

CATALOGUE

# SOCIAL SERVICES CENTRES

XUNTA  
DE GALICIA

EDIT

General Technical Secretariat of the Second Vice-Presidency of the Regional Ministry of the Economy, Enterprise and Innovation

MAKES

General Vice-Secretariat for Support for Business

DESIGN / LAYOUT

cristinazzdesign

YEAR OF EDITION

2021s

## SOCIAL SERVICES CENTRES

Second Vice-Presidency of the Regional Ministry of the Economy, Enterprise and Innovation

General Technical Secretariat

General Vice-Secretariat for Support for Business



## INDEX

- PG. 07 1. Introduction
- PG. 08 Law on administrative simplification and support for the economic reactivation of Galicia
- PG. 08 Catalogues
- PG. 09 Social services centres. Concept
- PG. 11 Process flowchart
  
- PG. 13 2. Procedures for setting up a social services centre
- PG. 14 Summary of the process
- PÁG. 16 Preliminary formalities
  
- PG. 19 3. Obligations and requirements of social services entities and centres
- PG. 21 General
- PG. 22 Specific requirements
  
- PG. 25 4. Application for the project to be declared a priority business initiative (IEP)
  
- PG. 29 5. Registration with the Single register of entities providing social services (RUEPSS) and authorisations
- PG. 31 Registration of the entity with the RUEPSS
- PG. 32 Authorisation for the setting up or construction of social services centres
- PG. 33 Authorisation for the substantial modification of the setting up or construction of social services centres
- PG. 35 Authorisation for the start of activities of centres and programmes/start of complementary services
- PG. 37 Change of ownership of authorised centres or programmes
  
- PG. 39 6. Municipal procedures
- PG. 40 Possibility of submitting prior consultations to the town council
- PG. 40 Special plan for infrastructures and facilities for centres located on rural land
- PG. 42 Payment of taxes, if applicable
- PG. 43 Works intended for the development of an activity
- PG. 48 Submission of prior notification of the start of the activity without carrying out works
- PG. 51 Changes of ownership of the activity or establishment
  
- PG. 53 7. Other procedures related to the activities of social services centres
- PG. 54 Cessation of activities of centres and programmes and notifications of modification and cancellations in the RUEPSS
  
- PX. 55 Annex. Training of personnel related to the activities of the social services centres
- PG. 57 Early childhood education teacher
- PG. 57 Carers and geriatric assistants
- PG. 58 Managers of centres for the elderly and for persons with disabilities
- PG. 58 Playroom personnel



## 1. INTRODUCTION

## LAW ON ADMINISTRATIVE SIMPLIFICATION AND SUPPORT FOR THE ECONOMIC REACTIVATION OF GALICIA

The Galician Parliament has recently approved **Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.**

The **purpose** of this law is to establish the necessary measures to facilitate the regeneration of economic activity following the crisis generated by the consequences of the Covid-19 pandemic, within the framework of the powers of the Autonomous Community of Galicia, from a perspective of **administrative simplification that promotes the establishment and operation of business initiatives in Galicia.**

Title II of the Law regulates the administrative support systems for the start-up of business initiatives and is divided into three chapters. Chapter I creates the **Investment Assistance System**, as a key element to respond to the classic demand of citizens in general, and of groups linked to business in particular, regarding the existing difficulties in obtaining the information and guidance they need to start up their business initiatives, through a mentoring and information service that **offers the possibility of carrying out the administrative procedures at regional and even local level, in the cases of sign-up of the local authorities to this initiative.**

## CATALOGUES

As a measure to support the implementation of business initiatives, Chapter I refers to the creation of a series of **catalogues** approved by the Council of the Regional Government of Galicia (Xunta de Galicia). Point 1 of Article 14 specifies that, through the Investment Assistance System, it will be possible to access, free of charge, the **"catalogues that clearly and chronologically list all the administrative procedures and actions required for the undertaking of business initiatives, including those of municipal competence of the local authorities that sign up to the Investment Assistance System"**.

These elements, which will need to be updated constantly, represent a great simplification for companies and, in particular, for entrepreneurs, who will be able to consult the processes required of them by the regional administration, which will make it easier to understand, plan and process the administrative part.



## SOCIAL SERVICES CENTRES. CONCEPT

The aim of this catalogue is to set out the procedures necessary for the implementation of **social services centres** in Galicia.

In accordance with article 27.23 of the Statute of Autonomy of Galicia, this autonomous region has exclusive competence in matters of social welfare. The regulation of social services in Galicia is governed by Law 13/2008, of 3 December, on social services, and Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia.

Article 66.3 of Law 13/2008 establishes **that all those facilities that have been legally typified in which services, programmes and activities of social services in the different social areas are carried out in a stable and continuous manner will be considered as social services centres.**

The ownership or management of social services centres corresponds to the entities providing social services, which are defined in article 66.1 of Law 13/2008 as any natural or legal person, legally recognised as such, owning or managing social centres and/or developing social programmes or services in the areas of action set forth in the applicable regulations.

Entities providing social services may be public or personal. Within the latter, in accordance with article 12 of Decree 254/2011, a distinction may be drawn:

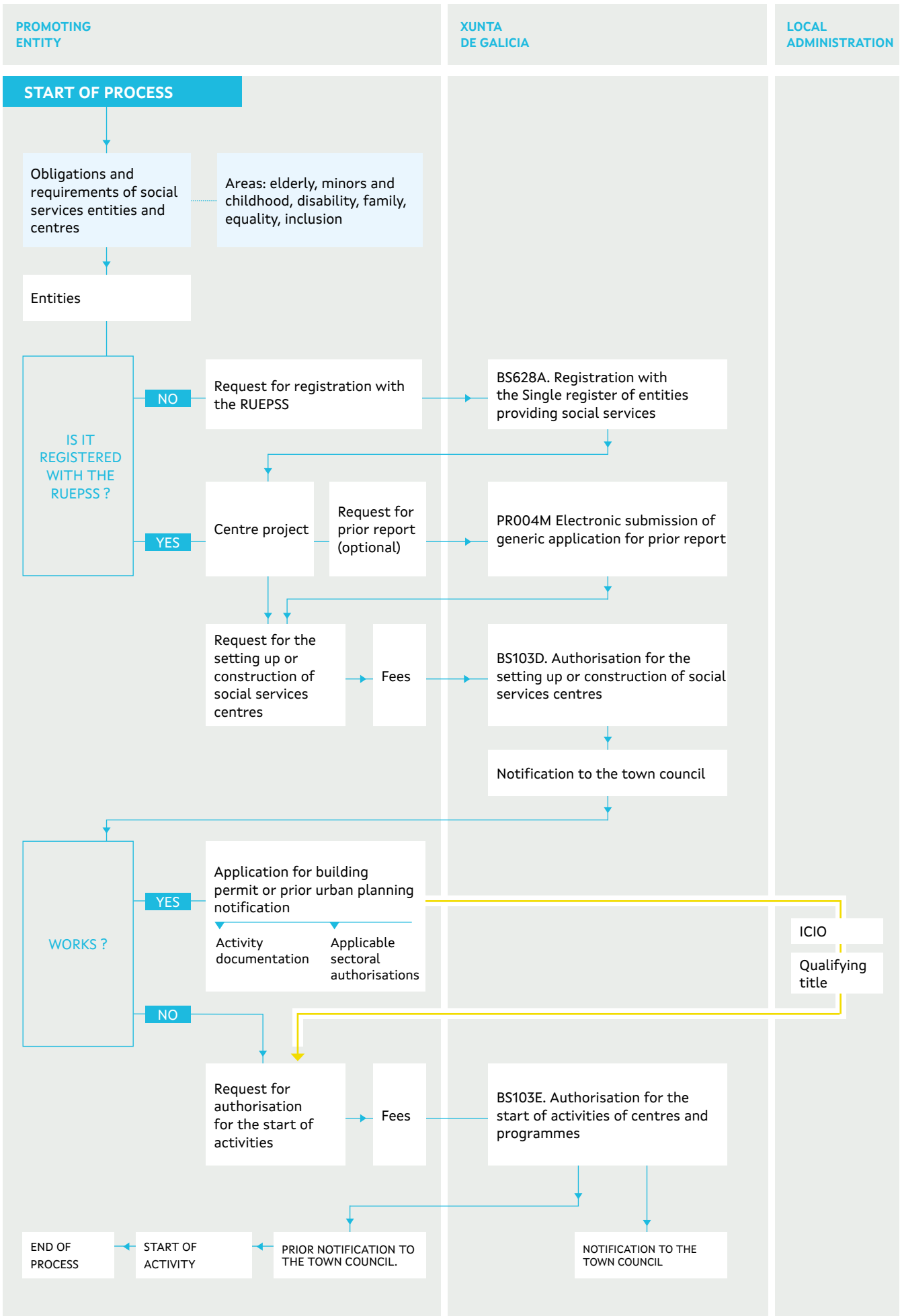
- **Personal social initiative entities:** non-governmental organisations and institutions that carry out social service activities on a non-profit basis.
- **Private entities of a commercial nature:** profit-making natural persons and legal entities that carry out social service activities. Limited liability companies and public limited companies will have a commercial nature regardless of their purpose.

Therefore, **natural persons and legal entities, whether of a social initiative or a commercial nature, may act as entities providing social services and, consequently, establish social services centres,** as well as manage programmes and benefits of this nature, in accordance with the provisions of Law 13/2008.

Such entities, which must be registered with the Single register of entities providing social services (RUEPSS, as per its Galician acronym), dependent on

the Regional Ministry of the Xunta de Galicia with competence in social services, will be also classified according to their strategic area/s of action (community, dependency, disability, family, equality, inclusion, childhood, elderly or minors). These areas of action in the field of social services define the typology of the centres, programmes and services, which may be:

- Centres for the elderly.
- Centres for people with disabilities.
- Centres for children.
- Centres for minors.
- Centres for families.
- Centres for victims of gender violence.
- Centres for inclusion.
- Programmes.





## 2. PROCEDURES FOR SETTING UP A SOCIAL SERVICES CENTRE

## SUMMARY OF THE PROCESS

The purpose of this catalogue is the process for setting up a social services centre in our autonomous region, in accordance with the provisions of Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia, which develops the provisions of Title VIII of Law 13/2008.

The provision of social services in Galicia is a regulated activity subject to a system of registration and prior authorisation, as set forth in article 68.1 of Law 13/2008 on social services in Galicia.

