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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.6.2003
SEC(2003) 625

COMMISSION STAFF WORKING PAPER

Summary of Member States' policies and legislation on the safety of services

Technical annex

**to the Report from the Commission to the European Parliament and the Council
on the Safety of Services for Consumers**

{COM(2003) 313 final}

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1. INTRODUCTION

This summary covers policies and legislation regarding *consumer* services, i.e. services mainly intended for the use of physical persons in their private capacity. The term covers a wide range of activities including health services, transport services and leisure- and sports services. Examples may vary from a bus ride and a climbing course to surgery in hospitals and visits to fun parks.

The summary focuses on policies and legislation regarding the *health and physical safety* of services – not economic and financial damages.

In addition to a summary of the situation in the Member States, the summary also covers the EEA /EFTA states Iceland and Norway.

The summary is based on an exchange of information between the Commission and the Member States initiated by a questionnaire circulated in September 2001. In addition to the replies from Member States to the questionnaire and subsequent discussions in the Consumer Safety Working Party, detailed investigations have been carried out in some key areas during May-June 2002. For details see annex 3.

The aim of the summary is to give an overview of the main policies and legislative structures in place in Member States and to describe these policies and pieces of legislation in sufficient detail to allow an impact assessment of possible options for action at the level of the European Union. No concrete references to legislation have been used in order to reduce the level of detail.

The presentation is divided into three main parts. First a description and comparison of overall approaches. Secondly a summary of the most important policy elements in place, and thirdly a more detailed comparison of the key legal obligations. For a presentation of the situation according to Member State, see Annex 1 & 2.

2. APPROACHES AND OVERALL POLICIES

There is no typical approach or policy in place in the majority of Member States with regard to safety of services. Some countries have not identified “safety of services” as one coherent policy category at all. They argue that the area is too wide and complex and have focused more on safety in different sectors, safety in specific buildings or locations or safety at work/workers safety. In addition the countries that *have* identified safety of services as an overarching subject, have used somewhat different approaches.

The difficulty in describing the national approaches and policies in the area in a clear and comprehensive way is thus considerable. This is further complicated by the differences in administrative organisation applicable in the different Member States. In some countries, like for example in Finland, central authorities have been attributed legislative powers and the overall responsibility for monitoring and control, while other countries, like for example Austria and Spain have placed extensive competencies on the regional and even the local level according to the type of matter concerned.

Despite this complexity it seems possible to divide the Member States into three main groups. It should be emphasised that the categorisation does not in any way correspond to levels of safety:

a) Countries with separate policies and legislation of a general nature with an aim to secure consumer safety. The general legislation supplements sector-specific policies and legislation.

The group includes Finland, France, Norway, Portugal, Spain and Sweden. In Sweden for example, the general legislation on safety of services only applies in the case that no sector-specific legislation exists, while in other countries the concrete interpretation of the principle of *lex specialis* may be different.

b) Countries with general policies and legislation aiming at safety at work, including consumer safety in the service area. The general legislation supplements sector-specific policies and legislation directly aiming at the safety of services.

Ireland and the United Kingdom belong to this category. The UK has specific sectoral policies and legislation in place regarding for example transport services, but also general policy and legislation on safety at work, which in principle covers the transport sector. They draw the attention to the fact that the general legislation on safety at work aims not only at the safety of workers, but at the general public. Ireland has a similar concept in place.

c) Countries with *sector-specific* policies and legislation on the safety of certain services. The *sector-specific* legislation covers different types and aspects of these services.

Austria, Belgium, Denmark, Germany, Iceland and the Netherlands belong to this group. They all have *sector-specific* policies and legislation with regard to health services, transport and certain leisure services. In addition their product safety legislation to some extent covers service aspects.

3. POLICY ELEMENTS

3.1 General legislation

The Member States that have adopted general legislation have chosen different legislative frameworks (there seems to be no country with a separate piece of legislation covering safety of services):

a) Integration into general legislation on Product Safety

Some Member States have chosen to integrate services into their legislation on product safety. Hence, the general requirements for consumer services are more or less parallel to those for products. In the Finnish Product Safety Act, for example, there is a general obligation only to place safe services on the market. Authorities have the necessary competencies to monitor, control and take action against unsafe services. Sweden and Norway have a similar legal framework. In the Norwegian legislation it is made clear that service providers are obliged to obtain knowledge about risks connected with their consumer services, to take action to reduce it and to inform consumers and authorities accordingly. This corresponds to the general regulations for products.

b) Integration into general legislation on consumer protection

Some Member States have included provisions regarding services in their general consumer legislation.

