: No minimum is established.

Average indicative cost to make a room accessible:

Although the conditions of each establishment can vary greatly, it is valued at EUR 10,000 (excluding VAT) and the possible loss of a place if the adjacent room has to be jointly converted into one individual room due to lack of space.

- Accessible pool.

Deadlines from the entry into force of the Decree:

3 years for establishments that have more than 200 places.

6 years for establishments that have between 100 and 200 places.

It is not required in establishments that have 100 or fewer places.

Average indicative cost for installing a swimming pool crane:

In this case the cost is quite similar for most cases. An indicative average cost is deemed to be EUR 6000 (excluding VAT).

- Accessible websites and apps for mobile devices.

Deadlines from the entry into force of the Decree:

Between 2 and 4 years for establishments that have 50 or more places and for hotel chains that have an overall offer of 100 or more places, depending on their capacity.

It is not required in establishments that have fewer than 50 places or hotel chains that have an overall offer of fewer than 100 places.

Average indicative cost

The estimated cost is no more than EUR 1000 (VAT excluded), variable based on the complexity of the web page.

- c. In all cases, whether they are obligations generated by an intervention (reform, extension, conversion...), or by the need to adapt the building and services within the set deadlines, the conditions that are established take into account the limitations of the smaller establishments and exempt them from those measures that could be disproportionate.

C. Benefits:

- a. There is no doubt that improving the accessibility conditions and expanding this improvement throughout the tourism sector of Catalonia will facilitate the preferential choice of Catalonia as a tourist destination for many European people with disabilities, elderly people or those with mobility problems.

This generates an increase in demand, not only with respect to people with disabilities or old age themselves, but for the whole group that can travel with them (family, friends etc.).

As indicated in the previous data, this is a potential volume of 89 million people in the EU, who with an adequate promotion policy in the medium term would have to compensate for the investments made.



- b. In addition to this direct impact, the improvement of the facilities and the fact that they are accessible is a value increasingly considered by the whole of society as an indicator of quality and good service, and is increasingly taken into account when choosing between various alternatives.

Therefore, it is necessary not only to assess the increase in the number of users from groups that choose the establishment due to the accessibility needs of any of its members, but also the increase of users who choose it simply motivated by the visibility and better image of an accessible establishment.

B3.3 Impact on the healthcare sector

A. Effects:

In this sector, there is an initial direct impact due to the measures that influence improved accessibility conditions of health and care services.

More importantly, however, is the indirect impact brought about by the improvement in the accessibility conditions of housing and, on a secondary basis, throughout the entire chain of accessibility linked to the activities of daily life.

Having an accessible home and immediate environment allows many people, when they experience a loss of mobility due to age or convalescence, to stay in their usual home, instead of having to move to residences or social healthcare services largely due to deficiencies in the environment.

This allows for savings in care resources, improves quality of life and reduces the need for social and health care.

Improving the accessibility conditions of housing also indirectly reduces the needs for home care, makes it easier and ultimately, makes it more efficient.

B. Costs:

- a. The costs for social care and health care companies in terms of removing architectural barriers are of little relevance.

As in the case of the commercial sector, the conditions required are resolved by adapting the renovation and extension measures and, in the case of new establishments, choosing those premises that meet suitable conditions from the beginning.

It should be borne in mind that, in most cases, establishments in this sector already have relatively good accessibility conditions, since they are necessary due to the very nature of the services they offer and the people they target.

- b. With regard to barriers in communication, the need to incorporate magnetic loops in the points of care, adapt the announcement systems in waiting rooms, train in-house staff, have protocols of care and make web pages accessible, are established in a manner proportionate to the characteristics of each establishment and with a progressive implementation that reduces costs and adjusts them to the improvement produced.

Private medical practices and smaller establishments are exempted from most of these measures, since it is assessed that they may have difficulties in adopting them and that their small size allows these resources to be supplied by adequate personalised attention.

C. Benefits:

- a. The obvious benefit is the improvement in the accessibility conditions of the establishments themselves. This improvement allows for the reduction of the needs of



accompaniment and personalised attention to the extent that the autonomy of the users increases, which allows a more efficient management of the staff.

- b. An indirect benefit of the improved accessibility of the environment is the possibility of significantly reducing the number of people admitted in both residences and in hospitals, as this results in cost improvement.
- c. The third benefit is the greater ease in home care, which makes it possible to meet a greater demand with less staff and with an improvement in the quality of the services provided.