Before briefly analysing the different steps of the process, it is necessary to consider the **obligations** that the regulations impose on the entities providing social services registered with the RUEPSS (articles 6 and 8 of Decree 254/2011), as well as the general **requirements** that all social services centres must meet and the specific applicable requirements according to their typology and the people to whom they are addressed (article 7 of Decree 254/2011).

The process for setting up a social services centre involves the fulfilment of a series of formalities, which are summarised below:

- **Registration with the RUEPSS.** Registration with the RUEPSS is a mandatory requirement for the provision of social services in Galicia. Entities providing social services, both private and public, for-profit or non-profit, that own or manage centres that develop programmes or carry out activities related to social services in the territory of the Autonomous Region of Galicia must be registered with the RUEPSS.

The procedure will begin with the submission of the corresponding standard application for registration, together with the mandatory documents established in article 13 of Decree 254/2011, to the competent body for authorisation and inspection of the Regional Ministry of Galicia with competence in social services. The procedure for requesting registration through the electronic office of the Xunta de Galicia is BS628A. Registration will be carried out automatically in cases of granting authorisation for the setting up/construction or commencement of activity of a social services centre.

Any changes to the registered data must be communicated to the registry (the procedure enabled in the electronic office is BS628C), although in some cases this modification will be made automatically. This also applies to the cancellation of registration, which will be carried out at the request of a party, who must inform of the causes and the planned date for the cessation of activities (the procedure enabled in the electronic office is BS628B), or automatically in cases in which the entity no longer meets the requirements that were considered for its registration, no longer provides social service activities, fails to submit the annual report of activities for the last two years or as a result of the imposition of a sanction that entails this.

- **Application for authorisation for the setting up or construction of social services centres.** The aim of this authorisation is to adapt the technical project for the construction or reform of the building to the specific applicable regulations, according to the type of centre to be created, the services to be provided and the people for whom it is intended.

The procedure will begin with the submission of the corresponding standard application for registration, together with the mandatory documents established in article 23 of Decree 254/2011 and proof of payment of the corresponding fees, to the competent body for authorisation and inspection of the Regional Ministry of Galicia with competence in social services. The procedure for requesting the setting up through the electronic office of the Xunta de Galicia is BS103D.

Once the necessary documents have been submitted, a technical report will be issued on the suitability of the project to comply with the requirements set out in the specific applicable regulations. If appropriate, the interested party may be required to make the necessary changes within a period of one month. Failure to make any changes will result in the refusal of the authorisation requested.

In the event that changes are made to the technical project after obtaining the authorisation for the setting up or construction and before obtaining the permit to commence activities, the entity must submit an application for the modification of the setting up of social services centres (the procedure enabled in the electronic office is BS103D).

The granting of the authorisation does not exempt the owner entity from applying for the authorisation to start the activity once the work has been completed.

- 
- **Approval of a special Plan for infrastructures and facilities**, in the event that the social services centre is to be located on rural land and this does not comply with the provisions of article 40 for traditional buildings. In this case, article 35.4 of Law 2/2016, of 10 February, on Galician land, requires the prior preparation and approval of a special Plan for infrastructures and facilities.
- 
- **Application for building permit or prior urban planning notification**. When the project involves the construction of an establishment and the carrying out of works, a building permit must be applied for or a prior notification must be submitted, as applicable. Likewise, since the purpose of the works is the development of an activity, a specific regime is established, which determines that the promoter must expressly state this circumstance and, together with the application for the building permit or with the prior notification, submit the documents detailed in the municipal procedures section of this document.
- 
- **Application for authorisation to start the activities of social services centres and programmes**. The opening or start-up of a social services centre is subject to obtaining the corresponding authorisation to start activities. The purpose of this authorisation is to verify that the centres to be set up have the specific material, personnel and functional means for the correct provision of the relevant social services. In order to be processed, it is essential that the works and facilities are fully completed and duly equipped. The procedure enabled in the electronic office to process this authorisation is BS103E.
- 
- **Prior notification to the town council for the start of the activity**. Once the work has been completed, or in cases where no building work is necessary, once the setting up and start of activities of a centre has been authorised, the promoter must submit a prior notification for the start of the activity, together with the documents detailed in the municipal procedures section of this document.
- 
- **Substantial changes to social services centres and programmes**. When the centres are in operation, changes that imply a functional alteration or change of use in the facilities, an increase in places or an increase/reduction of the authorised units that involve the transfer of the facility or the authorised programme to a different location, will require administrative authorisation to be obtained prior to their implementation. The procedure enabled in the electronic office to process this authorisation is BS103K.

In the event that the centres had produced **hazardous waste**, they should apply for the corresponding registration with the register of waste producers and managers of Galicia prior to the start of the activity, in accordance with the procedure established in the following link:

[https://sirga.xunta.gal/c/document\\_library/get\\_file?file\\_path=/portal-sirga/Tramites/Autorizacions/Ficha\\_PP-RP\\_2021.pdf](https://sirga.xunta.gal/c/document_library/get_file?file_path=/portal-sirga/Tramites/Autorizacions/Ficha_PP-RP_2021.pdf)

Likewise, centres with **combustion installations for heating with power >1MWt** are subject to notification of atmospheric emissions through the MT201Q procedure enabled in the electronic office of the Xunta de Galicia.

Finally, it should be noted that, depending on the amount of investment in the project, job creation, and whether the project is a driving force or complements the value chain in strategic sectors, these social services projects may be classified as **priority business initiatives (IEPs)**, meaning that the procedure may be speeded up. The procedure enabled in the electronic office for processing the IEP declaration application is IG300D.

This catalogue does not include the formalities relating to the establishment of the company, which imply the endowment of legal personality and the capacity to contract. These procedures, customary for the establishment of any company, refer to the legal form of the company and its legal, commercial, tax and labour security, in order to be able to carry out its activity. Those relating to the area of occupational risk prevention are not included either.

## PRELIMINARY FORMALITIES

The catalogue will also address the procedure for the start of the activity within the scope of the town council where the establishment is located.

The first step to be taken by the promoter for the implementation of the physical establishment is to **check the urban planning regime that applies to the plot or building where the activity is to be implemented.**

Thus, in accordance with the provisions of article 87.2.a) of Law 2/2016, of 10 February, on Galician land:

*“Every person has the right to be informed in writing by the corresponding town council about the urban planning regime and conditions applicable to a specific plot of land or to the sector, estate or planning area in which it is included.*

*This information must be provided in a term that may not exceed two months from the submission of the request in the municipal register.”*

Depending on the specific location of the activity and the urban classification of the land according to the applicable urban planning and the urban regulations in force, different requirements will apply, and therefore this information must be provided by the respective town council, prior to any other procedure, in order to **determine the urban viability of the activity.**

### Sectoral reports or authorisations

The information on the sectoral effects applicable to a plot may be consulted by anyone interested in the **Basic Regional Plan of Galicia**, which is a dynamic tool that is essential to reflect the complex reality of sectoral regulations on the territory and which allows the public to have access to all relevant information from a territorial point of view, updated and universally accessible, throughout our Autonomous Region.

The viewer of the Basic Regional Plan of Galicia may be consulted through the following link:

<http://mapas.xunta.gal/visores/pba/>

### Setting up on rural land: legal regime

#### 1. General legal regime of rural land

In the event that the social services centre is intended to be located on rural land, the provisions of article 35.1 of Law 2/2016, of 10 February, on Galician land, and 50.1 of Decree 143/2016, of 22 September, which approves its



implementing Regulations, which include among the admissible uses on rural land “the constructions and facilities for public or private equipment and endowments”, must be taken into account.

Social services centres are considered as equipment, and therefore, within the framework of the requirements set out in the current urban planning regulations for rural land, they would be admissible following the approval of a special infrastructure and facilities plan, unless the action may be included in the provisions of article 40 for existing traditional buildings, as indicated in article 35.4. of Law 2/2016, of 10 February.

The special infrastructure and facilities plan is a planning instrument provided for in article 73 of Law 2/2016, of 10 February, and in article 183 of Decree 143/2016, of 22 September, whose preparation and approval procedure is regulated in articles 74, 75 and 76 of Law 2/2016, of 10 February, and in articles 185, 186 and 187 of its Regulations.

Likewise, it should be taken into account that, in the event that it is to be set up on land classified as specially protected rural land in accordance with the provisions of article 36.2. of Law 2 /2016, of 10 February, and in articles 51.2. and 63.3 of Decree 143/2016, of 22 September, authorisation or a favourable report must be requested from the body with the corresponding sectoral competence.

## **2. Specific regime for existing traditional buildings on rural land and rural settlement land**

Article 40 of Law 2/2016, of 10 February, on Galician land, and article 63 of Decree 143/2016, of 22 September, which approves its implementing Regulations, allow the implementation of facilities in existing traditional buildings in any category of rural settlement land or rural provided that they existed before 25 May 1975 (entry into force of Law 19/1975, of 2 May, of reform on the land and urban planning regime).

With regard to the possible works, it is permitted, without the need to comply with the applicable urban planning parameters except for the height limit, to reform, rehabilitate, rebuild and extend, even in independent size, up to 50% of the original size of the traditional building, and the necessary municipal urban planning permit must be obtained.

In any case, on specially protected rural land, it will be necessary to obtain authorisation or a favourable sectoral report from the body with the corresponding sectoral competence.

## **3. Specific regime in the buildings executed on rural land with urban planning permission**

The third transitional provision of Law 2/2016, of 10 February, on Galician land allows the implementation of equipment in the buildings built on rural land under planning permission, and may be carried out subject to a municipal licence, works of improvement and reform and extension of the lawfully built surface area, subject to the following requirements:

In the case of land included in the specially protected rural land, the authorisation or favourable report must be obtained from the body with the corresponding sectoral competence.

The building conditions stipulated in article 39 of Law 2/2016, of 10 February, and in the corresponding urban planning must be complied with.



### 3. OBLIGATIONS AND REQUIREMENTS OF SOCIAL SERVICES ENTITIES AND CENTRES

The provision of social services in Galicia may be carried out by natural persons or legal entities of a private nature, although this activity is subject to a system of registration and prior authorisation. This system is regulated in Chapter I of Title VIII of Law 13/2008, on social services in Galicia, and developed by Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia. This system is aimed at ensuring compliance with the general and specific requirements for each of the centres, respect for the rights of users and the suitability of the services to their needs.

Therefore, before starting any project for the provision of social services, the obligations and requirements that must be fulfilled by both the entities and the social services centres in our autonomous region must be taken into account.