As an example Spain has a provision in their general Law for the Protection of Consumers and Users which states that service providers only shall put safe services on the market. Portugal has a similar provision.

c) Integration into general legislation on safety at work

Some Member States have extended the scope of their legislation on safety at work. In the United Kingdom for example, the Health and Safety at Work Act makes it clear that the objective is to protect employees and *the general public* against the risks to health and safety arising from the activities of persons at work. The legislation includes provisions on the obligation to secure safety at premises made available to the general public. The provisions are not explicitly aimed at the safety of consumer services.

3.2 Sector-specific legislation

3.2.1 Introduction

All Member States have adopted legislation in one or more sectors as a part of their policy on safety of services. Depending on the exact interpretation of the terms services and safety, the total amount of such legislation is extensive. It covers potentially all legislation on requirements concerning qualifications of specific service providers, all legislation on safety requirements of specific premises used to provide services and all legislation aimed directly at the provision of a specific service. The summary below is therefore not exhaustive, but tries to illustrate the main categories that are vertically regulated in most Member States. The emphasis is on legislation aimed at the provision of services.

3.2.2 Transport services

All Member States have adopted extensive legislation aiming at the safety of consumers when using a transport service. The national legislation is firmly linked with international and European legislation in the area.

3.2.3 Health services

All Member States have legislation in place in connection with safety of health services.

A cornerstone of the safety measures is the legislation securing licensing of qualified and trained medical personnel. In the United Kingdom, for example, the Medical Act sets up a specific Council with competence to secure that doctors whose conduct put patients at risk are no longer allowed to provide services. In Germany and other Member States there is general legislation on the registration and licensing of properly skilled health personnel.

Several Member States in addition have regulations on the reporting and follow-up of incidents and accidents in health institutions.

3.2.4 *Accommodation services*

All Member States have legislation in place regarding fire safety in hotels, mainly in accordance with the Community recommendation in the area.

Sector-specific legislation on other safety aspects of hotels, and safety legislation in connection with other accommodation services (dwellings, caravans, camping etc) also exists. This legislation is mainly connected with the construction of buildings and sites.

3.2.5 *Leisure services*

There are several pieces of legislation in place with regard to leisure services in most Member States. The legislation covers a wide variety of services including playgrounds, ski-rental services, discotheques and concerts. The legislation is fragmented and often based on concrete accidents. There seems to be no general approach in the sector. The types of legislation may be divided into three:

a) Regulation of premises

Many Member States have introduced legislation, which requires permission before premises are used for certain leisure services. The requirements typically include safety measures, for example to ensure the correct installation of products and the availability of emergency equipment etc. In Sweden for example, the Act on Technical Requirements for Buildings stipulate that buildings, but also other installations like skiing slopes and sport grounds must be constructed so that safe use is ensured. Danish regulations on funfairs and entertainment facilities stipulate that equipment used shall be inspected in advance and that the use can be made conditional.

b) Regulation of the qualifications of the service provider

In the leisure sector qualification requirements are particularly important. As an example, in Denmark an authorisation scheme has been introduced for pyrotechnic operators. In order to obtain an authorisation, the individuals concerned must have the appropriate training or must otherwise prove that they have the necessary skills to use fireworks. The authorisation is in the next turn a requirement for a police permit. In Austria extensive legislation on admittance of mountain guides is adopted on regional level.

c) Regulation of the performance of the service itself

In some cases sector legislation sets out requirements regarding the performance of the service itself. For example Danish legislation on Public Entertainment Facilities stipulates rules on instructions of staff, insurance and supervision when purchasing services like slides and shooting ranges. Norway has adopted detailed regulations on how to conduct diving courses.