B3.4 Impact on the cultural sector

A. Effects:

The removal of physical barriers is an aspect that is taken on by companies in this sector to a certain extent. In the last 2-3 years, continuous actions have been carried out and, in general, the awareness of the actors involved is well-known.

The same is not true in the field of communication barriers, which has been the subject of little regulation and where the Decree introduces a series of new measures that have a more relevant impact.

B. Costs:

The same considerations for the commercial sector can be applied generically.

However, with regard to the field of communication, three types of activities have to be differentiated, which due to their particularities present specific additional costs and which have to be assessed separately: museum activities; live performing arts, and cinemas.

a. Museum activities

These must have an Accessibility Plan that determines the measures and resources allowing people with visual or auditory impairments to enjoy the services they offer and have information about the work exhibited.

Depending on what the services and contents are, the resources to be provided can range from audio guides and accessible signs to plans and touch-visual models, faithful reproductions of unique pieces that can be touched or specific guided tours.

The costs are very variable because they depend on the contents and, therefore, they are difficult to quantify. The regulations refer to the Accessibility Plan of each centre, as the instrument that must allow for planning measures and actions in line with the possibilities and needs of each situation.

For guidance, the average price of some of these actions is listed:

- Portable folder magnetic loop (for guides)..... EUR 250
- Touch plane..... EUR 800
- Video audio guide (*)EUR 20,000

() what is considered is a complete budget for a museum of the average type, consisting of a set of 15 devices and content in four languages, sign language, subtitling and audio description, 60 minutes long*

b. Live performing arts

The Accessibility Plan for performing arts is the planning instrument that has to specify the annual accessible programming.

In order to offer this programming, two types of costs are considered: one fixed and one variable.



The fixed cost is the one that has the least impact. It corresponds to the infrastructure and includes the necessary actions so that the rooms can offer works with subtitles or audio description and have a magnetic loop.

The variable cost is related to the contents. It includes both the generic part of developing accessible information corresponding to each work (recording of the content packages), as well as the part of each session corresponding to the management and control of this information. This second is the most expensive part, since it requires a person in charge of controlling and adjusting the rhythm of the information and adapting it to the incidents that may exist in each showing.

The fixed cost is applied once in each room and serves all the works and showings that are scheduled.

The variable cost of preparing the information is applied once for each work and serves all the showings that take place.

The variable cost of display has to be applied to each of the accessible showings offered.

c. Cinemas

As in the previous activity, the Accessibility Plan for the cinema sector specifies the accessible programming.

The similarity is also maintained with respect to the existence of fixed costs (those affecting cinemas) and variable costs (those affecting each film).

However, the variable costs are significantly lower since the absence of live performances allows the entire process to be automated and does not require staff to manage it.

With regard to the variable costs of subtitling and audio description for each film, since these features are also required when the film is aired on television or marketed on digital media, it is necessary to strengthen agreements between the different agents that allow this service to be available from the beginning, in a format valid for all the exhibition and distribution channels. Good management and coordination should allow subtitling and audio description not to be postponed or duplicated, avoiding cost increases.

The introduction of subtitling and audio description at source represents a minimal cost compared to the rest of the costs of production and distribution of a film, and much lower than other measures, such as dubbing.

C. Benefits:

- a. In this sector, the potential increase of spectators with disabilities due to the offer of accessible performances may be of little relevance, but their potential companions must also be taken into account.

However, if we were limited only to the increase in revenue due to these spectators, it may be lower than the costs of the measures. For this reason, a broad management is desirable, as is taking advantage of the fact that the requirements are the same ones that will later be necessary for digital marketing or television broadcasting.

- b. The benefit from a social point of view is undoubted and indispensable, since it is everyone's responsibility to guarantee the right of all citizens to enjoy culture.

With this premise, it must be assumed that the market mechanisms themselves will balance the cost-benefit ratio and, if appropriate, can intervene on the price of the product to absorb the resulting differential, which is likely to be imperceptible.



B3.5 Impact on the Education Sector

A. Effects:

The main impact is on the need to adapt existing school facilities, which are many years old and have notorious deficiencies to be resolved. This need, however, is not new, and the regulatory framework has long provided for measures and obligations to reverse this situation.

The Decree includes and makes explicit the need to guarantee teaching for everyone that is non-discriminatory, an objective that has already been part of the priorities of the administration for years, and that is currently provided through different support services, as is the case for resource centres for hearing and sight-impaired persons, and other strategic resources of the education system itself.