Typology	Obligations/requirements
<p><b>OBLIGATIONS OF THE ENTITIES PROVIDING SOCIAL SERVICES.</b></p> <p><b>ARTICLE 6.</b></p>	<ul style="list-style-type: none"> <li>• To keep the data in the Single register of entities providing social services (RUEPSS) updated at all times.</li> <li>• In the first quarter of the year, to prove the continuation of their activities by submitting the previous year's report of activities to the RUEPSS. Once the annual report has been included, it will be accessible to all citizens. Failure to submit the report for two consecutive years will result in the automatic cancellation of the entity's registration with the RUEPSS.</li> <li>• To provide the autonomous Administration with all the information it requests within the scope of its competences.</li> <li>• To be subject to the inspection and sanctioning powers of the Regional Ministry with competencies in the area of social services.</li> <li>• To submit the centres, programmes and/or services under their ownership to the authorisation system regulated in this decree, in accordance with the regional regulations that define and regulate them.</li> <li>• To inform users in advance, in a clear and understandable manner, about the regime of services they provide, their conditions, the prices or fees to be charged, when applicable, and the payment method.</li> <li>• To ensure the good general condition and upkeep of the equipment and facilities where services are provided and to treat users correctly and in a non-discriminatory manner.</li> <li>• To have a complaints book available in each facility open to the public for users, their families, legal representatives or guardians and/or a procedure that guarantees the management of complaints and suggestions submitted.</li> <li>• To forward to the Social Services Inspectorate of the Xunta de Galicia a copy of the complaints submitted, within a maximum period of 3 working days, together with a report justifying the background and the actions carried out for their management.</li> </ul>
<p><b>GENERAL REQUIREMENTS FOR SOCIAL SERVICES CENTRES OR PROGRAMMES.</b></p> <p><b>ARTICLE 7.</b></p>	<ul style="list-style-type: none"> <li>• To be correctly identified and signposted on the outside of the facilities, unless otherwise advised by the nature and purpose of the service. Likewise, the inside of the facilities must be signposted to facilitate access, orientation and information on the location of the services for all persons.</li> <li>• To have operating rules, approved by the body responsible for the authorisation and inspection of social services of the Xunta de Galicia, which guarantee respect for the rights of users and lay down the conditions for the provision and development of services.</li> <li>• To have a record of registrations and cancellations of users and an individual file for each of them, with the minimum necessary documentation determined by the specific applicable regulations. In any case, the entity must guarantee the protection of personal data in accordance with the provisions of the data protection regulations in all applicable matters.</li> <li>• To have the necessary damage insurance policy to guarantee the repair of damages to the building, as well as a civil liability policy that guarantees the coverage of compensation to users and/or third parties for damages and losses caused by damages to the building and/or the provision of the services.</li> <li>• To display in a place visible to the public the documentation accrediting the authorisations and licences granted, the operating rules previously approved by the Administration and the informative poster on the existence of a complaints book available to users. Additionally, basic information must be displayed on the services provided, opening hours and periods of operation of the service, as well as, whenever the nature of the service does not make it inadvisable, the prices or fees payable for the provision of the services, where the total amounts of the basic services and optional services or those that may be charged separately must be clearly detailed.</li> </ul>

- To have the necessary furnishings, technical aids, material and personnel for the appropriate provision of the services according to the characteristics and needs of the users.
- To have an external telephone connection and an e-mail address.
- To have a person in charge of the management or coordination of the programme or service.

**DUTIES OF ENTITIES THAT RECEIVE PUBLIC FUNDING FOR THE PROVISION OF SOCIAL SERVICES. ARTICLE 8.**

In addition to complying with the aforementioned obligations, providers that receive or intend to access public funding for the provision of social services must:

- Register with the RUEPSS prior to commencing their activities.
- Comply with the guidelines for the planning of social services of the Xunta de Galicia.
- Provide, through the report, a detailed description of its annual objectives, the activities carried out in order to achieve them and an assessment of the results obtained. Additionally, the totality of the subsidies received, their origin, amount and destination, the number of members, collaborators and users of the services or activities carried out, as well as a detailed balance sheet of the income and expenses accounts must be stated.
- When public funding is used to carry out works for the setting up/construction or substantial modification of centres subject to prior authorisation, they must certify that they have, prior to their execution, the applicable authorisation for the setting up/construction or substantial renovation.
- Without prejudice to the provisions of the regulations in force on public subsidies, if the registration of an entity is cancelled or the cessation of activities of centres or programmes that received public funding is authorised, the granting body will be informed so that it may initiate the procedure for reimbursement of the part of the funding that has not been amortised. For these purposes, it will be understood that funding for real estate investment is amortised after 20 years and funding for equipment is amortised after 5 years.

## SPECIFIC REQUIREMENTS

In addition to the general requirements, the entities owning and managing services, centres and programmes must comply with the specific requirements that, according to their typology and the persons to whom they are addressed, are established in the applicable regulations, as well as having available in the centre or in the facilities where the programme is carried out all the documentation accrediting compliance with the specific requirements. The following table summarises the areas and types of social services centres for which specific requirements are set out.

Area	Type of centres/services
1. ELDERLY PEOPLE	<ul style="list-style-type: none"> <li>• Day care for the elderly.</li> <li>• Day care for Alzheimer’s patients.</li> <li>• Residential homes for the elderly.</li> <li>• Community housing/supervised flats.</li> </ul>

	<ul style="list-style-type: none"> <li>• Residential homes.</li> <li>• Overnight/temporary stay service.</li> </ul>
<b>2. CHILDREN AND MINORS</b>	<ul style="list-style-type: none"> <li>• Nursery schools and childcare centres.</li> <li>• Playrooms.</li> <li>• Children's spaces.</li> <li>• Complementary dining, night care or day care services.</li> <li>• Residences.</li> <li>• Day care.</li> <li>• Supervised flats.</li> <li>• Training workshops.</li> </ul>
<b>3. DISABILITY</b>	<ul style="list-style-type: none"> <li>• Day care.</li> <li>• Occupational centres.</li> <li>• Residences.</li> <li>• Supervised flats/houses.</li> <li>• Overnight/temporary stay service.</li> </ul>
<b>4. FAMILIES</b>	<ul style="list-style-type: none"> <li>• Family meeting points.</li> </ul>
<b>5. EQUALITY</b>	<ul style="list-style-type: none"> <li>• Shelters.</li> </ul>
<b>6. INCLUSION</b>	<ul style="list-style-type: none"> <li>• Provisional shelters.</li> <li>• Shelters.</li> <li>• Community dining halls.</li> <li>• Continuing social care centres.</li> <li>• Inclusion day care.</li> </ul>

Based on the previous classification, below are the regulations that set out the specific requirements according to the type of centre.

### 1. Centres for the elderly and centres for people with disabilities.

- Order of 18 April 1996, which develops Decree 243/1995, of 28 July, with regard to the regulation of the specific conditions and requirements that care centres for the elderly must fulfil.
- Order of 20 July 2010 amending Order of 18 April 1996, with regard to the regulation of the specific conditions and requirements that care centres for the elderly must fulfil.
- Order of 13 April 2007 amending Order of 18 April 1996, which regulates the specific requirements that care centres for the elderly must fulfil.
- Decree 19/2008, of 7 February, which creates the Galician Network of Social Care Day Care Centres for persons with Alzheimer's and other neurodegenerative dementias.
- Order of 25 June 2008, which regulates the specific requirements that day centres and social care units for people with Alzheimer's and other dementias must fulfil.

## **2. Centres for children and centres for minors.**

- Decree 329/2005, of 28 July, which regulates centres for minors and centres for children.
- Decree 354/2003, of 16 September, which regulates playrooms as social services centres and establishes their requirements.

## **3. Centres for families.**

- Decree 96/2014, of 3 July, which regulates family meeting points in Galicia.

## **4. Shelters for women victims of abuse.**

- Order of 1 April 1997, which regulates the specific requirements that shelters for women victims of abuse must fulfil.

## **5. Centres for social inclusion.**

- Order of 25 January 2008, which regulates the specific requirements that social inclusion and emergency centres must fulfil.



4. APPLICATION FOR THE PROJECT  
TO BE DECLARED A PRIORITY BUSINESS  
INITIATIVE (IEP)

The **priority business initiative (IEP, as per its Galician acronym) declaration** is a procedure that may be used to speed up the processing of a social services centre project, provided that the requirements set out in Law 5/2017, of 19 October, on the promotion of the implementation of business initiatives in Galicia are met.

Natural persons and legal entities intending to start an activity may apply for the IEP declaration provided that they meet at least **two of the following requirements**:

- a) Involving a minimum investment volume in fixed assets, excluding real estate, of one million euros, including those electricity generation projects from renewable sources whose final destination of the electricity produced is the supply of Galician industry.
- b) Involving the creation of a minimum of 25 direct jobs, under the modality of an indefinite contract and calculated on a full-time basis, not being applicable to projects regulated in Law 8/2009, of 22 December.
- c) Instruments for the mobilisation, recovery, production and sustainable use of agricultural and forestry land, as well as comprehensive rural development plans or actions.
- d) Complementing value chains or belonging to sectors considered strategic or that are integrated in the financing of the temporary European recovery instrument, Next Generation EU.

The Council of the Xunta de Galicia may reduce, by agreement, the thresholds stated in sections a) and b) in the case of collective entrepreneurship initiatives or initiatives that contribute to the social and labour integration of people with disabilities or at risk of exclusion through business formulas of the social economy.

Among the effects that the IEP declaration may have are the following:

- **Priority** will be given to the completion of the procedures within the competence of the regional administration related to priority business initiatives.
- The existence of an IEP declaration will determine the existence of reasons of public interest for the purposes of the **urgent processing** of the related procedures.
- The Doing Business in Galicia Office will **monitor and promote** the subsequent administrative procedures necessary for its implementation.