3.2.6 *Services of general interest*

Almost all Member States have adopted legislation in order to secure safe installation and provision of gas and electricity. These services are considered particularly dangerous. Other services of general interest like the collection, transport and treatment of waste, wastewater etc, are typically more regulated on grounds of environmental considerations.

3.2.7 *Other services*

Some Member States have also adopted vertical legislation for certain personal care services like hairdressing and solariums. Other regulated services include installation of certain products and construction and architectural services.

3.3 Non-regulatory measures

In most Member States there are non-regulatory elements in place in the area of service safety, typically in the form of codes of conduct, voluntary standards, guidelines and best practices. None of the Member States seem to have an overall strategy in order to promote such non-regulatory measures in the consumer area. Instead they are developed on an ad-hoc basis by certain business sectors in order to improve their market position by quality and safety indicators, or as a co-operation between businesses and authorities in areas where particular risks are found to exist.

It seems that the area of leisure services, sports, recreation etc is most influenced by non-regulatory measures. Examples include standards for ski-rental (France), pop concerts (Ireland), sports arenas (Ireland), equestrian centre's (riding) (the Netherlands) and diving courses (Sweden). In some cases voluntary elements are also present in sectors traditionally characterised by mandatory regulations. In Ireland for example gas installation is mainly governed by voluntary standards, while the United Kingdom has significant non-regulatory elements in their system for control of qualifications of health personnel.

Extended use of non-regulatory measures in combination with legislation has been developed in Finland. They have developed a system where general legal provisions on safety of services are worked out in detail for specific services in sets of "guidelines". These guidelines are used in connection with monitoring and control. The guidelines are not binding, but give examples of good practices and possible problematic areas. Furthermore they may have impact on the assessment of possible negligence when compensation for damages are being considered.

In the UK the HSE has established teams responsible for certain sectors of business which monitor risks in the sector and propose action based on an assessment of this. The use of non-regulatory measures is being considered along with mandatory measures. Guidelines or codes will be adopted where appropriate.

3.4 Systematic collection of data and statistics

No Member State has established comprehensive information systems in order to collect information on accidents and risks connected with services with a view to use this in their consumer policies. The information available seems to be fragmented, and although some sectors are well covered, little statistical data is available. The lack of information must be seen in the light of the methodological problems in defining whether an incident is connected with a service or a product, and because many activities are carried out without a service-element (sports, leisure activity). Furthermore the wide scope of the services-categories makes such comprehensive statistics difficult to obtain.

Still, in many sectors, like for example in the transport and health sectors, extensive sources of information on accidents exist, based on existing reporting requirements. Furthermore several sources of information exist in connection with case studies. The

Dutch authorities have f. ex. collected information on accidents in swimming pools and water slides while France has statistics on equestrian centres and skiing.

3.5 Priorities, developments

There is no single trend in the development of policies or legislation on safety of services in the Member States, but it can be observed that in many countries, including Finland, Netherlands and France, significant efforts have been made in the last years with regard to leisure services and sports. Initiatives in “traditional” service-sectors like transport and health-services has mainly involved adjustment of existing practices, adaptation to new services (for example new health services) and attempts to simplify qualification procedures (Austria).

4. LEGISLATIVE ELEMENTS

4.1 Introduction

In both sectoral and general legislation on safety of services in the Member States there are certain core provisions of a general nature which set out obligations for service providers and establish a basis for administrative action. These core legislative elements will be described below.

Provisions which are specific for certain services, for example certain skills required by a doctor in one Member State, or the number of test dives required during a diving course in another Member State are not discussed here. Such a summary would be extremely far-reaching, due to the scope of the subject.

4.2 Obligation to provide safe services

In Finnish, French, Portuguese, Spanish and Swedish legislation there are general legal provisions that require that service providers are only to market “safe services”. Different definitions and criteria on what is considered to be a “safe” service support the obligation. In the Finnish Act, for example a consumer service is deemed to involve a health hazard if “any flaw or imperfection either in the way the service is performed or in the structure or composition of any article to be used in providing the service or any untrue, misleading or inadequate information supplied in respect of the service may give rise to injury, poisoning, illness or any other health hazard”. In the French provision services must “in normal conditions of use or in other conditions which can normally be foreseen by the professional, be as safe as can reasonably be expected, and must not be detrimental to health”.

