

I. GENERAL PROVISIONS

MINISTRY OF HEALTH, SOCIAL SERVICES AND EQUAL

10580 Royal Decree 742/2013, September 27, by laying down the criteria technical-health of the pools.

Law 14/1986, of April 25, General Health, establishes the obligation of the public health administrations to guide their actions give priority to health promotion and disease prevention.

The Act provides that the activities and products that, directly or indirectly, can have negative consequences for the health, and are subject to control by public administrations

. One of these activities is the recreational use of the water, in particular the use of facilities of swimming pools, water parks, spa centers or therapeutic purposes.

Law 33/2011, of October 4, General of Public Health, provides for the protection of the health of the population as one of the obligations of the public administrations, with the identification, assessment, management and communication of the risks to health that may result from the environmental; surveillance of environmental factors of physical nature, chemical or biological and environmental situations that affect or could affect the health, as well as the identification of the policies of any sector that reduce environmental risks to health.

At state-level regulations in force on swimming pools is the Order of May 31 of 1960 on public swimming pools. This order was amended by Order of July 12 1961 by that they have to undergo the private pools to the provisions of the Order of May 31 of 1960, regulating the operation of these pools of a public nature, by what this royal decree updates and describes the basic health criteria and minimum of the rules of swimming pools at the national level, given the importance of the use of these pools for human health.

The basic criteria that describes this royal decree, shall apply to all pools that are not included in the scope of the Royal Decree 1341/2007, of October 11, on the management of the quality of bathing water.

Fixed parameters, parametric values to fulfill in the water of the vessels of these pools and their minimum sampling frequency. These values are based primarily on grounds of public health and the recommendations of the World Health Organization , apply, in some cases, the precautionary principle to ensure a high level of protection of the health of users. In breaches of the quality criteria that points out this provision, it will be necessary to investigate the underlying cause and ensure that will be implemented as soon as possible the corrective and preventive measures for the protection of the health of the users.

But not only must be adequate water quality but also the quality of the air in those indoor pools, including centers of whirlpool and therapeutic swimming pool, laying down a series of basic operational parameters that serve as the holder of the swimming pool, in order to have a correct air quality that does not produce health risks.

In addition, the public must receive adequate and timely information about the quality of the water of the pool, the corrective and preventive measures, as well as all those aspects which affect incident situations and that may involve a risk to the health of the users that are of interest.

The Ministry of Health, Social Services and Equality shall draw up the annual national report with the data once a year submit the autonomous communities that will be used as a tool for monitoring the implementation of the rule and future health policies as well as for public information. **END**

The technical nature and basic matters governed in this Royal Decree makes it necessary the adoption of this statutory provision, as a regulatory instrument suitable for unifying criteria, update the rule to the scientific and technical knowledge and ensure compliance with the basic regulation applicable to the management of the quality of the waters of swimming pools.

The use of a royal decree as a legislative instrument is justified by the object and purpose of this standard, which is none other than the protection of the health of the users of swimming pools, through the establishment of basic criteria technical-health of the quality of water, air, preventing the potential physical hazards, chemical or microbiological arising from the use of the same, proving to be a necessary complement to ensure the achievement of the objective purpose that responds to the state competition on the bases.

This provision has been subjected to the procedure of information in the field of technical regulations and standards and regulations concerning the information society services , laid down in Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998, in order to comply with article 12 of the directive.

In the elaboration of this royal decree have been heard the sectors concerned, consulted the autonomous communities and has informed the Council of Consumers and Users.

This royal decree is issued pursuant to the provisions of article 149.1.16 .th of the onstitution, which reserves to the State the exclusive competence, in the field of databases and overall coordination of the health.

In its virtue, on the proposal of the Minister of Health, Social Services and equality, with the prior approval of the Minister of Finance and Public Administrations, in accordance with the Council of State and after deliberation by the Council of Ministers at its meeting on 27 September 2013, I HAVE

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Article 1. Object.

This Royal Decree aims to establish the basic criteria and technical health of the air and water quality of the outdoor pools with the purpose of protecting the health of the users of possible risks physical, chemical or microbiological arising from the use of the same.

Article 2. Definitions.

For the purposes of this Royal Decree establishes the following definitions:

1. Swimming Pool: Installation composed of a glass or a set of vessels destined to the bathroom, recreational use, sports training or therapeutic, as well as the additions and services necessary to ensure their operation.