There is a standardised procedure (IG300D) in the electronic office for its processing, which is detailed in the following summary table:

### IG300D. Priority business initiative declaration

<b>RESPONSIBLE BODY</b>	Galician Institute for Economic Promotion (IGAPE, as per its Galician acronym).
<b>DESCRIPTION</b>	<p>Applications may be submitted by interested parties with projects that meet the following requirements:</p> <ul style="list-style-type: none"> <li>• Bringing added value to the Autonomous Region of Galicia in the areas of innovation, territorial structuring, competitiveness, internationalisation, environmental protection, labour equality or conciliation.</li> <li>• At least two of the following requirements in terms of investment and job creation must be fulfilled: <ul style="list-style-type: none"> <li>a) That they involve the creation of 25 or more direct jobs under a full-time permanent contract.</li> <li>b) That they involve investment in fixed assets, excluding real estate, for an amount equal to or greater than one million euros (€1,000,000).</li> <li>c) That they are driving projects or projects that complement value chains or that belong to sectors considered to be strategic.</li> </ul> </li> </ul>
<b>DOCUMENTATION</b>	<ul style="list-style-type: none"> <li>• Standard application form (Annex I).</li> <li>• Detailed report on the planned initiative.</li> <li>• Documentation accrediting the measures to be implemented.</li> </ul>
<b>PROCEDURE</b>	<ul style="list-style-type: none"> <li>• Completion of an electronic preliminary application form describing the circumstances of the applicant and the project (<a href="http://www.tramita.igape.es">http://www.tramita.igape.es</a>), after which an electronic document identifier (IDE, as per its Galician acronym) will be issued.</li> <li>• Submission of the application electronically using the standard form (Annex I) and supporting documentation. The IDE must be included in the application.</li> <li>• The IGAPE may request reports from the affected regional ministries, assess whether the requirements are met and issue a binding report, forwarding the application and all accrediting documentation to the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation.</li> <li>• The IEP declaration must be agreed by the Council of the Xunta de Galicia.</li> </ul>
<b>COMPULSORY</b>	No
<b>DEADLINES</b>	Open all year round.

---

**ONLINE PROCESSING** Yes

Procedure IG300D.

---

**ON-SITE** No

**REGULATIONS**

- Law 5/2017, of 19 October, on the promotion of the implementation of business initiatives in Galicia (title IV, articles 42 and subsequent).
-

5. REGISTRATION WITH THE SINGLE REGISTER OF  
ENTITIES PROVIDING SOCIAL SERVICES (RUEPSS)  
AND AUTHORISATIONS

The Xunta de Galicia has among its competences the authorisation and accreditation of social services centres, services and programmes, as well as their classification and the regulation of the minimum requirements, both general and specific, as stated in article 59 d) of Law 13/2008, of 3 December, on social services in Galicia.

Prior to this, entities that have a technical project for the setting up of a social services centre may optionally request a prior **report** issued by the competent body for authorisation and inspection of the Regional Ministry of Galicia with competence in social services, assessing the **feasibility** of the centre in accordance with the regulations in force according to its typology. This report is for information purposes and is not binding for the Administration. Entities interested in this feasibility study may submit a generic application, through the standardised procedure PR004A, together with the following documentation:

- Explanatory report on the location, the type of centre intended to be created, the typology or profile of the target users, the programme to be developed in the facilities, the services to be provided and an estimate of the centre's capacity or number of places.
- At least a scale plan with the distribution of uses and spaces.

Regardless of the feasibility report, the administrative procedures for authorising a social services centre are as follows:

1. Registration of the entity with the Single register of entities providing social services (RUEPSS).
2. Authorisation for the setting up or construction of centres.
3. Authorisation for the substantial modification of the setting up or construction of centres.
4. Authorisation for the start of activities of centres and programmes/start of activities of complementary services.

The procedures related to the registration of the owning entity with the RUEPSS, the authorisation for the setting up/construction of centres and the authorisation for the start of the centre's activities are mandatory for all centres.

The procedures related to the substantial modification of centres and programmes and to the start of complementary service activities are optional and will only be activated if this circumstance occurs for the corresponding centre or centres for which authorisation is requested.

The following tables summarise the characteristics of each of the aforementioned procedures.

## REGISTRATION OF THE ENTITY WITH THE RUEPSS

In accordance with article 67 of Law 13/2008, entities owning or managing centres must be registered with the RUEPSS prior to starting their activities. Registration is limited to the Autonomous Region of Galicia and is indefinite, although the entity must accredit its activities on an annual basis.

Once registered, the entity may consult all the information relating to its registration on the RUEPSS website.

### BS628A. Registration with the Single register of entities providing social services (RUEPSS)

<b>RESPONSIBLE BODY</b>	Subdirectorate General for Authorisation and Inspection of Social Services.
<b>DESCRIPTION</b>	Entities providing social services, both private and public, that own or manage centres in the territory of the Autonomous Region of Galicia must register with the RUEPSS.
<b>DOCUMENTATION</b>	<ul style="list-style-type: none"> <li>• Standard application form (Annex I).</li> <li>• Name of the entity and of the centres or programmes it owns. The name chosen may not coincide with others already registered with the RUEPSS.</li> <li>• In the case of legal entities, a document accrediting the composition of the governing body.</li> <li>• In the case of legal persons, certificate of registration of the entity with the applicable official register.</li> <li>• If the entity is to be classified as a social initiative, certificate of compliance with the requirements set out in article 12.1.b)1 of Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia.</li> <li>• Specific social services project to be developed by the entity within the framework of the objectives of article 3 in relation to article 18 of Law 13/2008, of 3 December, on social services in Galicia, the people for whom it is intended, the address of the facilities where the activities will be carried out and the portfolio of services to be provided.</li> <li>• In the case of representation, a document accrediting it by any legally valid means.</li> <li>• In the case of legal entities, a copy of the act or agreement of constitution of the entity and its articles of association.</li> </ul>
<b>COMPULSORY</b>	Yes
<b>DEADLINES</b>	Open all year round.
<b>RESOLUTION</b>	Three months.
<b>SILENCIO</b>	Negative.
<b>ONLINE PROCESSING</b>	Yes Procedure BS628A.
<b>ON-SITE</b>	Yes At any of the places provided for in article 16.4 of Law 39/2015, of 1 October, on the common administrative procedure for public administrations.
<b>WHERE TO OBTAIN FURTHER INFORMATION</b>	Territorial offices of the Regional Ministry of Social Policy/Subdirectorate General for Authorisation and Inspection of Social Services.

## REGULATIONS

- Law 13/2008, of 3 December, on social services in Galicia. Article 67.
- Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia. Articles 11, 12 and 13.

## AUTHORISATION FOR THE SETTING UP OR CONSTRUCTION OF SOCIAL SERVICES CENTRES

Whether it is a new centre or a refurbishment of an existing centre, the installation or installations must be authorised by the Regional Ministry of Social Policy, as established in article 68.1 of Law 13/2008.

### BS103D. Authorisation for the setting up or construction of social services

#### RESPONSIBLE BODY

Subdirectorate General for Authorisation and Inspection of Social Services.

#### DESCRIPTION

The aim of this authorisation is to adapt the technical project for the construction or reform of the building to the specific applicable regulations, according to the type of centre to be created, the services to be provided and the people for whom it is intended.

#### DOCUMENTATION

- Standard application form (according to the model in Annex II).
- Explanatory report stating the rights over the plot and/or building, its location, the description of the centre, its typology, the people for whom it is intended and an estimate of the number of places foreseen.
- Technical documentation of the project in electronic format, with the scope and definition required by the Technical building code for execution projects, signed by competent technical personnel.
- In the case of representation, a document accrediting it by any legally valid means.
- Administrative fees derived from the processing of the application.

**COMPULSORY** Yes

#### DEADLINES

Open all year round.

#### RESOLUTION

Six months.

#### SILENCIO

Negative.

**ONLINE PROCESSING** Yes

Procedure BS103D.

**ON-SITE** No



<b>WHERE TO OBTAIN FURTHER INFORMATION</b>	Territorial offices of the Regional Ministry of Social Policy/Subdirectorato General for Authorisation and Inspection of Social Services.
<b>REGULATIONS</b>	<ul style="list-style-type: none"> <li>• Law 13/2008, of 3 December, on social services in Galicia. Article 68.</li> <li>• Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia. Articles 22 and 23.</li> </ul>

## BS103D PROCEDURE FEE

<b>RESPONSIBLE BODY</b>	Galician Tax Agency.
<b>DESCRIPTION</b>	<p>This procedure is subject to the payment of the following fee:          Authorisation of services, centres and programmes.          Fee code: 31.27.01.          You may check the amount by clicking on the following link: <a href="#">Current fees</a>.</p>
<b>DOCUMENTATION</b>	Form 731 or self-assessment form.
<b>COMPULSORY</b> Yes	
<b>ONLINE PROCESSING</b> Yes	<p>Virtual Tax Office.          The procedure may be carried out through the electronic office once the application for the setting up/construction of social services centres is being processed.</p>
<b>ON-SITE</b> Yes	Print out form 731 completed or a blank self-assessment form and fill it in to make the payment in person at a collaborating financial institution.
<b>REGULATIONS</b>	<ul style="list-style-type: none"> <li>• Law 6/2003, of 9 December, on fees, prices and regulatory levies of the Autonomous Region of Galicia.</li> </ul>

## AUTHORISATION FOR THE SUBSTANTIAL MODIFICATION OF THE SETTING UP OR CONSTRUCTION OF SOCIAL SERVICES CENTRES.

If, once the setting up/construction authorisation has been obtained, and **before obtaining the activity start permit**, changes are made to the technical project of the work, it will be mandatory to process the application for authorisation of modification through the BS103D procedure of the electronic office of the Xunta de Galicia described in the previous section. In accordance with article 28 of Decree 254/2011, the following are considered to be substantial modifications:

- The changes to the technical project of the work once the authorisation for the setting up or construction of the centre has been obtained.

**In the event that the centre is already in operation**, it will be mandatory to process the application for authorisation of substantial modification of centres and programmes by means of the BS103K procedure of the electronic office of

the Xunta de Galicia. Substantial modifications of a centre or programme will be considered to be those changes in the structure provided that they involve any of the following circumstances:

- A functional alteration or change of use of the authorised facilities.
- An extension of places or an extension or reduction of the authorised units.
- The transfer of the reference facility of the authorised programme to a different location. Transfers of authorised centres to a different facility will in all cases require a new authorisation for the setting up and commencement of activities.

### BS103K. Authorisation for the substantial modification of social services centres and programmes

<b>RESPONSIBLE BODY</b>	Subdirectorate General for Authorisation and Inspection of Social Services.	
<b>DESCRIPTION</b>	Entities providing social services must request authorisation for the substantial modification of social services centres or programmes.	
<b>DOCUMENTATION</b>	<ul style="list-style-type: none"> <li>• Application form (according to the model in Annex II).</li> <li>• Explanatory report on the change requested, justification of its purpose and detailed description of the proposed structural, material or functional alterations to the authorised services, as well as the expected timeframe for the execution of the works.</li> <li>• Where appropriate, the technical documentation necessary for the issuing of the technical report that ensures compliance of the project with the specific regulations will be sent prior to its execution.</li> <li>• Where appropriate, draft operating rules for approval and, if applicable, model contract to be signed with the users, and price or fee system.</li> <li>• Project for the modification/extension of the civil liability policies for the operation of the centre or programme and of the insurance policy for damages caused by accidents to the building in which the service is carried out (where applicable).</li> <li>• Where applicable, list of new personnel, stating the number of persons, their involvement in the service, their employment or contractual relationship with the owning body and their qualifications. In the case of centres for children, it must also be accredited that the new personnel have basic knowledge of first aid, have passed a medical examination, have been vaccinated against rubella, have knowledge of food handling and have a negative certificate from the Central Register of Sex Offenders.</li> <li>• In the case of representation, a document accrediting it by any legally valid means.</li> <li>• Administrative fees derived from the processing of the application.</li> </ul>	
<b>COMPULSORY</b>	Yes	Yes when a substantial modification is executed.
<b>DEADLINES</b>	Open all year round.	
<b>RESOLUTION</b>	Six months.	
<b>SILENCIO</b>	Negative.	
<b>ONLINE PROCESSING</b>	Yes	Procedure BS103K.