Finally, the Decree develops some aspects that are currently poorly regulated by current legislation, such as school transport, non-regulated training or the websites of schools (both with regard to consultation, and the possibility of carrying out the available procedures).

B. Costs:

The main cost remains the removal of physical (architectural) barriers in those centres that are of considerable age. The proposed Decree does not increase the cost of these actions, but rather the opposite, inasmuch as it specifies the criterion of reasonable accommodation and develops a series of alternative solutions and management mechanisms to achieve the best functionalities at an acceptable cost.

Nor does the cost of support services for students with sensory disabilities vary in relation to measures that have already been operational for years.

With regard to situations in which the regulation is developed or extended: the definition of progressive measures with sufficient deadlines; the high number of cases solvable through small actions accompanied by good management and the secondary or occasional nature of the services and elements concerned, make it possible to assess that they do not generate a significant cost.

C. Benefits:

The benefit is very important, both to guarantee the right to equal opportunities, where education plays an essential role, and from a macroeconomic point of view, where the inclusive training of people with disabilities allows their full participation and integration in the social context, increases their autonomy, reduces the need to depend on support and, in short, promotes a human capital full of possibilities and initiatives.

B3.6 Impact on the industrial sector

A. Effects:

The measures envisaged to promote the removal of existing barriers of all kinds imply, indirectly, an increase in the activity of related industries and represent an important motivation to promote research into new technological solutions to improve existing options.

B. Costs:

This sector does not represent any significant cost.

C. Benefits:

Strong drive for research and innovation



The industry related to support products for people and the accessibility of the environment will become stronger and increase the possibility of expansion internationally.

B3.7 Impact on the professional sector and the construction sector

A. Effects:

The updating of the accessibility regulations of Catalonia has a significant impact on the performance of the professionals who prepare, supervise, control or authorise the projects, simplifying their work, since at this time these actions make it obligatory to combine Catalan legislation with the basic state regulations, compliance with which is mandatory and which are quite fragmented and not precise with regard to interventions on the existing environment.

B. Costs:

The implementation of the Decree does not generate costs in these sectors, on the contrary, since the definition of clear guidelines and criteria and the unification of the requirements into a single regulation reduces the likelihood of omissions, different interpretations and erroneous practices, it avoids additional costs arising from the need to rectify work already carried out.

C. Benefits:

Improvement of efficiency, proportional to the reduction of interpretative doubts and/or malpractice.

Source: Compilation based on the data from IDESCAT and updated on 22/12/2023

It facilitates the task of verifying projects and improves the processing time for licences: the clearer and more explicit the conditions to be met, the more likely projects are to take proper account of these and the fewer amendments and projects there will be to carry out or rectify.

It reduces the conflict between professionals and municipal technicians or monitoring bodies with respect to which solutions are admissible, with the management time it entails.

C. Regulatory impact report as regards simplification and reduction of administrative burdens

Measures that may involve administrative burdens on companies and service providers are assessed.

In order to quantify the burdens, the values provided for in the document 'Update 2020 of the price parameter of the guide to good practices' of the Department of the Presidency are taken as a reference:

Amounts in EUR

Types of occupation	Price
Administrative employees	24.46
Technical and support professionals	31.86
Scientific technicians and professionals	39.01
Managerial administration and companies	55.35



C1 Accessibility conditions specification

A. Description

It is a document that compiles and provides information on the main accessibility conditions that the establishment has to meet. These conditions depend on several factors, such as the opening year, whether or not subsequent reforms have been made, the surface area and other conditions depending on the activity, which is why they cannot be deduced without knowing this background.

The owners of establishments that meet the criteria of category, subcategory, built area or number of places indicated in Annex 6a of the Decree are under obligation.

It is a measure that does not affect small establishments, but applies only to those that exceed a certain size, which must have a sheet available to the public and suitably stamped by the administration containing the accessibility conditions that correspond to them.

The utility of this document is twofold:

- To enable the disabled population to have information on what accessibility conditions a premises or a particular service must have.
- To facilitate the monitoring and inspection task that corresponds to the Administration, with the same arguments indicated above.

Being aware of these conditions makes it possible to check whether the possible deficiencies are due to insufficient maintenance and do not comply with the conditions required in the premises or if it is true that it does not have certain conditions given its age, and offers the necessary arguments so that users can claim and report the relevant cases.