In the United Kingdom, a similar provision is included in legislation on safety at work, according to which persons in control of premises where work is carried out, have a duty to take reasonable measures to ensure that the premises and plant are safe and without risk to health.

Austrian regional legislation on mountain guides provides an example of a general safety obligation in sector-specific legislation. In the Tyrol Montainguide regulations, the mountain guide is obliged to carry out his activities in a way that does not endanger the consumer.

4.3 Obligation to identify and assess risks, organise and plan activities

There are different attempts to impose general control mechanisms and management systems with regard to services. In France, for example, in the regulations regarding public playgrounds, the responsible person is obliged to keep up to date the maintenance plan of the playground and records of the work carried out. The documents must be available to the authorities upon request. In Norwegian legislation all service providers are explicitly obliged to obtain the necessary knowledge in order to assess risks connected with the service provided, and to take reasonable measures in order to prevent damages to health. Furthermore service providers are obliged to establish internal control systems to ensure systematic and safe organisation of their activities. In the relevant provision it is stated that “the person responsible for the enterprise shall ensure that internal control is introduced and performed in the enterprise” and that “internal control shall be adapted to the nature, activities, risks and size of the enterprise to the extent required to comply with requirements set out in...safety legislation”. The focus of the Norwegian authorities is therefore on control with the existence and use of systematic safety procedures. In the regional Tyrol regulation on mountaineering services art 8 the mountain guide among other things is obliged to assess the capacity of participating consumers, to ensure that the proper equipment is used etc.

In the UK, the Management of Health and Safety at Work Regulations require a service provider to perform a risk assessment. The monitoring of these Regulations is carried out as part of the HSE’s general inspection activities. When carrying out an inspection, the inspector will consider any aspects of the business in question which appear to require a risk assessment (e.g. working at heights, or with transport machinery) and will then test whether the business has complied with the requirements of the Regulations. The HSE’s inspections activities are themselves organised on the basis of an assessment of relative risk. Each business is allocated to a risk category based on the outcome of previous inspections, on complaints received, and on accident reports. That category determines how frequently the business is inspected. ‘workplace contact officers’ who introduce the business to health and safety requirements and conduct an initial risk category assessment contact new businesses.

4.4 Obligation to inform consumers

Some Member States have introduced provisions in their sector-specific legislation regarding service provider’s obligation to inform consumers. There seems to be no general automatic obligation for service providers to inform consumers about the risks connected with the service in place except from in Finland. The obligation follows somewhat indirectly from paragraph 4 of the Act, where it is stipulated that a service is deemed to be unsafe and therefore prohibited if “...any untrue, misleading or inadequate information supplied in respect of the service can produce an injury, poisoning, illness or any other hazard to health”. Thus there is an indirect obligation to provide adequate and sufficient information on risks. In addition the Finnish Supervisory Authority *may* require the operator to inform the consumer of risks associated with a service. This option has never been used in practice, because the Finnish Consumer Authorities have chosen to inform consumers directly themselves. In Norway the competent authority *may* decide to require a service-provider to publish information on safety aspects of the service. This has been done for example in relation to white water rafting where the person responsible is specifically obliged to inform the participants about the hazards in the river, how to avoid these hazards etc.

4.5 Competent authorities with legal powers to monitor and take action

The countries that have adopted general legislation on safety of services in addition to sector-specific legislation have typically established corresponding competencies for monitoring and inspections at a general level. The monitoring of consumer services is normally carried out in close connection with monitoring of product safety and/or safety at work; either by consumer authorities or authorities focusing on safety at work. Finland for example has placed the competence in the Finnish Consumer Agency, Portugal has established a Safety Commission which deals with service safety and the United Kingdom has competencies within the Health and Safety Commission and the Health and Safety Executive (HSE). The general competencies are to a large degree delegated to regional and local levels, and they are subsidiary to the competencies of sector-specific authorities. In the United Kingdom, the HSE seeks to agree demarcation lines based on an assessment of expertise, economy, efficiency and suitability. On this basis fire safety is left to the fire safety authorities, most transport to the relevant transport authorities etc.