<b>ON-SITE</b>	No	
<b>WHERE TO OBTAIN FURTHER INFORMATION</b>		Territorial offices of the Regional Ministry of Social Policy/Subdirectorate General for Authorisation and Inspection of Social Services.
<b>REGULATIONS</b>		<ul style="list-style-type: none"> <li>• Law 13/2008, of 3 December, on social services in Galicia. Article 68.</li> <li>• Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia. Articles 28 and 29.</li> </ul>

## BS103K PROCEDURE FEE

<b>RESPONSIBLE BODY</b>		Galician Tax Agency.
<b>DESCRIPTION</b>		<p>This procedure is subject to the payment of the following fee:</p> <ul style="list-style-type: none"> <li>• Authorisation of services, centres and programmes.</li> <li>• Fee code: 31.27.01.</li> <li>• You may check the amount by clicking on the following link: <a href="#">Current fees</a>.</li> </ul>
<b>DOCUMENTATION</b>		Form 731 or self-assessment form.
<b>COMPULSORY</b>	Yes	
<b>ONLINE PROCESSING</b>	Yes	<p>Virtual Tax Office.</p> <p>The procedure may be carried out through the electronic office once the application for authorisation for the substantial modification of social services centres and programmes is being processed.</p>
<b>ON-SITE</b>	Yes	Print out form 731 completed or a blank self-assessment form and fill it in to make the payment in person at a collaborating financial institution.
<b>REGULATIONS</b>		<ul style="list-style-type: none"> <li>• Law 6/2003, of 9 December, on fees, prices and regulatory levies of the Autonomous Region of Galicia.</li> </ul>

## AUTHORISATION FOR THE START OF ACTIVITIES OF CENTRES AND PROGRAMMES/START OF COMPLEMENTARY SERVICES

In order to verify that the centres or programmes that are going to be implemented have the specific material, personnel and functional means for the correct provision of the relevant social services, it is necessary to have the authorisation for the start of the activity.

Within this procedure, the authorisation for the start of complementary services may be requested, if applicable, together with the generic authorisation for the start of activities. The latter may also be applied for after the centre has started operating.

## BS103E. Authorisation for the start of activities of social services centres and programmes

<b>RESPONSIBLE BODY</b>	Subdirectorate General for Authorisation and Inspection of Social Services.
<b>DESCRIPTION</b>	The entities managing centres in the territory of the Autonomous Region of Galicia must process the authorisation for the start of activities of social services centres and programmes.
<b>DOCUMENTATION</b>	<ul style="list-style-type: none"> <li>• Application form (standard model in Annex II).</li> <li>• Administrative fees derived from the processing of the application.</li> <li>• In the case of representation, a document accrediting it by any legally valid means.</li> </ul> <p><b>IN THE CASE OF APPLYING FOR START OF ACTIVITY</b></p> <ul style="list-style-type: none"> <li>• Copy of the documentation accrediting the right to use the building of the centre or the programme's reference facility.</li> <li>• Draft insurance policies to be taken out, in accordance with the provisions of article 7.1.d) of Decree 254/2011, of 23 December.</li> <li>• Draft operating rules and, if applicable, model contract to be signed by users, and pricing or fees.</li> <li>• List of personnel, stating the number of persons, their involvement in the service, their employment or contractual relationship with the owning entity and their qualifications. The professional qualification of the personnel must be in line with the type of relevant social service. The personal details and qualifications of the person responsible for the management or coordination of the service must also be provided. In the case of centres for children, it must also be accredited that the new personnel have basic knowledge of first aid, have passed a medical examination, have been vaccinated against rubella, have knowledge of food handling and have a negative certificate from the Central Register of Sex Offenders.</li> <li>• Certificate signed by the legal representative of the owning entity accrediting:             <ol style="list-style-type: none"> <li>1. The effective completion of the necessary works for the conditioning of the building.</li> <li>2. The availability of the necessary equipment for starting the activity.</li> <li>3. The availability of the authorisations and licences required for the building and the activity to be carried out, the equipment and installations available or accreditation of having requested them.</li> <li>4. Commitment to take out the required insurance policies, in accordance with the draft policies submitted, as of the commencement of the activity.</li> <li>5. Commitment to implement the emergency and/or self-protection measures required according to the typology and number of places of the centre.</li> </ol> </li> <li>• The remaining documentation required by the specific regulations applicable to the corresponding centre, programme or service.</li> </ul> <p><b>IN THE CASE OF APPLYING FOR THE START OF COMPLEMENTARY SERVICES</b></p> <ul style="list-style-type: none"> <li>• If the facilities need to be adapted by means of any extension or reform work, the necessary technical documentation will be submitted in order to issue the mandatory technical report on the compliance of such work with the requirements of the regulations corresponding to the complementary service in question.</li> <li>• Draft operating rules and, if applicable, model contract to be signed by users, and pricing or fees of the new service.</li> <li>• List of personnel assigned to the service, proof of the extension of the corresponding insurance policies and of the granting of the municipal licence or its application, where applicable.</li> </ul>
<b>COMPULSORY</b>	Yes
<b>DEADLINES</b>	Open all year round.

<b>RESOLUTION</b>	Six months.
<b>SILENCIO</b>	Negative.
<b>ONLINE PROCESSING</b> Yes	Procedure BS103E.
<b>ON-SITE</b> No	
<b>WHERE TO OBTAIN FURTHER INFORMATION</b>	Territorial offices of the Regional Ministry of Social Policy/Subdirectorate General for Authorisation and Inspection of Social Services.
<b>REGULATIONS</b>	<ul style="list-style-type: none"> <li>• Law 13/2008, of 3 December, on social services in Galicia. Article 68.</li> <li>• Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia. Articles 24-27.</li> </ul>

## BS103E PROCEDURE FEE

<b>RESPONSIBLE BODY</b>	Galician Tax Agency.
<b>DESCRIPTION</b>	<ul style="list-style-type: none"> <li>• Authorisation of services, centres and programmes.</li> <li>• Fee code: 31.27.01.</li> <li>• You may check the amount by clicking on the following link: <a href="#">Current fees</a>.</li> </ul>
<b>DOCUMENTATION</b>	Form 731 or self-assessment form.
<b>COMPULSORY</b> Yes	
<b>ONLINE PROCESSING</b> Yes	Virtual Tax Office. The procedure may be carried out through the electronic office once the application for authorisation to start activities/start complementary services is being processed.
<b>ON-SITE</b> Yes	Print out form 731 completed or a blank self-assessment form and fill it in to make the payment in person at a collaborating financial institution.
<b>REGULATIONS</b>	<ul style="list-style-type: none"> <li>• Law 6/2003, of 9 December, on fees, prices and regulatory levies of the Autonomous Region of Galicia.</li> </ul>

## CHANGE OF OWNERSHIP OF AUTHORISED CENTRES OR PROGRAMMES

In order to process the registration and update the data appearing in the RUEPSS with regard to a registered entity, the owners or legal representatives of the entities registered with the RUEPSS must request a change of ownership of the centres and programmes for which the entity is authorised through the BS628C procedure.

## BS628C. Amendment of registration with the Single register of entities providing social services

<b>RESPONSIBLE BODY</b>		Subdirectorato General for Authorisation and Inspection of Social Services.
<b>DESCRIPTION</b>		In order to process the registration and update the data appearing in the Single register of entities providing social services with regard to a registered entity, the owners or legal representatives of the entities registered with the Single register of entities providing social services must request a change of ownership of the centres and programmes for which the entity is authorised.
<b>DOCUMENTATION</b>		<ul style="list-style-type: none"> <li>• Application form (Annex I)</li> <li>• In the case of representation, a document accrediting it by any legally valid means.</li> <li>• Copy of the public document accrediting the change of ownership of the relevant centre or programme. This document must state the legal capacity and/or representation of the parties, the exact date on which the change of ownership is to become effective, including an express mention of the right by which the building is held, and the acceptance by each of the parties of the possible responsibilities and sanctions that may derive from the management of the centre or programme.</li> <li>• In the event that the change of ownership is recorded in a private document, the corresponding notarial certificate with authentication of the signatures that appear on it.</li> <li>• Commitment by the representative of the new entity to maintain the conditions of the service for the users who contracted it prior to the change of ownership, or the agreement signed with all of them regarding such change.</li> <li>• New operating rules to proceed to its endorsement.</li> <li>• List of personnel assigned to the service.</li> <li>• Copy of the compulsory insurance policies in the name of the new entity.</li> <li>• Copy of the required permits or licences, or proof of having applied for them.</li> </ul>
<b>COMPULSORY</b>	Yes	Yes in cases of change of ownership of the authorised centres or programmes.
<b>DEADLINES</b>		Open all year round.
<b>RESOLUTION</b>		Three months.
<b>SILENCIO</b>		Negative.
<b>ONLINE PROCESSING</b>	Yes	Procedure BS628C.
<b>ON-SITE</b>	No	
<b>WHERE TO OBTAIN FURTHER INFORMATION</b>		Territorial offices of the Regional Ministry of Social Policy/Subdirectorato General for Authorisation and Inspection of Social Services.
<b>REGULATIONS</b>		<ul style="list-style-type: none"> <li>• Law 13/2008, of 3 December, on social services in Galicia.</li> <li>• Decree 254/2011, of 23 December, which establishes the system of registration, authorisation, accreditation and inspection of social services in Galicia.(Official Journal of Galicia no. 14, 20 January 2012).</li> </ul>

## 6. MUNICIPAL PROCEDURES

## POSSIBILITY OF SUBMITTING PRIOR CONSULTATIONS TO THE TOWN COUNCIL

With regard to the municipal procedures that the promoter will have to carry out, the first aspect that must be taken into account, as mentioned at the beginning, is the need to consult, in advance, the regulations that have been approved by the town council where the activity is to be carried out, in the exercise of its regulatory powers.

