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THE FINNISH CONSUMER AGENCY'S GUIDELINES FOR THE PROMOTION OF SAFETY IN PROGRAM SERVICES

1 PURPOSE OF THE GUIDELINES

The purpose of these guidelines is, on the basis of the Product Safety Act (914/1986, with amendments), to define minimum requirements for the safety of program services, to increase the safety of program services, to improve the monitoring of safety under the Product Safety Act and to prevent accidents.

The Consumer Agency has prepared these guidelines in cooperation with the Department for Occupational Safety and Health at the Ministry of Social Affairs and Health, the Department for Rescue Services at the Ministry of the Interior, the Espoo Regional Rescue Department, the Federation of Finnish Insurance Companies, the Finnish Tourist Board, If P&C Insurance, the Ministry of Education, the MoNo project (standards for program services), the National Board of Education, the SETLA program (safety and quality in the adventure and activity field), and representatives of operators.

2 FIELD OF APPLICATION

The Product Safety Act covers services which operators provide consumers in connection with business activities. An operator can be a private person, a company, an association or an organization which for business purposes (for a charge or as a fringe benefit, for example) performs, supplies, sells, or otherwise offers services to consumers.

These guidelines should be applied in determining the safety of program services. Program services include program, adventure, activity, nature and sport services in different environments including indoor and outdoor facilities, built-up areas, open country, the air, water and roads as well as activities in theme and amusement parks, safaris etc.

The guidelines apply to unsupervised and supervised program services or parts of program services. Hereinafter the term program service will be used to refer to the field of application.

The guidelines do not apply to competitions. An exception is different types of group events in which participants also engage in group sports, such as the Women's 10,000 metres event, the Finlandia Ski Race and the Sulkava Rowing Race. The appropriate parts of the guidelines should be applied to these.

The Consumer Agency has prepared special guidelines for some services such as indoor swimming pools and spas, ski slopes and karting. These guidelines can be applied to program services which are not covered by special guidelines (auxiliary activities at a karting track, for example).

Program services differ in many respects, including size and level. These guidelines contain general matters for the promotion of safety. They should be applied to different program services whenever appropriate considering the physical and mental requirements of the service.

3 BASIC TERMS

Danger: A factor or condition which can result in physical, mental or financial damage.

Operator: A private person, company, association, club, local youth department, parish etc which for business purposes (for a charge or as a fringe benefit, for example) offers services to consumers.

Rescue plan: A plan according to section 9 of the Rescue Act (468/2003) and sections 10 and 11 of the Decree on Rescue Activities (857/1999). (The present name under section 10 of the Decree on Rescue Activities is safety plan. The name will change when the new Rescue Act comes into force on 1 January 2004).

Risk assessment: The broad and systematic identification of risks and health threats and the evaluation of their significance for safety, health and property. The goal is to improve safety.

Risk: The likelihood of a dangerous accident and the seriousness of consequences.

Safety: Activities are safe if associated risks are acceptable. Safety means total physical and mental safety so that no one suffers injury or is disabled or is unnecessarily unbalanced mentally.

Safety document: A written document prepared by the operator which specifies matters concerning program services and safety such as the duties of personnel, risk assessment, safety plan and procedures for obtaining help in case of an accident or other emergency.

Safety plan: Instructions prepared by the operator for the safety of individual activities and activity areas.

Supervised program service: A service offered consumers which is conducted under the supervision or guidance of an instructor, guide etc.

Unsupervised program service: An unsupervised excursion, hike etc which is offered to consumers, who for a charge receive instructions, materials, equipment, food etc.

4 GENERAL REQUIREMENTS CONCERNING THE SAFETY OF PROGRAM SERVICES

Program services must not cause a hazard to the health or property of consumers using services as defined in section 4 of the Product Safety Act. Nor may program services cause a hazard or nuisance to other persons such as bystanders and passers-by. Services must take the environment into consideration and must be in line with sustainable

development. Workers' safety must be taken into account as prescribed in the Occupational Safety and Health Act (738/2002).

In accordance with section 3 of the Product Safety Act, the operator is responsible for the safety of a program service throughout the service chain.

A program service must be safe at all times, considering the group and the number of participants. Terrain, environmental and weather conditions as well as the nature of the group (children, young people, older people, people with disabilities) and the number of guides or instructors must be taken into consideration.

The operator must set a maximum number of participants for a program service or part of a program service in advance. The operator must also set requirements or restrictions concerning age, condition, skills etc which are necessary to ensure safety in advance. The maximum number of participants in a program service or part of a program service as well as any restrictions must be noted in the safety document.