The competent authorities have normally a wide range of measures available to them based on results of monitoring and inspections. In France and in Finland for example the competent authorities may order the service-provider to take measures to address the risk posed or they can prohibit the provision of the service temporarily or permanently. Examples of practical intervention include the closing of a Finnish skiing centre in December 2001 and the closing of a French sun centre in 1999. The skiing centre was found to have significant safety problems during pre-season preparation and was closed ex ante, before any accidents happened, while the French sun centre had been subject to complaints after severe sunburns. The French prohibition was based on the general safety obligation in the French Act on consumer protection. Normally fines and criminal proceedings are available in accordance with a consideration of the concrete case. In some countries the competent authorities also have the possibility of introducing pre-licensing requirements of certain services that involve significant risks.

In countries with no general legislation or policy, no overarching competent authority is established. Still, these countries, like Denmark for example, often have transport authorities, health authorities and justice authorities with significant competencies with regard to services, including possibilities to order measures, prohibit services or impose sanctions. In Austria, competent authorities for surveillance of public events (pop concerts, fun fares, circus etc) are established on regional level.

An important issue is the priority setting of such authorities. In the UK, a formalised procedure for classification of monitoring information has been developed so that sectors with particular risks are subject to more close follow up. In Portugal surveillance information is submitted to the Safety Commission, which in their turn advise the government on priorities for legislative action. This has led to the introduction of a Portuguese focus on services offered to children, for example moveable goals on playgrounds.

4.6 Obligation to notify authorities

Within sectors like transport and health services there are extensive requirements in place on notification to authorities on risks and incidents. For example in the area of air transport there is an extensive dialogue between service providers and aviation authorities based on reporting.

On a more general level some Member States have introduced notification requirements for all service providers. In Finland for example, service providers are obliged to provide the supervisory authority with information on hazards involved with services and about measures taken in that connection. Furthermore all details necessary to carry out inspections must be provided. In Norway similar provisions exist when services pose *significant* risks to health and safety.

4.7 Obligation to take out insurance

Within certain service sectors Member States have introduced an obligation for service providers to take out insurance. For example in the Austrian regional legislation in Tyrol on Mountain Guides, the service provider must be insured “sufficiently” in order to obtain a permit to operate as mountain guide. In Danish legislation on funfairs and public entertainment facilities, the service provider must take out an insurance limited up to approximately € 850 000 (DEK 5 million) for physical damages to consumers. There seems to be no national legislation in place establishing insurance obligations for service providers in general.

5 CONCLUSIONS

All Member States have adopted extensive sector-specific legislation with regard to the safety of core services like transport services, health services and gas and electric installations. When it comes to other kinds of services, for example leisure and sports services, the type of policy varies significantly. Some Member States have adopted supplemental general legislation with corresponding institutional and procedural arrangements aiming specifically at consumer safety. Other Member States rely on ad hoc legislation initiatives and voluntary measures, and/or on general legislation on safety at work. The main development in the area the last 10 years has been the establishment of general horizontal safety legislation in some Member States and the increased focus on sports and leisure services.

ANNEX: OVERVIEW OF THE MEMBER STATES'¹ POLICIES AND LEGISLATION ON THE SAFETY OF SERVICES²

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
Austria	<p>No general policy or legislation.</p> <p>Sector-specific legislation in particular with regard to qualification requirements.</p> <p>Competencies divided between federal and regional (Länder)</p>	---	<p>Service providers must in many cases be able to document qualifications covering safety aspects. In some cases it is necessary to apply for a permit.</p>	<p>Some guidelines on professional qualifications and codes of conduct are developed by associations and notified to the authorities.</p>	<p>Accidents in skiing resorts well documented.</p>	<p>Simplify the procedure when service providers document their qualifications.</p>

¹ EFTA/EEA states also included

² Based on answers to the Commission's questionnaire ref BD/rb – B4 D/4325 and on answers to individual follow up questions during spring 2002