In order to guarantee the appropriate submission of the necessary documentation for the start of the activity, the promoters have the possibility of making written enquiries to the town council, which must be accompanied by all the data and documents that allow the information required to be clearly identified.

## SPECIAL PLAN FOR INFRASTRUCTURES AND FACILITIES FOR CENTRES LOCATED ON RURAL LAND

As stated in the second section of this document, it will be necessary to process a special plan for infrastructure and facilities prior to applying for the municipal authorisation.

### Approval of a special infrastructure and facilities plan

#### MANAGEMENT OF THE PROCEDURE

Local administration.

#### DESCRIPTION

- The purpose of the special infrastructure and facilities plan is the establishment and planning of infrastructures relating to the system of communications, transport, public open spaces, community facilities, installations for public services and energy and water supply, water drainage and purification and the implementation of the uses foreseen in sections o) and p) of article 35.1, in accordance with the provisions of article 36.4.
- With regard to the procedure for approval, in accordance with article 75 of the LSG, it is as follows:
  - a) The competent municipal body will proceed to its initial approval and will submit it to public information for at least two months, by means of a notice to be published in the Diario Oficial de Galicia and in one of the newspapers with the widest circulation in the province. Likewise, all cadastral titleholders of the land affected will be notified individually.
  - b) During the same period in which the public information procedure is being carried out, the municipal administration will request from the competent public administrations the necessary sectoral reports and consultations. The regional sectoral reports must be issued within a maximum period of three months, after which time they will be understood to be favourable.
  - c) When, after the public information procedure, modifications are intended to be introduced that entail a substantial change to the initially approved document, a new public information procedure must be opened.
  - d) The municipal legal and technical services must issue a report on the completeness of the documents in the file, the administrative actions carried out, the technical quality of the planned development and the conformity of the plan with the applicable legislation.
  - e) The approval of special plans not provided for in the general plan and special protection plans containing the detailed planning of consolidated urban land will require, in all cases, the prior issue of a mandatory and binding report stating the legal control and the protection of supramunicipal interests, as well as compliance with the determinations established in the territorial planning guidelines and territorial and sectoral plans.



For these effects, once the formalities indicated in the preceding paragraphs have been completed, the competent municipal body will provisionally approve the content of the plan with the relevant modifications and will submit it, with the complete file duly certified, to the competent body in matters of town planning for its mandatory report, which must be issued within two months from the entry of the complete file in the register of the Regional Ministry. Once this period has elapsed without the requested report being communicated, the processing of the plan may continue.

The competent body in matters of town planning must examine the completeness of the draft plan within a period of one month. Should any deficiencies be found, it will require that they be amended. The legal time limit for issuing the report will not begin to run until the requirement has been complied with.

f) Once the formalities indicated in the preceding paragraphs have been completed, the town council will proceed to its final approval.

In the case of special plans that must undergo the common strategic environmental assessment, by virtue of the provisions of article 46.1, the procedure established in article 60, sections 2, 3, 4, 5, 8, 9, 10, 11 and 12 must be complied with.

In the case of special plans that must undergo a simplified strategic environmental assessment, by virtue of the provisions of article 46.2, prior to the initial approval of the document, the following steps must be taken:

a) The promoter will submit to the environmental body a request to initiate the simplified strategic environmental assessment, to which it will attach the draft plan and the strategic environmental document, with the content established in the legislation in force.

b) The environmental body, within two months of receiving the complete documentation, will issue the strategic environmental report, after identifying and consulting the affected public administrations and interested parties for a period of two months.

In the case of special plans not provided for in the general plan and special protection plans containing the detailed planning of consolidated urban land, the bodies to be consulted will include the competent urban planning body.

The environmental body, considering the results of the consultations, will determine in the strategic environmental report whether or not the plan has significant effects on the environment. In the event that no significant effects are foreseen, the plan may be approved subject to the conditions established in such report.

The strategic environmental report will be sent within fifteen working days for publication in the Diario Oficial de Galicia and on the electronic office of the environmental body.

- Competence for final approval: competent municipal body.
- Entry into force: Once definitively approved, for its entry into force the plan must be published in accordance with the provisions of article 82 of Law 2/2016, of 10 February.

## DOCUMENTATION

- Application for approval of the special plan containing the details of the natural person or legal entity acting as promoter and, if applicable, of the person representing them, as well as an address for notifications
- Proof of payment of the applicable municipal taxes.
- Technical document containing the determinations specified in article 184 of Decree 143/2016 of 22 September.

## COMPULSORY

Yes

In the cases described.

## DEADLINES PARA A SÚA APROBACIÓN

3 months

For initial approval, starting from its presentation in the general register of the town council.

6 months

For final approval, starting from the initial approval of the plan.

## ONLINE PROCESSING

Yes

Via the municipal electronic offices.

## REGULATIONS

Link to the regulations

- Law 2/2016, of 10 February, on Galician land (Official Journal of Galicia no. 34, 19 February 2016).
- Decree 143/2016, of 22 February, approving the Regulations of Law 2/2016, of 10 February, on Galician land (Official Journal of Galicia no. 213, 9 November 2016).

## PAYMENT OF TAXES, IF APPLICABLE

It is particularly relevant nowadays to **consult the tax by-laws** of the town council, for the purpose of paying the taxes related to the establishment of the activity which, if applicable, were the object of a taxation agreement, and the following should be highlighted:

### Payment of the fee for the granting of the licence/ submission of prior notification

#### MANAGEMENT OF THE PROCEDURE

Local administration.

#### DESCRIPTION

The local entities may establish fees for any supposition of provision of services or of execution of administrative activities of local competence, and in particular for the following:

- Granting of urban planning licences required by the legislation on land and urban planning or carrying out administrative control activities in cases where the need for a licence is replaced by the submission of a statement of compliance or prior notification.
- Granting of licences for the opening of establishments or carrying out administrative control activities in cases where the need for a licence is replaced by the submission of a statement of compliance or prior notification.
- Other cases linked to the provision of services or the performance of administrative activities of local competence.

In any case, the applicable local regulations must be consulted.

#### DOCUMENTATION

Settlement or self-assessment document (if applicable).

#### COMPULSORY

Yes

In town councils where it has been agreed to impose the tax.

#### ONLINE PROCESSING

Yes

Through the municipal electronic offices (or those of the Provincial Council, as the case may be).

#### REGULATIONS

- Royal Legislative Decree 2/2004, of 5 March, which approves the revised text of the Law regulating local taxation.
- Tax ordinances of the town council.

### Payment of the tax on constructions, installations and works (ICIO)

#### PROCESSED BY

Local government.

#### DESCRIPTION

- The ICIO is an indirect tax, which may be levied at the discretion of the local authority, on the completion, within the municipality, of any construction, installation or work for which the corresponding building or urban planning licence must be obtained, whether or not said licence has been obtained, or for which the presentation of an affidavit or prior notification is required, provided that the issuing of the licence or the control activity corresponds to the local authority concerned.

- The tax is payable by the owners of the construction, installation or work, whether or not they are the owners of the property on which the construction, installation or work is carried out, i.e., whoever bears the expenses or the cost of carrying out the construction, installation or work.
- The taxable base of the tax is constituted by the real and effective cost of the construction, installation or work (material execution cost), in the terms set out in the local finance regulations, and the tax rate will be set by each local authority, although this rate may not exceed 4 %.
- The municipality may establish optional rebates on the rate of this tax, including, if so regulated in the municipal tax by-laws, of a rebate of up to 95% of the tax in favour of construction, installations or works that are declared to be of special municipal interest or utility due to circumstances linked, among other factors, to the creation of employment.
- The municipality may require self-assessment by the taxable person or substitute person.

In any case, the applicable local regulations should be consulted

#### DOCUMENTATION

Settlement document or self-assessment (if applicable).

#### MANDATORY

Yes

In those municipalities where its imposition is agreed.

#### ONLINE PROCESSING

Yes

Through the municipal electronic offices (or those of the Provincial Council, if applicable).

#### REGULATIONS

- Royal Legislative Decree 2/2004, of 5 March, approving the revised text of the Law regulating local finance.
- Tax ordinance of the municipality concerned.

However, the developer should consult, for his knowledge, the elements of other municipal taxes related to the subsequent exercise of the activity, which are not addressed in this catalogue, such as the tax on economic activities or the tax on real estate, among others.

## WORKS INTENDED FOR THE DEVELOPMENT OF AN ACTIVITY

In most cases, the start of the activity will require works to enable it to be carried out, or to adapt the physical establishment where it is to be carried out to the characteristics of the activity. In this case, the first thing the promoter should be aware of is that all acts of transformation, construction, building and use of the land and subsoil require, for their lawful exercise, **the granting of a municipal licence or the submission of a prior notification to the town council**, depending on the act.

### Application for a municipal building permit

#### PROCESSED BY

Local government.

---

## DESCRIPTION

The following acts shall be subject to **municipal licensing**, without prejudice to the authorisations arising from the applicable sectoral legislation:

- The acts of construction and use of land and subsoil which, in accordance with the general building regulations, requires a construction design.
- Interventions on properties declared to be of cultural interest or listed due to their unique cultural, historical, artistic, architectural or landscape characteristics or value.
- Demolitions, except those arising from resolutions of proceedings for the restoration of urban planning legality.
- Earth retaining walls, when their height is equal to or greater than one and a half metres.
- Major earthworks and levelling works.
- Parcelling, segregation or other acts of division of land on any class of land, when they do not form part of a reparcelling project.
- The first occupation of buildings.
- The establishment of any installation for residential use, whether temporary or permanent.
- The cutting of tree masses or shrub vegetation on land incorporated into urban transformation processes and, in any case, when such cutting arises from legislation for the protection of the public domain, except for those authorised on rural land by the competent forestry bodies.

All acts of occupation, construction, building and use of land and subsoil not mentioned above are subject to the system of **prior urban planning notification**.