Condition limits must be set for programs. If activities are not safe, a program should be cancelled (for example on account of slipperiness due to rain or freezing weather, thawing ice, cold/heat, lightning). The operator should have clear instructions concerning what to do if conditions change during a program. These instructions should be noted in the safety document and personnel should be aware of them.

5 MARKETING AND INFORMATION WHICH MUST BE SUPPLIED TO PARTICIPANTS IN ADVANCE

According to chapter 2 section 1 of the Consumer Protection Act (38/1978), methods which are in conflict with good practice or are otherwise unfair to consumers may not be used in marketing. Marketing that does not contain information which is necessary to ensure consumers' health or financial security is always considered unfair.

Chapter 2 of the Consumer Protection Act also prohibits the use of false or misleading information in marketing (giving consumers a false idea of the content of program services or related matters, for example). Marketing which contains correct information can also be misleading if it leaves out significant information or presents information unclearly.

Marketing materials such as ads and brochures should give a realistic description of activities and services. Marketing materials should tell for whom activities are intended. Photos used in marketing should show the actual activity area. Marketing must not encourage illegal activities or display disregard for safety regulations. For this reason anyone shown in photos should be wearing personal protective equipment and any activity scenes should show proper safety equipment being used where necessary.

As a rule participants in programs which last over four hours and require preparation, equipment, good physical or mental condition and/or skills should be sent written information in advance. This information should be provided in participating groups' most common languages so that participants can understand key safety matters. Language

questions should not cause safety risks, so it is important to see that customers understand instructions. Advance information concerning a program service may also be presented in marketing materials.

Advance information concerning a program service should include at least the following:

- A description of activities and where they will take place (for example built-up area, forest, lake).
- The duration of the program.
- The level of difficulty and what is required of participants in terms of age, physical and mental condition, health etc.
- If a service includes animals, this should be mentioned in case participants have allergies.
- Conditions which can result in the program being cancelled or stopped.
- Advance instructions which should state what information and skills participants must have and how participants should prepare in terms of clothing and equipment.
- If being under the influence of intoxicants is prohibited during a program service or part of a program service, this should be mentioned. Participants should also be told in advance if their condition will be evaluated beforehand.

6 SAFETY DOCUMENT

6.1 General

The operator must prepare a written safety document containing at least the minimum information necessary to ensure the safety of the program service according to the model in Appendix 1. The content and scope of the safety document should be in line with the scope of the program service and activities. The safety document should cover all program activities. If a program service includes more than one activity and/or activity area, written instructions (a safety plan) concerning each of these should be appended to the safety document.

The safety document should be discussed with personnel and personnel should acknowledge that they have understood its content by signing it. The safety document should be kept in a place where personnel, including substitutes and temporary staff, can easily find it. The safety document should be updated if situations and conditions change. Personnel should review the content of the safety document regularly and the safety document should always be discussed with new personnel as part of orientation.

The safety document can be combined with the rescue plan required under Finnish rescue legislation.

According to the Act on Rescue Services (561/1999) and the Rescue Act (468/2003) which will come into force on 1 January 2004 to replace it, an operator or other organization is responsible in conducting and planning activities for preventing dangerous situations, for preparing to protect people, property and the environment in case of danger and for preparing for whatever rescue measures can be taken. Rescue legislation specifies places or activities which must be covered by a written safety plan. Preparing a written

safety or rescue plan helps all service producers to recognize measures which are necessary to prevent accidents and deal with emergencies.

The operator should also take into consideration the requirements in the Occupational Safety and Health Act (738/2002), which calls for an action program in this area.

6.2 Risk assessment

The operator should assess or have an outside expert assess risks in a program service (what dangers are involved in getting to the activity area, going from one place to another, getting help etc). A risk assessment should be prepared in writing as part of the safety document. As part of the safety plan in point 6.3 the operator should assess risks in different activities and at different places. Risk assessment can help an operator systematically prevent accidents.

Risk assessment includes the following:

1. Identifying what dangers are involved in an activity, what kinds of accidents can occur (falls, slips etc) and in what situations.
2. Assessing the probability and consequence of accidents:
 - what is the chance of an accident occurring (unlikely, possible or probable)
 - is the result likely to be minor, harmful or serious (for example bruise, broken bone, death/permanent injury).
3. Determining measures to eliminate dangers, reduce risks or prevent accidents.