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	level.					
Belgium	<p>No general policy or legislation covering services unless a consumer product is involved.</p> <p>Sector-specific legislation applies to many services.</p> <p>Competencies divided between several authorities.</p>	---	Legislation on playgrounds, amusement parks etc. Requirement to conduct risk analysis if no standard exists.	Guidelines on bungee-jumping	<p>Reporting obligations regarding playgrounds, amusement parks and fairs.</p> <p>Information on accidents connected with moveable football goals has initiated new measures.</p>	New legislation on leisure services involving extreme risks
Denmark	No general policy or legislation.	---	Legislation on health and transport, the use of premises for	---	No overall statistics, but some sectors have reporting	----

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	<p>Sector-specific legislation applies to many services</p> <p>Competencies are divided between several authorities.</p>		<p>certain services (restaurants, discotheque), operation of electricity, gas etc. as well as leisure and fun parks.</p>		<p>obligations.</p>	
Finland	<p>General policy and legislation on safety of services. Additional sector-specific legislation.</p> <p>Competence in the central consumer agency and on regional and local level.</p>	<p>Integrated in Product Safety Act. Service-provider obliged to put only safe services on the market.</p> <p>Competent authority can take wide range of measures in appropriate</p>	<p>Legislation on health, transport and recreational services as well as legislation relevant for the use of premises for certain services (discotheque etc). Environmental services (waste etc).</p>	<p>Safety standard for tourist services (MONO) developed by industry.</p> <p>“Instructions” (non-binding guidelines) for supervision in different sectors drawn up by Consumer</p>	<p>Progress reports foreseen from regional authorities to Consumer Agency, but no overall statistics.</p>	<p>Recent focus on recreational services (skiing, go-cart etc). Market surveillance involves prohibition of unsafe services (example skiing centre).</p>

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
		situations.		Agency together with entrepreneurs and consumer groups.		
France	General legislation in Consumer Act. Extensive competence to monitor and control services. Sector-specific legislation regarding premises, qualifications and operation.	Obligation to provide only safe services. Possibility to suspend, fine or limit. Competence on Council of State (no regional regulations) and Consumer Safety Commission.	In the transport sector, health (qualifications), leisure. Focus on children.	Ski-rental services, tourism.	All incidents involving children are registered. Accidents in skiing areas well documented.	Revision of health legislation. Intervention in connection with non-safe sun tanning centres.
Germany	No general policy or legislation	---	The legislation on qualifications regulates access to the market, and	DIN for transport services and personal services, but mainly quality	Health sector	---

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	<p>Significant legislation on qualifications and safety at work.</p> <p>Examples of non-regulatory measures/initiatives</p>		<p>involves competencies to prohibit or limit exercise of services</p> <p>In addition significant regulation on health, transport, installation etc</p>	issues.		
Iceland	<p>No overall legislation or policy</p> <p>Competencies divided</p>	---	Transport, health services, electrical installation, regulation on qualifications		Accidents in air transport	Fireworks
Italy	No overall legislation or policy.	---	Transport, health services, services of general interest	Health services – qualification requirements are	---	---

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	Sector legislation Legislation on safety at work covers safety for the general public			partly self-regulating		
Liechtenstein	No information					
Luxembourg	No information					
Greece	No general legislation.	---	Installation of electrical equipment, health services and some leisure services	---	---	---
Ireland	No overall legislation or policy	---	Legislation on transport, leisure services, installation of gas and electricity	Pop concerts, sports grounds	Gas installation accidents, but not specified for servicepart. Information on	Codifying voluntary schemes in the gas sector

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	<p>Extensive regulation of safety at work</p> <p>Sector-specific legislation</p> <p>Competencies divided in sectors. No overall authority, but Health and Safety Authority has overall authority with regard to safety at work</p>				accidents in all work sectors	
Netherlands	No general policy or legislation on service safety.	---	Legislation on health services and general services like electricity and	Umbrella organisations have drawn up codes of practice in some areas.	Ad hoc reports including statistics on several leisure and sports	----

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	Sector legislation.		water includes safety aspects.	Examples include gas- and electrical installation. Netherlands active in ISO work on services.	services, including riding schools, swimming centres, artificial skiing slopes	
Norway	General policy and legislation on safety of services. Additional sector-specific legislation General legislation on internal control systems covers service-providers	Integrated in Product Safety Act. The service provider is obliged to identify and assess risks, to show due care when marketing services, and to inform authorities about services representing a considerable risk to consumers.	Specific regulations adopted for scuba diving services and white water rafting. Several pieces of legislation in the health and transport area.	Guides supplementing ISO standards in the field of transport. Codes of practice in the area of leisure sports like mountaineering and glacier walking.	No complete statistics, but general obligation for service providers to inform authorities if the service involves considerable risks. Studies have been carried out for skiing services.	Preventive action and control of internal control systems is a priority. Revision of regulation regarding scuba diving planned.