Can be discovered, covered or mixed.

2. Swimming pool for public use: Those swimming pools open to the public or to a defined group of users, not only for the family and guests of the owner or occupier, regardless of the payment of a price of entry. May be:

a) Type 1. Swimming pools where the water activity is the main objective, as in the case of public swimming pools, leisure, water parks or spas; (b)

Type 2. Swimming pools that are acting as extra service to main objective, as in the case of swimming pools in hotels, tourist accommodation, camping or therapeutic in health centers, among others.

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END

3. Swimming Pools for private use: Those swimming pools designed only to the family and guests of the owner, or occupant, including the use related to the rental houses for family use to)

Type 3A: pools of communities of owners, rural houses or agrotourism, colleges or similar;
(b) Type 3B: terraced swimming pools.

4. Natural Swimming Pool: one in which the feed water is water bottle coastal or continental, is located next to their natural environment, and the renewal of the water is associated with the natural movement of tides or river courses and is within the scope of Royal Decree 1341/2007, of October 11, on the management of the quality of bathing water.

5. Glass of water with mineral or thermal: Glass whose water supply has been declared with mineral or thermal by the competent authority and is not chemically treated, located in a thermal station and used exclusively for medical treatments-thermal.

6. Beaker: constructive structure that contains the water intended for the purposes set out in paragraph 1. The vessels may be:

(a) Multi-purpose, teaching, splashing, or recreational swimming;

(b) pits of hops

(c) of whirlpool: With jets of air or water;

(d) Therapeutic: for medical purposes or rehabilitation.

7. Bottle conditioned: Glass subjected to a heating process, in order to regulate its temperature.

8. Headline: natural or legal person, public or private or community of owners who is the owner of the pool, responsible for the fulfilment of this Royal Decree. In the case of pool is operated by natural or legal person other than the owner, will be subject to the effects of the holding in relation to this Royal Decree who assume such exploitation.

9. Semi-automatic system of treatment: that in which the dosage of chemicals is performed in a non manual, using a computer programmable in continuous measurement without any parameter.

10. Automatic system of treatment: the one in which the dosage of chemicals is not manual, using a programmable computer and associated with the continuous measurement of some parameter.

11. Competent authority: Organs of the autonomous communities and cities of Ceuta and Melilla and the local authorities within the scope of their powers.

Article 3. Scope of application.

1. This Royal Decree shall apply to any pool installed for public use in the Spanish territory or under Spanish flag.

2. In the case of the swimming pools for private use of type 3A shall comply, at a minimum, the provisions of articles 5, 6, 7, 10, 13 and 14.d), (e) and (f). The competent authority may require the implementation of the remaining provisions of this Royal Decree; in that case, you must notify the Ministry of Health, Social Services and equality before the 12 months following the entry into force of this Royal Decree.

3. For the swimming pools for private use of type 3B shall comply with the provisions of article 13.

4. It is excluded from the scope of this royal decree:

a) the natural pools; (b)

The medicinal hot springs or vessels. **END**

Article 4. Actions and responsibilities.

1. The owner of the pool shall communicate the opening to the competent authority , before its entry into operation after the construction or modification of the same. Such communication may be conducted by electronic means.
2. Once you have initiated the activity, the operation of the swimming pool is the sole responsibility of the owner, who must, therefore, observe and comply with the requirements of this standard and other provisions in force without prejudice to the competent administration set the surveillance measures as it deems appropriate.
3. The owner of the pool shall record the data relating to self-control and situations of incidents and noncompliance, the remedial measures taken, preferably in computer support.
4. The competent authority shall make available to right holders, an adequate guide to its territory for the design of the program of self-control of swimming pools or in his absence, a program of health surveillance of the swimming pools for its territorial area.

Article 5. Characteristics of the pool.

1. Any new project for the construction of a swimming pool or modification of the constructive cup, which starts from the date of entry into force of this standard, you must follow the provisions of Royal Decree 314/2006, of March 17, approving the Technical Building Code and in the Royal Decree 1027/2007, of July 20, approving the Regulation of thermal installations in buildings. In addition shall be governed by any other legislation and rule him out of that application.
2. The owner of the pool must ensure that their facilities have the right elements to prevent risks to the health and ensure safety of facilities.

Article 6. Treatment of the water.