---

## DOCUMENTATION

The licence application shall contain the following information and documents:

- Identification details of the natural or legal person developing the project and, where applicable, of the person representing it, as well as an address for the purpose of notifications.
- Sufficient description of the characteristics of the act in question, detailing the basic aspects of the act, its location and the building or property concerned, as well as its cadastral reference.
- Proof of payment of municipal taxes.
- Applications for licences referring to the execution of works or installations must be accompanied by a complete design drawn up by a competent technician, in the form and with the content indicated in the applicable regulations.
- Designs shall be accompanied by the corresponding design management document, which shall identify the technical personnel to whom they were entrusted.
- Where technical design is not required, the application shall be accompanied by a descriptive and graphic report defining the general characteristics of the work and the building on which it is intended to be carried out.
- In the case of applications for a licence for first occupation of buildings, a certificate of completion from a competent technician stating that the works have been fully completed and comply with the licence granted.
- Environmental assessment document, if required for the intended use of the works.
- Copy of the environmental authorisation or report, along with other sectoral authorisations, concessions or reports where legally required.
- If applicable, the certificate issued by the municipal conformity assessment bodies.

Given that the purpose of the work is the development of an activity, this circumstance shall be expressly stated and, together with the application for the licence, the documentation required in relation to this shall be submitted.

This information should be supplemented by consulting the local regulations applicable in each case.

---

## DEADLINES

Licence applications will be resolved within **3 months** of submission of the application with complete documentation at the local authority register. However, when an application for planning permission is accompanied by a certificate of conformity, the **time limit for the**

**resolution of the procedure may be 1 month** from the submission of the application with the complete documentation, including the certificate of conformity, to the local authority register. This period may be reduced to 15 calendar days in certain cases.

**COMPULSORY** Yes In cases where it is mandatory depending on the act to be carried out.

**ONLINE PROCESSING** Yes Through the municipal electronic offices.

#### LEGISLATION

- Law 2/2016, of 10 February, on the land of Galicia.
- Decree 143/2016, of 22 September, approving the Regulations of Law 2/2016, of 10 February, on land of Galicia.
- Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
- Applicable municipal by-laws.

## Prior notification for completion of works

#### PROCESSED BY

Local government.

#### DESCRIPTION

All acts of occupation, construction, building and use of the land and subsoil that are not subject to a licence are subject to the prior urban planning notification system. In particular, they are subject to the prior notification regime:

- The execution of minor works or installations.
- The use of land for the development of commercial, industrial, professional activities or services or other similar activities.
- The use of air rights over buildings and installations of any kind.
- Modification of the use of part of the buildings and installations, in general, when they are not intended to change the characteristic uses of the building or to introduce a residential use
- The extraction of granulates for construction and quarrying, even if it takes place on public land and is subject to concession or administrative authorisation.
- Extraction of minerals, liquids and any other matter, as well as discharges into the subsoil.
- The installation of greenhouses.
- The placing of posters and billboards visible from the public highway, provided they are not in enclosed premises.
- Property enclosures and fences.

#### DOCUMENTATION

The notification must be accompanied by the following documentation:

- Identification details of the natural or legal person promoting the project and, where applicable, of the person representing it, as well as an address for the purpose of notifications.
- Technical description of the characteristics of the act in question or, where applicable, legally required technical design.
- Express manifestation that the prior notification submitted complies in all its terms with the applicable urban planning regulations.
- Copy of the authorisations, administrative concessions or sectoral reports when they are legally required of the applicant, or accreditation that their concession was requested. For these purposes, in the event that the reports have not been issued within the legally established period, this circumstance shall be accredited.
- Authorisation or environmental assessment document if required under the intended use of the works.

- Proof of payment of the compulsory municipal taxes.
- If applicable, certificate issued by the municipal conformity assessment bodies provided for in these regulations.
- Document formalising the transfer, where applicable.
- Start and completion date of works

Given that the purpose of the work is the development of an activity, this shall be expressly stated and, together with the prior notification, the documentation required in relation to this shall be submitted.

This information should be supplemented by consulting the local regulations applicable in each case.

---

## DEADLINES

In the case of prior urban planning notifications, the developer, prior to the execution of the act in question, shall notify the local authority of their intention to carry out the act at least 15 working days before the date on which they intend to commence execution.

Within 15 working days following the notification, the local authority, without prejudice to the verification of compliance with the requirements, may declare the documentation submitted to be complete or require that any deficiencies be remedied, adopting in this case, in a reasoned manner, the provisional measures deemed appropriate, communicating them to the interested party by any means that allows acknowledgement of receipt.

In general terms, once the 15 working day period has elapsed, the presentation of the prior notification, complying with all the necessary requirements, constitutes authorisation for the commencement of the acts of use of the land and subsoil subject to this, without prejudice to the subsequent powers of verification, control and inspection by the respective local authority.

When an urban planning notification is presented together with a certificate of conformity, it will enable, with immediate effect from its submission to the register of the local authority, the performance of the act that constitutes the purpose, without prejudice to the subsequent powers of verification, control and inspection by the respective local authority<sup>1</sup>.

---

## COMPULSORY

Yes

In cases where a licence is not required for the works to be carried out.

---

## ONLINE PROCESSING

Yes

Through the municipal electronic offices.

---

## LEGISLATION

- Law 2/2016, of 10 February, on the land of Galicia.
  - Decree 143/2016, of 22 September, approving the Regulations of Law 2/2016, of 10 February, on land of Galicia.
  - Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
  - Applicable municipal by-laws.
- 

Before submitting the application for the planning permission or the prior urban planning notification, the developer must take into account the following aspects:

- When the acts of building and use of land and subsoil are carried out on land in the public domain, the developer will be required to have the prior authorisations or mandatory concessions granted by the owner of the public domain.

<sup>1/</sup> Article 54.5 of Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.

- A licence may not be granted, or a prior urban development communication may not be presented without the prior granting of urban development or sectoral authorisations from other public administrations when applicable.

In this regard it is necessary to reiterate that in the event that the Social Service centre is to be located **on rural land subject to special protection**, could be implemented under Article 36.2 of Law 2/2016, of 10 February, of the land of Galicia, in accordance with the provisions of Articles 51.2 and 63.3 of Decree 143/2016, of 22 September, approving its Regulations on specially protected rural land, it will be necessary **to obtain the authorisation or favourable report from the body with the corresponding sectoral competence prior to obtaining the municipal authorisation.**

In addition, as the purpose of the works is the development of an activity, a specific, regime is established<sup>2</sup>, which determines that the developer **must expressly state this circumstance** and, together with the application for the building permit or with the prior notification, submit the following documentation:

- The identifying details of the natural or legal person developing the activity or establishment and, where applicable, the person representing that person, and an address for the purpose of notifications.
- An explanatory report on the activity to be carried out, detailing its basic aspects, its location and the establishment where it is to be carried out.
- Proof of payment of the compulsory municipal taxes.
- A declaration by the owner of the activity, where applicable, signed by competent technical personnel, stating that all the requirements for the activity are met and that the establishment complies with the health and safety and other conditions established in the urban development plan.
- The design and the technical documentation required by the nature of the activity or installation, drawn up and signed by the competent technical person.
- The environmental authorisation or declaration, where applicable.
- Any other sectoral authorisations and reports that may be required.
- If applicable, the certificate issued by a municipal conformity assessment body.

Thus, in cases in which these two circumstances concur - the carrying out of the activity and the execution of works for its exercise - the municipal powers of verification, control and inspection will be exercised, at first, in relation to the activity for which the work is intended, suspending all administrative action in relation to this, until the interested party duly provides proof compliance with the legal requirements for the exercise of the activity.

Once the work has been completed, the **prior notification for the commencement of the activity or the opening of the establishment** shall be submitted, with no further requirements other than the identifying details of the owner and the reference of the prior notification or the urban planning licence that covered the work carried out and the certificate of completion of the work signed by the competent technician or technician, and, where appropriate, the acoustic certificate<sup>3</sup>.

<sup>2</sup>/Article 24.2 of Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia; article 11.2 of Decree 144/2016, of 22 September, which approves the single regulation of integrated control of economic activities and opening of establishments; and article 364 of Decree 143/2016, of 22 September, which approves the Regulation of Law 2/2016, of 10 February, on Galician land.

<sup>3</sup>/ Article 11 of Decree 106/2015, of July 9, on noise pollution in Galicia.

## Prior notification for the start of the activity after the execution of works

<b>MANAGEMENT OF THE PROCEDURE</b>		Local administration.
<b>DESCRIPTION</b>		When the activity requires the execution of works or installations, activities may not be started or developed until the works or installations have been fully completed and the corresponding prior notification has been submitted to the town council.
<b>DOCUMENTATION</b>		<ul style="list-style-type: none"> <li>• Identification details of the owner.</li> <li>• Reference of the prior notification or planning permission that covered the work carried out.</li> <li>• Final works certificate signed by competent technician.</li> <li>• Acoustic certificate (where applicable).</li> </ul> <p>This information should be supplemented by consulting the local regulations applicable in each case.</p>
<b>COMPULSORY</b>	Yes	The submission of a prior notification that complies with the requirements authorises from the moment of its submission the start of the activity or the opening of the establishment to which it refers, without prejudice to the subsequent verification and control actions established by the town council.
<b>ONLINE PROCESSING</b>	Yes	Via the municipal electronic offices.
<b>REGULATIONS</b>		<ul style="list-style-type: none"> <li>• Decree 144/2016, of 22 September, which approves the single regulation of integrated control of economic activities and opening of establishments</li> <li>• Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia.</li> <li>• Law 9/ 2021, of 25 February, on administrative simplification and support for the economic reactivation of Galicia.</li> <li>• Applicable municipal ordinances.</li> </ul>

## SUBMISSION OF PRIOR NOTIFICATION OF THE START OF THE ACTIVITY WITHOUT CARRYING OUT WORKS

In cases where it is not necessary to carry out works to start the activity, after carrying out the appropriate sectoral procedures depending on the type of activity in question, the promoter should be aware that, in general, the installation, implementation or exercise of any economic, business or professional activity **requires the presentation by the owner of the activity of a prior notification** to the town council where the activity is to be carried out or the establishment is to be opened.

## Prior notification for the start of the activity without prior works

<b>MANAGEMENT OF THE PROCEDURE</b>		Local administration.
------------------------------------	--	-----------------------



---

**DESCRIPTION**

The installation, implementation or exercise of any economic, business, professional, industrial or commercial activity, as well as the opening of establishments intended for this type of activity, requires the submission by the owner of the activity of a prior notification, with the following exceptions:

- Execution of activities and the opening of establishments subject to another system of administrative intervention by the applicable sectoral regulations.
- Execution of activities that are not related to a physical establishment.