If risk assessment is conducted by the operator, even with outside guidance, this increases the operator's commitment to improve safety.

6.3 Safety plan

If a program service includes more than one activity or activity area, written instructions (a safety plan) concerning each of these should be appended to the safety document.

The safety plan should include the following information for each activity or activity area (as appropriate according to the program service):

1. Description of the activity or activity area
2. Person responsible for safety and deputy with contact information
3. Directions or other instructions for getting to the area (also for rescue or ambulance units)
4. For a route: route description, starting point, return point, daily distances, overnight and rest stops, activity areas. These should all be clearly marked on an appended map.
5. Risks associated with the activity or activity area
6. Risk management:
 - Maximum number of participants
 - Restrictions concerning the activity (weather, other conditions, intoxicants)
 - Instructors' qualifications
 - Instructors' preparations beforehand (for example checking the area and equipment, including first-aid equipment and communication links)

- Preparing and supervising participants
 - Personal protective equipment, safety equipment
 - Machinery (for example compliance with safety standards)
 - Special equipment
 - Food and water (transport and storage)
 - Fire safety (for example smoke alarms, handling fire, materials' fire safety)
7. What to do if a customer or worker is injured
 8. What to do in case of some other accident (for example fire, carbon monoxide poisoning)
 9. General precautions (for example handling fire, forest fire warnings)
 10. What to do after an accident:
 - Reporting (for example accident report)
 - Information concerning the accident (for example person in charge and method)
 - Notifying authorities (Consumer Agency, occupational safety and health district, police)
 - Follow-up measures (for example transport, crisis assistance)
 11. Other relevant matters.

When a safety plan is prepared, special attention should be paid to the following types of activities, which may involve large risks (examples in parentheses):

- activities in high places (falls, bruises)
- activities in remote areas (help hard to get or slow in coming)
- activities involving fire (burns, asphyxiation)
- activities using motor vehicles such as snowmobiles, cars, ATVs, motorcycles, mopeds, water scooters etc (traffic accident, collision)
- cross-country horseback riding (falls, bruises)
- long outdoor activities (frostbite, hypothermia, heat exhaustion, dehydration, severe fatigue, getting lost)
- parachute activities (falls, bruises)
- underground activities for example in tunnels, caves, mines (getting lost, running out of oxygen)
- water activities (falling in, hypothermia, bruises)

This list is not exhaustive. There may be other activities involving large risks which should receive special attention in preparing a safety plan.

6.4 Documenting, investigating and reporting accidents

The operator must document accidents and serious near-miss situations. For this purpose a form can be used to record accidents and near-miss situations involving participants and personnel together with consequences. The operator can draw up the form, which should include information on who was injured, the time, place and cause of the injury, the nature of the injury, the reasons for the accident and follow-up measures to remedy the situation.

Interpreting and analysing accidents and the reasons behind them provides a basis for assessing risks and developing the safety system. Documenting accidents helps an operator improve operations and makes it easier to obtain additional information if an accident needs to be investigated later.

In accordance with section 3 of the Product Safety Act, operators must report accidents or serious near-miss situations to the local health inspector, the state provincial office or the Consumer Agency as soon as possible. Accident reports draw attention to risks and guidelines can be prepared to improve safety in areas where risks are high.

In accordance with the Act on the Supervision of Occupational Safety and Health (131/1973) and the Employment Accidents Act (608/1948), employers must report serious accidents involving employees to occupational safety and health authorities and the police.

7 PARTICIPANTS

7.1 Advance information on participants

Advance information on participants helps the operator prepare the necessary measures. If participants are special groups such as children, foreigners or people with disabilities, the operator may have to change the structure of the program to meet the requirements of the special group. Changes in the structure of a program can concern the level of difficulty or the duration of the program, for instance.

If programs require special physical and/or mental condition, it is a good idea to survey participants' health and skills in advance. A health form can be used to determine if participants have any illnesses or allergies which need to be taken into consideration. Even in the case of shorter programs participants can be asked to supply information which is significant in view of activities. Information can be helpful in planning the structure of the program and meals, among other things. Health forms must be in conformance with the Personal Data Act (523/1999) and should be destroyed once the program is over.

If there is a large probability of falling into the water during a program, participants' swimming ability should be surveyed in advance (for example orally).