B. Administrative burdens

- a. The cost incurred by the owners of the establishments is a minimum charge since it is processed in conjunction with the application for an '*environmental or activity licence*' and simply requires filling out a questionnaire.
- b. In the case of existing establishments that do not plan to process any application, the Decree grants them a period of one year to process the file. In these cases, as it will be an independent action, the following burden is considered for each establishment:

Cost of the administrative burden (AB) = time (t) x price (p) x quantity (q)

One hour for a support technician to fill the sheet and two hours for an administrative employee to carry and to collect the documentation in the corresponding administrative units is taken into account:

$$t \times p \times q$$

Administrative 2 x 24.46 x 1 = EUR 48.92

Support technician 1 x 31.86 x 1 = EUR 31.86

Total..... = **EUR 80.78**

- c. With regard to the Administration, no additional burden is considered, as the accessibility conditions sheet is processed by the same body that manages the activity licence.



C2 Accessibility plan for museums

A. Description

The museums included in the network of museums (inscribed in the Register of Museums of Catalonia), as well as those who want to access a public grant, are obliged to have an accessibility plan.

Although most of the museum equipment affected by this measure depends on the Generalitat or local authorities, some are also privately owned.

This plan includes the diagnosis of building deficiencies; the criteria for managing the spaces while these deficiencies are not resolved; measures for accessibility to the contents of exhibitions and services programmed; the characteristics of personalised attention, and the staff training measures.

B. Administrative burdens

The wide variety of dimensions, themes and characteristics of the contents exhibited between the museums do not allow an accurate assessment of the administrative burden involved in the drafting of the accessibility plan, but it does make it possible to consider the following general criteria:

- a. In the case of publicly owned equipment, since in most cases it will be the technicians themselves who write the Accessibility Plan in the exercise of their functions, it can be estimated that this action does not generate any cost.
- b. With regard to privately owned museums, a projection of average equipment is made, with 1000 m² of built area. It is estimated that the drafting of the accessibility plan requires the dedication of a specialised professional, a support technician and an administrative employee with a dedication of 35 hours each:

	$t \times p \times q$	
Administrative	35 x 24.46 x 1 =	EUR 856.10
Support technician	35 x 31.86 x 1 =	EUR 1,115.10
Professional	35 x 39.01 x 1 =	EUR 1,365.35
Total		= EUR 3,336.55

C3 Accessibility plan for TV network content

A. Description

This affects public and private television networks in Catalonia.

The accessibility plans have to specify the content accessibility measures so that, within the maximum established deadlines, the programming of each network reaches the percentages of subtitling, audio description and content with sign language established by the Decree.

B. Administrative burdens

The programming of the contents is one of the relevant tasks of television networks, and one to which they dedicate significant permanent human resources, given the need to continuously adapt it to current information.



In this context, the drawing up of an accessibility plan for content does not represent any minimally significant burden since it has been done for a long time, to comply with the current regulations, by the personnel structures that each network has dedicated to content programming tasks.

It does not therefore create an administrative burden to be considered.

C4 Prevention, self-protection and emergency plan

A. Description

The Decree establishes that the prevention, self-protection or emergency plan or any other instrument for similar purposes that must be provided in compliance with the applicable sectoral regulations, provides, from the organisational point of view, for assistance in case of evacuation to persons with disabilities or reduced mobility who need it.

B. Administrative burdens

The Decree does not determine when a company has an obligation to have any of the plans indicated. It refers to what the sectoral legislation on occupational health and safety lays down at all times.

Therefore, it does not create a new administrative burden as such.

The requirement to include a series of protocols and case studies within the contents of the plans that have to be developed or amended has virtually no bearing on any of this documentation.

It is considered a task that is part of the very nature of these plans and can absolutely be carried out by the technicians in charge of their drafting at no additional cost.

It does not therefore create an administrative burden to be considered.

C5 Reporting obligations

A. Description

The accessibility conditions that an activity has to meet depend on many factors, including age, the size of the premises, the authorised capacity, the possibilities of adapting the existing building or the type of renovation to which it has been subjected, which is why establishments can have very different accessibility conditions, all of them adjusted to the legislation. This circumstance justifies services for public use needing to provide information on the conditions of accessibility in their communication channels, so that people with disabilities have sufficient data to decide whether or not to attend and know what functionalities they will have available to them.