---

**DOCUMENTATION**

The notification must be accompanied by the following documentation:

- The identification details of the natural person or legal entity owning the activity or establishment and, if applicable, of the person representing them, as well as an address for receiving notifications.
- An explanatory report of the activity to be carried out, detailing its basic aspects, its location and the establishment(s) where it is to be executed.
- Proof of payment of the applicable municipal taxes.
- A declaration by the owner of the activity or establishment, if applicable, signed by a competent technician, stating that all the requirements for the activity are met and that the establishment meets the safety, health and other conditions laid down in the urban development plan.
- The project and the technical documentation required according to the nature of the activity or installation. For these purposes, the project is understood to be the set of documents that define the actions to be carried out, with the content and detail that allows the administration to know their purpose and determine their compliance with the applicable urban planning and sectoral regulations, in accordance with the applicable regulations. The project and the technical documentation will be drafted and signed by a competent technician.
- The environmental authorisation or declaration, if applicable.
- Any other sectoral authorisations and reports that may be required.
- Where applicable, a certificate issued by the municipal conformity certification bodies set out in these regulations.

If the development of the activity or the opening of the establishment requires works to be carried out, the above documentation must be submitted with the prior notification set out in the urban planning regulations or with the application for a building permit.

This information should be supplemented by consulting the local regulations applicable in each case.

---

**COMPULSORY**

Yes

In the case of the opening of establishments, a stamped copy of the prior notification must be displayed in a visible and easily accessible place.

In any case, the owner of the activity must have a stamped copy of the prior notification and show it when required to do so by an administrative inspection or by any person for whom the activity is carried out.

---

**ONLINE PROCESSING**

Yes

Via the municipal electronic offices.

---

The submission of a prior notification which complies with the requirements authorises the start of the activity or the opening of the establishment to which it refers, or from the date expressly stated by the person interested in it, without prejudice to the powers of the town councils for the establishment and planning of subsequent verification and control actions.

Once a prior notification has been received, the town council will automatically verify:

- Its own competence.
- If it is a legally indicated means of intervention for the activity or establishment.
- If the prior notification contains the required data and documentation.

If the data or documentation submitted with the prior notification is incomplete or has any other amendable deficiency, the town council will grant the person who submitted it a period of 10 days to repair it. However, in the event that the deficiencies detected are not amendable or are not rectified within the period established, or when the town council determines that it is not competent to receive the prior notification or that the activity or establishment to which it refers is subject to another system of administrative intervention, the procedure for declaring the prior notification ineffective will be initiated automatically.

This verification action will be optional for the town council in those cases in which the documentation provided includes a **certificate of conformity issued by a municipal conformity certification body**, without prejudice to the possibility of carrying out at any time, automatically or at the request of the interested party, the inspection and control actions of the activity or establishment that may be necessary to verify compliance with the requirements established by the applicable regulations.

### Certificates issued by municipal conformity assessment bodies

<b>RESPONSIBLE BODY</b>	Municipal Conformity Certification Bodies (Eccom, as per its Galician acronym).
<b>DESCRIPTION</b>	<p>These are private law entities that, after being authorised by the autonomous administration, with full capacity to act and acting under its responsibility, are set up for the purpose of carrying out certification, verification, inspection and control activities throughout the territory of the Autonomous Community of Galicia to ensure the conformity of installations, establishments and activities with the applicable regulations at the municipal level.</p> <p>The contents of certificates of conformity are not binding for the municipal technical services or for the municipal bodies with competence in the matter, and under no circumstances do they replace the public powers of inspection, verification, control and sanction.</p>
<b>MANDATORY</b>	<p>No</p> <p>Persons interested in submitting a prior notification or a licence application to the municipal administration may contact the entity of their choice from among those authorised to carry out municipal conformity assessment activities in the territory of the Autonomous Community of Galicia, in order to request the conformity assessment function with regard to the installation, establishment, activity or work that is to be the subject of the prior notification or licence application.</p> <p>The relationship between the persons requesting the performance of the conformity assessment function and the municipal conformity assessment bodies shall be subject to private law.</p>
<b>CONSULT</b>	Register of Municipal Conformity Certification Bodies of the Autonomous Community of Galicia.

## REGULATIONS

- Decree 144/2016, of 22 September, approving the single regulation of integrated regulation of economic activities and opening of establishments.
- Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia.
- Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.

## CHANGES OF OWNERSHIP OF THE ACTIVITY OR ESTABLISHMENT

The change of ownership of the activity or establishment must be communicated in writing to the town council, so that, in this case, without prejudice to that determined by the local regulations applicable in each case, the prior notification must only include:

- The identification details of the new owner.
- The reference of the initial authorisation and, if applicable, of those to be processed for subsequent changes of ownership or modifications of the activity or establishment.

Responsibility for compliance with the administrative requirements to which the activity or establishment was subject will be transferred to the new owner from the moment the change of ownership becomes effective, regardless of the date on which the change of ownership is notified.



## 7. OTHER PROCEDURES RELATED TO THE ACTIVITIES OF SOCIAL SERVICES CENTRES

## CESSATION OF ACTIVITIES OF CENTRES AND PROGRAMMES AND NOTIFICATIONS OF MODIFICATION AND CANCELLATIONS IN THE RUEPSS

If a social services centre wishes to process the cessation of activity, it must first request authorisation from the Galician Administration. In this regard, it protects the rights of the users, who are thus guaranteed that the services will not be interrupted, since the authorisation will not be granted until they are installed in other centres.

In this procedure, in addition to submitting the application and an explanatory report on the services in which activities are to be ceased, the causes of the cessation and the phases in which it is to be carried out, the entity must inform of the public funding received, as well as the state, situation and intended destination for the service users.

The application must be submitted 3 months before the planned date for the cessation of activities. The processing of the cessation must be carried out in accordance with procedure BS103F.

On the other hand, entities registered with the RUEPSS must notify modifications to the data registered or the cessation of activity:

- Modification of registration with the RUEPSS through the standardised procedure BS628C. The application must be submitted prior to the modification or within a maximum period of 30 days from its effective implementation.
- Cancellation of registration with the RUEPSS through procedure BS628B. In addition to the request, the reasons for the cancellation, the planned cancellation date, the list of public funding received and the relocation of the users must be accredited.

## 8. ANNEX. TRAINING OF PERSONNEL RELATED TO THE ACTIVITIES OF THE SOCIAL SERVICES CENTRES

Among the requirements imposed on social services centres, those related to personnel play an important role. Within this section, some of the occupations that are expressly regulated and which require professional qualification will be detailed.



## EARLY CHILDHOOD EDUCATION TEACHER

Royal Decree 132/2010, of 12 February, which establishes the minimum requirements for centres that teach the second cycle of early childhood education, primary education and secondary education, establishes in article 8.1 the qualification requirements for care professionals in the first cycle of early childhood education.

### 1. Direct care personnel:

- Early childhood education teacher.
- Teacher specialised in early childhood education.
- Higher technician in early childhood education.

Decree 329/2005, of 28 July, which regulates centres for minors and centres for children, states in article 27.2 the requirements to be met by personnel engaged in educational tasks with children in nursery schools.

### 2. Support personnel:

In all centres there must be at least one person to support care and attention, who, in addition to the aforementioned qualifications, may have one of the following qualifications: technician in social and health care, higher technician in socio-cultural animation, technician in auxiliary nursing care, degree in childcare recognised by the Regional Ministry of Health, or any other recognised as appropriate by the competent body in the centre's authorisation.

Likewise, article 20.4 sets out hygienic and health measures for this type of professionals, the accreditation of basic knowledge in first aid and, in the case of food handling, the food handler's licence in accordance with the regulations in force, as well as the certificate of sexual offences.

## CARERS AND GERIATRIC ASSISTANTS

In accordance with Order of 19 November 2018, which regulates the procedure for obtaining the qualifications for professionals belonging to the categories of geriatric assistants, home help assistant and personal assistant, caregivers and geriatric assistants who provide their services in social centres or institutions must certify the professional qualification of social and health care for dependent persons in social institutions. For these purposes, the following qualifications and certifications are considered:

- Title of technician in auxiliary nursing care established by Royal Decree 546/1995, of 7 April, or the equivalent titles of auxiliary clinical technician, auxiliary psychiatric technician and auxiliary nursing technician.
- Title of technician in care for dependent persons, regulated by Royal Decree 1593/2011, of 4 November, or the equivalent title of social and health care technician, established by Royal Decree 496/2003, of 2 May.
- Title of higher technician in social integration, established by Royal Decree 1074/2012, of 13 July, or the equivalent title of higher technician in social integration established in Royal Decree 2061/1995, of 22 December, for professionals who, on the date of issue of the aforementioned Agreement of 19 October 2017, are working in the professional category of carer or geriatric assistant.
- Certificate of professionalism of social and health care for dependent persons in social institutions, regulated by Royal Decree 1379/2008, of 1 August or, if applicable, any other certificate issued with the same professional

effects. In the professional certificate SSCS0208 Social and health care for dependent persons in social institutions, the necessary training to obtain the qualification is included.

## MANAGERS OF CENTRES FOR THE ELDERLY AND FOR PERSONS WITH DISABILITIES

As stated in the Resolution of 11 December 2017, of the Secretary of State for social services and equality, which publishes the Agreement of the Territorial Council of Social Services and the System for autonomy and care for dependency, which partially modifies the Agreement of 27 November 2008 on common accreditation criteria to ensure the quality of the centres and services of the aforementioned System, the managers of the centres must have:

- A university degree and complementary training in dependency, disability, geriatrics, geriatric assistance, management of residential homes or other areas of knowledge related to the field of dependency care, except for positions already occupied, in which the manager will have at least three years of experience in the sector and the aforementioned complementary training.

## PLAYROOM PERSONNEL

In accordance with Decree 354/2003, of 16 September, which regulates playrooms as social services centres and establishes their requirements, playrooms must have the following qualified personnel:

a) A coordinator who must have one of the following qualifications:

- Higher degree in pedagogy, psychology or psychopedagogy.
- Intermediate degree in teaching or social education.
- Higher vocational training courses in sociocultural animation or early childhood education.
- Intermediate vocational training courses in physical and sports activities.

Likewise, these professionals must have one of the qualifications accrediting the teaching provided by leisure time schools, except for professionals with specific qualifications in sociocultural animation.

b) One or more monitors who must have a baccalaureate or intermediate vocational training qualification, as well as courses in sociocultural animation.

And, in the event that the centre caters for two-year-old children, the personnel who look after them must have one of the specific early childhood education qualifications.

This document was drawn up, for purely informative purposes, by the General Vice-Secretariat for Business Support of the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation, as a means of consultation and simplification of the applicable regulations, and its content is therefore not binding.

All the information contained in this catalogue is taken from the legislation in force at the time of its publication, and must always be construed in accordance with it, therefore the catalogue is a document subject to continuous evolution.