1. The treatments provided for shall be suitable for the quality of the water in each vessel complies with the provisions of this Royal Decree.
2. The recirculating water of each beaker should be, at least, filtered and disinfected before entering the vessel, like the feed water if not comes from the network of public distribution.
3. Chemical treatments will not be directly into the glass. The water must circulate through the various processes of treatment unit before moving on to the glass. In situations of justified cause, chemical treatment could be carried out in the cup itself, always, prior closure of the vessel and with absence of swimmers in the same, ensuring a safe waiting period before your new commissioning.

Article 7. Chemicals used for the treatment of water from the cup.

1. The biocidal substances used in the treatment of water from the cup, will be included as product type 2: Disinfectants used in the fields of private life and public health and other biocides, of the Royal Decree 1054/2002, of October 11 , which regulates the assessment process for the registration, authorization and marketing of biocidal products on the market, and other legislation or rule specifies that you are outside of application.
2. The rest of the chemical substances used in the treatment of water for each cup , will be affected by the requirements referred to in Regulation (EC) No. 1907/2006 concerning the registration, evaluation, authorisation and restriction of chemicals (REACH) and by other legislation or rule specifies that you are outside of application.
3. In the case of new swimming pools or modifying of the vessel, the dosage of the mixtures or substances referred to in paragraph 1 and 2, will be performed with utomated or semi-automated systems for treatment, without prejudice to the provisions of the second paragraph of article 6.3 .END

Article 8. Staff.

The staff for the commissioning, maintenance and cleaning of the equipment and facilities of the swimming pools you will need the certificate or title that qualification for the performance of this activity through the overcoming of learning content that for this purpose established by the Ministry of Health, Social Services and equality and the conditions to be determined.

Article 9. Laboratories and methods of analysis.

1. The laboratories where the samples are analyzed for swimming pool water must have implanted a quality assurance system.
2. The laboratories where the analytical determinations in samples of water from a swimming pool, and do not have the methods of analysis accredited by the UNE EN ISO /IEC 17025, Must have at least the validated procedures for each method of analysis used for the quantification of each of the parameters in the range of work appropriate to check the compliance of the parametric values of annex I , with determination of your uncertainty and limits of detection and quantification.
3. The kits used in the controls of the pool water, must comply with the standard UNE-ISO 17381 "quality of the water. Selection and application of methods that use test kits ready to use in the analysis of the water" or another similar rule or standard that guarantees a level of health protection at least equivalent.
4. The owner of the pool must have the written procedures of the methods of analysis used for in situ quantification of parameters and limits of detection or quantification.

Article 10. Water quality criteria and air.

1. Water from the cup must be free of pathogenic organisms and substances in a quantity or concentration which can pose a risk to human health, and must comply with the requirements specified in Annex I. Water from the cup should contain disinfectant residual disinfectant and have power.
2. The air of the enclosure of the vessels or mixed, but covered in the technical rooms, should not entail a health risk to users and should not be irritating to the eyes, skin or mucous membranes and must comply with the requirements specified in annex II.

Article 11. Quality Control.

1. The owner of the pool you need to check in each bottle, at least, the parameters set out in annexes I and II.
2. The checks to be carried out will be the following: (a) initial Control: it will be, at least in those vessels in which the contribution of water does not come out of the public distribution network, you control the parameters referred to in Annexes I and II. It is carried out during the fortnight prior to the opening of the pool.

In addition, this initial inspection shall be carried out, in any case, after the glass be closed more than 2 weeks or after temporary closures that may pose significant variations of the control parameters of the water or air; (b) Control of routine: daily monitoring which is intended to provide the effectiveness of the treatment of the water of each beaker; will be controlled as described in annex III.

C) periodic control: control monthly which is intended to provide the compliance of the water of each beaker with the provisions of Annexes I and II; will be controlled as described in annex III **END**

3. In indoor pools or mixed will ensure a good air renewal and will be carried out , at least, the controls in air that points out the annex II as described in annex III.

4. Sampling points of water shall be representative of each beaker and the circuit. At least you will need to have:

a) one in the circuit at the entrance to the glass or the output of treatment before the entrance to the glass. In the pools of new construction will be available for appropriate taps the takes of displays installed in the sampling point of the circuit, and (b) one in the cup itself, in the area furthest from the entrance to the water to the beaker.