In this sense, the Decree emphasises three typologies:

- Public services
- Establishments for public residential use
- Theatres, cinemas, multi-purpose rooms and other establishments offering stage performances, musical performances, film screenings or similar performances

The former are especially relevant due to their very nature. The other two because they are services usually contracted remotely, and it is necessary to ensure that persons with disabilities have sufficient information, both with regard to the number and availability of accessible places, and regarding the conditions to be met, for the purpose of planning trips and acquiring locations with equal opportunities.



B. Administrative burdens

Providing information on the accessibility conditions of the service is not an independent condition that requires additional means or channels of dissemination, but is a provision of information that is linked to other procurement, communication and dissemination procedures that are normally carried out.

For this reason, the cost of these measures is minimal and not significant, since the preparation and updating of the contents are normal procedures and the information required simply has to be added to the rest of the data to be disseminated.

It does not therefore create an administrative burden to be considered.

C6 SMEs

The set of measures, including those that may involve administrative burdens, such as the Accessibility Conditions Specification, have been established taking into account proportionality criteria, so that they are less demanding for smaller businesses that might have more difficulty in implementing them. This progressive approach has been established in each case according to objective, easy-to-check parameters such as the useful surface or the authorised capacity, taking into account the type of activity.

Annex 1 contains the SME test approved by the Government Agreement of 11 February 2014.

D. Report on gender impact

The drafting of the policy proposal has taken into account the perspective of gender equality. As the proposal aims to guarantee the rights of persons with disabilities and to avoid situations of discrimination, no point has been found that would require the introduction of additional measures to guarantee women's rights.

In fact, if we take into account that 59% of the population over 70 are women, according to 2017 data from Idescat, we can conclude that this group is one that benefits the most from the provisions specifying the obligations to remove barriers in existing housing buildings and establish measures to ensure effective management.

Annex 1a describes the anthropometric parameters for men and women so that they can be taken into account equally.

Account has also been taken of the provisions of Decree 162/2002 of 28 May 2002 amending Decree 107/1987 of 13 March 1987 regulating the use of official languages by the Administration of the Generalitat de Catalunya, in order to use non-androcentric or sexist language and to use terms that do not discriminate on grounds of sex.

Under the provisions of Article 64(3)(d) of Law 26/2010 of 3 August 2010 on the legal and procedural regime of the public administrations of Catalonia, the Catalan Women's Institute (ICD) will issue the mandatory Gender Impact Report.



3. Comparison of the regulatory options considered

In paragraph 1C, in accordance with the current framework, regulatory and non-regulatory alternatives to achieve the identified objectives have been analysed.

The option not to act and maintain the current regulations has been ruled out as it has the following negative consequences:

- Legal uncertainty caused by the current legislation, which is dispersed, uncoordinated, contradictory on some occasions and particularly ambiguous with respect to the conditions required when intervening on the existing environment.
- Increased conflict between individuals and administration (processing of licences, registration of official records, etc.) as a result of interpretative disparities, which can sometimes result in litigation.
- Increased conflict between individuals, mainly in the case of communities of owners, which in many cases result in legal proceedings.
- Diversity of interpretations between different administrations, even between different technicians of the same administration, a circumstance that conveys uncertainty to citizens and generates the risk of arbitrary or biased decisions.
- Unregulated or poorly regulated aspects and activities, a circumstance that in most cases entails insufficient accessibility conditions and discrimination against persons with disabilities who remain excluded from a particular service or provision.

The option to intervene through financial incentives can be effective in streamlining certain situations, but by itself does not solve the problems of legal uncertainty and conflict mentioned above. Nor would it be efficient given the cross-cutting nature of accessibility regulations and the impossibility of having a significant impact on the majority of the areas concerned. It is considered to be a complementary measure to be taken into account and enhanced in accordance with the budget availability and the area of competence of each administration.

The alternative of having opted for a legislative regulation with a smaller scope or fragmenting it through a series of partial decrees does not comply with the objective set out in Law 13/2014 on regulatory simplification and on drafting a single regulation that unifies, aligns and coordinates the set of requirements and conditions applicable to each area. As has already been pointed out, dispersion is precisely one of the main difficulties of the current legislation and often results in contradictions, interpretative doubts or aspects not covered by any of these.

The arguments put forward allow us to conclude that the processing of this Draft Decree is the most appropriate regulatory option to achieve the proposed objectives.