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	<p>service-providers.</p> <p>Competence in the central agency for control of products and electricity.</p>	<p>The obligations are combined with an obligation to establish internal control systems to meet these obligations.</p> <p>The competent authorities can take a broad range of measures.</p>			<p>Statistics on health services.</p>	
Portugal	<p>General legislation in the Consumer Protection Act.</p> <p>Sector-specific legislation in core sectors.</p>	<p>Obligation to provide only safe services. Monitoring and control by the Safety Commission. Inspectorate General for Economic</p>	<p>Leisure, transport and health.</p>	<p>---</p>	<p>---</p>	<p>Leisure and sports services involving young people.</p>

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
		Activity and Committee for fines involved in all penalties and decisions.				
Spain	<p>General policy and legislation on service safety.</p> <p>Additional sector-specific legislation on national, regional and local level.</p> <p>Competencies divided between national, regional and local level.</p>	<p>General law on the Protection of Consumers and Users covers services and establishes a basic obligation to provide safe services.</p> <p>In addition the general law regarding safety in workplaces applies to any location open to the public.</p>	<p>National sector-specific legislation covers among other issues fire safety, electrical installations, passenger transport and recreational activities and tourism.</p> <p>On the regional level additional legislation on the safety of recreational</p>	<p>Voluntary standards have been drawn up in areas relevant, but often with a focus on products. Examples include standards for fire safety, electrical safety and gas safety.</p>	----	----

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
			services.			
Sweden	<p>General policy and legislation on services.</p> <p>Additional sector-specific legislation.</p> <p>Competence for the central consumer agency as well as central sector-specific agencies (for example agency for electric</p>	<p>Integrated in the product safety Act. No information on specific provisions.</p> <p>Legal basis for specific regulations.</p>	<p>Examples of legislation include leisure and sports services, the use of premises for skiing, sports and baths, general requirements for arrangements (circus, concerts etc.), health services and transport.</p>	<p>Swedish Council for Skiing Safety, the Riding Association, the Diving Association etc. have established standards, certificates and are committed to work on information</p>	<p>Reporting obligations in the health and transport sector. General law on examination of accidents provides some statistics. Accidents in skiing centres well documented.</p>	---

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	safety).					
U.K	<p>No overall policy and legislation on services, but wide general policy and legislation on health and safety at work.</p> <p>Additional sector-specific legislation and non-regulatory initiatives as well as a general obligation to provide services with skill and care in the contractual</p>	<p>The Health and Safety at Work Act (HSWA) has a general safety objective. Obligations cover employers and self-employed.</p> <p>The Act is basis for sector-specific legislation and more general regulations like obligation to perform risk assessment and to take steps to</p>	<p>Some legislation according to type of risk (fire safety) and some according to type of service (transport). Moreover extensive legislation on required qualifications, for example gas installations and health professions.</p>	<p>There are several examples of guidance documents elaborating the provisions in regulations, approved codes of practice (non-compliance is a presumption for non-compliance) and voluntary codes of practice – f.ex. For fairgrounds and hairdressers.</p>	<p>All sectors of work are required to report accidents and incidents.</p>	<p>Revision of policy and regulations regarding gas installations, fire safety, health professions and tourism (accommodation and restaurants)</p>

Country	Overall policy and organisation	Description of general legislation	Description of sector-specific legislation	Non regulatory elements – examples	Statistics and information flow	Policy priorities, new developments
	<p>legislation.</p> <p>Central authority is the Health and Safety Commission and the Health and Safety Executive.</p>	<p>control risks.</p> <p>Competence divided between HSE and local authorities for different types of services.</p>				