5. The owner of the pool must have a protocol specific self-control of the pool, which is always in your own pool available to the staff of maintenance and of the competent authority and shall update it as often as necessary in each case. This protocol of self-control must contemplate, at least, the following aspects:

(a) Treatment of the water of each beaker;

(b) Control of the water;

(c) Maintenance of the pool;

(d) cleaning and disinfection;

(e) and good security practices;

(f) Plan of pest control.

g) Management of suppliers and services.

6. Under the suspicion of a health risk to users or based on historical data of that pool, the competent authority may require the licensee to include in its protocol parameters of self-control, sampling points, additional sampling, and other quality criteria as it deems necessary or increase the frequency of sampling or establish values more stringent than those set forth in this Royal Decree that creates appropriate to safeguard the health of users.

Article 12. Situations of failure.

1. The situations of non-compliance will be those that will not comply with the provisions of annex I, II or III. Once detected the situation of non-compliance, the holder immediately investigate the reason for the same, by taking the appropriate corrective action and in his case the preventive measures so that it does not happen again. The competent authority , if so provided, shall be informed of the breach. Such communication may be conducted by electronic means.

2. The holder will be a check that the reasons for non-compliance have been properly corrected. In your case it will be communicated to all the users and competent authority.

3. The vessel shall be closed to the bathroom, until that normalization of its values, at least , in the following situations:

(a) When the holder or health authority considers that there is an imminent risk to the health of the users;

(b) After the routine monitoring and/or newspaper when the conditions of closure of the bottle referred to in annex I.

C) when in the water in the beaker has stools or vomiting or other organic waste visible.

Article 13. Situations of incidence.

1. The situations of incidence are as described in paragraph 7 of Annex V. 2. Once detected the situation of incidence, the holder must perform the necessary steps to understand the causes, as well as adopting the corrective and preventive measures.

END

3. The competent authority shall be informed of the situation of incidence. Such communication may be conducted by electronic means.

4. The competent authority shall notify, in the maximum period of one month to the Ministry of Health, Social Services and equality. The notification shall be made by electronic means or electronic communication via the website of the Ministry of Health , Social Services and equality and will contain the information described in Annex V. Article

14. Information to the public. The owner of the pool will be available to users in a place easily accessible and visible, at least, the following information:

(a) The results of the last checks (initial, routine, or newspaper), indicating the vessel to which it relates and the date and time of sampling. These analyzes will be presented to the public as soon as the owner of the pool get the results;

(b) Information about situations of non-compliance of the annex I or II, of the corrective measures as well as the health recommendations for users in the event that there was a risk to health;

(c) outreach materials on the prevention of drowning, traumatic brain injury and spinal cord injuries. In the case of the pools not covered also have material on sun protection;

(d) Information on the chemical substances and mixtures used in the treatment;

(e) information on the existence or not of lifeguard and the addresses and phone numbers of the health centers nearest and emergencies;

(f) The detailed rules for the use of the swimming pool and rights and duties for the users of the same.

Article 15. Referral Information.

1. At least in the case of swimming pools for public use, the competent authority shall be forwarded to the Ministry of Health, Social Services and equality, by means, electronic or electronic communication, before April 30 of each year, the information of the previous year , relative to the data described in annex IV. In the case of do not vary the information relative to the swimming pool to parts A and B of the annex IV, your notification will be at least every 5 years, starting in the year of entry into force of this standard.

2. Within the Public Health Commission of the Territorial Council of the National Health System will be agreed upon mechanisms for the remission of the information contained in annex IV.

Article 16. Sanctioning regime.

Without prejudice to other legislation that could be applicable, the compliance with the provisions of this royal decree may give rise to the implementation of the penalties established by Law 14/1986, of April 25, General Health and the Law 33/2011, of October 4, General of Public Health.

Additional Provision first. Proceedings of the Ministry of Health, Social Services and equality.

The Ministry of Health, Social Services and Equality:

a) Develop annual technical report on the quality of the swimming pools in Spain, on the basis of the information transmitted by each autonomous community or cities of Ceuta and Melilla, which will be available to the citizen and administrations in its web page.

(b) Develop outreach materials on sun protection and the prevention of drowning, traumatic brain injury and spinal cord injuries; guides on the Good practices in the maintenance of the swimming pool; as well as a guide for the design of the program of self-control.

END

C) it will plan, coordinate and evaluate national programs to prevent specific risks for the use of swimming pool and its facilities.