4. Implementation, monitoring and evaluation of the regulation

The provisions applicable to the new measures do not have to entail difficulties of implementation and do not require additional follow-up measures, since in most cases the licensing mechanisms themselves (works, activities...) and prior or subsequent monitoring are sufficient tools to ensure compliance.

The provisions aimed at the progressive transformation of the existing environment do require monitoring measures to evaluate their implementation and the achievement of the objectives. These measures differ depending on whether the measures are to be carried out by a public administration or a private party.

In the case of public administrations, the main mechanism for implementation and monitoring is the accessibility plans. In this sense, Article 44 of Law 13/2014 on accessibility already states that 'local administrations have to inform the department responsible for promoting accessibility about the approval of the accessibility plans and their revisions, and also of the data required to carry out the monitoring of the implementation of these plans'.

With regard to the private sector, the main monitoring mechanism, beyond the data from licences and inspection measures, is the accessibility conditions specification, which will make it possible to obtain a diagnosis regarding progress in meeting these conditions.

A final indicator that must serve to evaluate the implementation of and compliance with the Decree is the evolution of the complaints, in the medium term and after the entry into force of the Decree, both with respect to the absolute number and the disaggregated values corresponding to each area.

All this without prejudice to the competent bodies being able to establish the necessary measures to ensure compliance with the new regulation.



5. Annexes

A. SME test

The SME test:

Data of the initiative

Title

Draft Decree approving the Accessibility Code of Catalonia

Identification of the businesses concerned:

1. Estimation of the number of companies in the sector concerned and of their turnover, differentiating them by size:

Type of company	Number of companies	Turnover
Microcompanies	603,271	
Small	26,061	
Medium-sized	5,639	
Large	2,801	

2. Estimation of the number of workers employed in SMEs in the sector (*indicate the name of workers*)

1,846,885

Remarks:

Aggregate data obtained from Idescat, from statistical year-book of enterprises with establishments in Catalonia on 1 January 2020

- Given the cross-cutting nature and scope of the Decree it is considered that its implementation affects all companies to a greater or lesser extent.
- The classification that was made of SMEs takes into account the salaried employees, but not the turnover.
- All of the persons active in the services sector were considered

Consultation of the sector concerned:

	Yes	No
3. Were SMEs in the sector concerned, or business associations that represent them, consulted on the design of the regulation and the regulation options before processing began?	X	
4. In the course of the hearing, will at least the business associations representing the majority of SMEs in the sector concerned be consulted?	X	

Remarks:

An initial phase of public participation has been carried out open to all the sectors concerned, prior to processing, through the Participa gencat portal

Measuring the impact on SMEs:

Measuring the impact on SMEs:

Yes No



Measuring the impact on SMEs:

	Yes	No
5. Have the administrative burdens arising from compliance with the proposed measures been quantified?	X	
6. Have the most relevant financial costs or substantive costs of the proposed regulation been quantified?	X	
7. Is it ensured that the costs incurred for SMEs do not entail competitive disadvantages in relation to larger companies?	X	
8. Is it ensured that SMEs can operate under conditions of fair competition on the market?	X	

Remarks:

This intended regulatory development does not add a significant impact on SMEs in relation to what may currently be implied by the current state and regional basic regulations, which are mandatory. In order to avoid SMEs being at a disadvantage compared to larger enterprises, a calibration of the obligations to carry out reasonable accommodation is established, taking into account the size of the establishment or activity.

Assessment of specific measures for SMEs

	Yes	No
9. Has any option been considered that would simplify compliance with the regulation or make it more flexible for smaller businesses and, at the same time, achieve the public objectives pursued?	X	
Some examples:		
a. Temporary exemptions or longer transitional periods.		
b. Total or partial exemptions.		
c. Reductions or discounts on fees and direct financial support.		
d. Simplification of obligations to provide information.		
e. Information campaigns, user guides, specific training, user care or other measures to improve access to the information.		
f. Other measures that particularly benefit SMEs.		
10. Have any of these other, more flexible regulatory options for SMEs been adopted in the legislative proposal?	X	
11. Has the legislative proposal been drafted using language that is simple and understandable for a person without specific legal training?	X	
12. Does it contribute to simplifying the sector's regulatory framework in order to make it more accessible?	X	

Remarks:

Carles Sala i Roca
 Secretary of Housing and Social Inclusion



Barcelona, date of electronic signature