Second additional provision. Facilities of the Ministry of Defense.

The provisions of this Royal Decree, when affecting units, centers and agencies belonging to the Ministry of Defense and its public bodies, shall be applied by the General Inspection of Health of the defense, coordinating with the Ministry of Health, Social Services and equality and the regional health authorities, the necessary action.

Single Repealing Provision. Repeal of Regulations.

The order shall be repealed on May 31 of 1960 on public swimming pools and the Order of 12 July 1961 by the who undergo private pools to the provisions of the May 31 of 1960, regulating the operation of these facilities of a public nature , as well as how many provisions of an equal or lower rank that oppose what is established in this Royal Decree.

First final disposition. Modification of Royal Decree 140/2003, February 7, by laying down the health criteria of the quality of water for human consumption

Article 10 of Royal Decree 140/2003, February 7, by laying down the health criteria of the quality of water for human consumption, is hereby amended as follows:

One. Amending paragraph 4 to read as follows:

"4. The apparatus for water treatment in buildings, as defined in article 2.20 , should not transmit water substances, germs or harmful or undesirable properties to health and must comply with the provisions of article 14 and ensure that the water meets the annex I".

Two. It includes a new paragraph 5 with the following wording:

"5. Equipment manufacturers of water treatment in indoor installations must comply with:

(a)The Royal Decree 314/2006, of March 17, approving the Technical Building Code in particular, with what is stated in the Section HS4. Water supply, if the apparatus for water treatment are installed at the entrance of buildings

; (b) The UNE 149101. Conditioning Equipment in water in the interior of the buildings

. Basic criteria for suitability of equipment used in the treatment of water for human consumption in the interior of buildings, or other rule or similar standard that ensures a level of health protection, at least, equivalent, if the treatment apparatus of water are installed in the taps.

The manufacturers will have a period of two years to comply with the provisions of this section."

Three. It includes a new paragraph 6 with the following wording:

"6. Those responsible for the facilities where the appliances are installed water treatment at the entrance of the installation or those responsible for public installations or with commercial activity to install these devices in the Taps, they must be in possession of the manufacturer's documentation in accordance with point paragraphs 5.a) and (b).

END

Second final disposition. Enabling the regulatory development.

It enables the person holder of the Ministry of Health, Social Services and equality to dictate, in the scope of their powers, the provisions necessary for the implementation and development of this royal decree, and to modify the annexs of the same depending on the progress of the scientific and technical knowledge.

Third final disposition. Development of the training content.

The Ministry of Health, Social Services and equality will establish within a maximum period of two years from the entry into force of this Royal Decree, the training content for obtaining the certificate or title that train for the set-up, maintenance and cleaning of the equipment and facilities of the swimming pools laid down in article 8.

Fourth final provision. Title of Competence.

This royal decree is basic character and is issued pursuant to the provisions of article 49.1.16.th of the Constitution, which reserves to the State the exclusive competence in the field of databases and overall coordination of the health.

Final Disposition fifth. Entry into force.

This Royal Decree shall enter into force two months after its publication in the "Official Gazette of the State".

Given in Madrid, on 27 September 2013.

JUAN CARLOS R.

The Minister of Health, Social Services and equal,

ANA MATO ADROVER

Re: Tomi

Art. 5.: The building of new pools from the date that is public the new law, must be builded according with the law "Real decreto 314/2006", it is something that the arquitects know.

Art. 6: Water recirculation each glass must be at least filtered and disinfected before entering the glass, like water supply if not from the public network.

Chemical treatment is not made directly to the glass. In justified cases, drug treatment may be performed in the glass, always, after closure of the vessel without bathers own, guaranteeing safety period before new

Art.7: The biocides used in water treatment, will be included as product type 2: disinfectant at used in the areas of privacy and public health, the Royal Decree 1054/202 of 11 October. All other chemicals are used according to Regulation (EC) 1907/2006.

For new pools, the dosage of the mixtures were made with automatic systems

Art.10: The pool water shall meet the requirements specified in Annex I.

The pool water should contain residual disinfectant and disinfectant power have.

The room air vessel and technical rooms shall not constitute a risk to the health of users and should not be irritating to eyes and skin

Art. 13: (in previous email)

Art. 14: The owner of the pool available to users in a visible place, the following information:

Information about the chemicals used

Information about the existence of lifeguard and emergency telephone

Utilization rules