7.2 Restrictions and equipment requirements

In activities which involve large risks, such as those listed in point 6.3, the operator can use advance information on participants to evaluate participants' physical or mental condition and ability beforehand. If necessary advance information on participants can be used to restrict participation or change the structure of the program service. Participants' condition should be monitored during activities to check for hypothermia, heat exhaustion, frostbite, fatigue, illness, panic reaction etc.

The operator should impose clear limits on the use of intoxicants. Participating in program services while intoxicated increases the risk of an accident. If the use of intoxicants is strictly forbidden, this should be stated clearly when payment is collected or in advance information so that the matter does not come as a surprise to participants. Advance information should also mention that participants' condition can be checked before the start of a program service. The operator always has the possibility and responsibility to

cancel or stop a program service on account of safety considerations. The operator can use a breathalyser to check participants' blood alcohol content with their permission.

Before the start of a program the operator should make sure that participants have clothing which is appropriate for the activity and provides adequate protection from weather conditions etc. The operator should supply protective clothing to participants if necessary. During the program participants and personnel should wear the necessary approved safety equipment and personal protective equipment. If participants use their own personal protective equipment and safety equipment, the operator should make sure that this equipment is suitable for the activity. The operator is responsible for the suitability of all equipment and should see that all equipment is properly used.

Before an activity starts, participants should be told that participation is voluntary. Participants should not be forced to join in an activity. Participants may be under heavy social pressure to complete a task, for example in a group including co-workers. Personnel should monitor the situation and make sure that participants can opt out of activities.

7.3 Children and young people

People under the age of 18 need their guardian's approval to take part in activities which involve large risks, such as those listed in point 6.3. The operator should check that approval has been given in a reliable way (for example note signed by the guardian).

If people under the age of 18 participate in activities which involve large risks and their guardians are not present, the operator should collect guardians' contact information so that they can be reached if necessary.

7.4 Foreign participants

If foreigners participate in an activity, consideration should be given to their own customs, beliefs and values. Personnel should include a sufficient number of instructors with adequate language skills. In activities involving large risks, instructors should speak participants' own language or they should be able to communicate in a common language so that instructions can be given clearly. An interpreter may also be used. Foreign participants should be given adequate instruction and guidance and instructors should make sure that they have understood instructions.

7.5 Ensuring participants' physical safety

The operator is responsible for maintaining order and if necessary (for example in the case of large public events or other such occasions) for ensuring participants' safety and protecting them from bodily harm or threats or other aggressive behaviour by arranging sufficient personnel to keep order. With regard to personnel attention should be paid to the provisions in the Act on Persons Maintaining Order (533/1999). The Public Order Act (612/2003) has been enacted to promote public order and safety.

8 PERSONNEL AND FIRST-AID AND SAFETY TRAINING

8.1 Basic requirements for personnel

The operator should appoint a person responsible for safety together with a deputy. Their names, contact information and tasks should be indicated in the safety document and all personnel should know about them.

Personnel should be adequate in view of the nature and scope of the activity and the number of participants (for example the number of instructors on snowmobile or other safaris).

Personnel should have appropriate training and should be given proper orientation when they are hired, which includes going over the safety document. In the case of special activities instructors should have the necessary qualification (for example a sport association certificate in wall climbing, rock climbing, canoeing, boating) and skills should be verified on the job. The operator should make sure that personnel are qualified by checking skills during recruitment (for example having applicants show what they can do and how to act in practice). Documents alone do not necessarily give a good picture of a person's real skills and attitude towards safety.

Permanent personnel should have written job descriptions which spell out their tasks and responsibilities.

Trainees should as a rule work only under the supervision of regular personnel and in a supportive role. The operator should make sure that trainees are capable of working safely.

Personnel should also monitor their own physical and mental condition. If an instructor is over-tired, her/his ability to react and observe is weakened and this can increase the risk of an accident.

8.2 First-aid and safety training

Personnel should have adequate language, first-aid, safety and fire-extinguishing skills in view of the nature of the activity. All personnel should know how to call for help and should know different ways to call for help. Every shift should have at least one person with first-aid training (at least Finnish Red Cross FA1 or equivalent information and skills) and one person with fire-extinguishing training. Refresher courses should be arranged for persons with first-aid training (for example a Finnish Red Cross FA card is valid for three years). All personnel should be given basic instruction in first-aid. Requirements concerning first-aid and rescue skills are higher if activities take place in open country or outside built-up areas. In this case an instructor should have at least Finnish Red Cross FA2 training (or equivalent information and skills) applied to the activity. Language requirements are also higher if services are offered mainly to foreign participants.

All personnel should be familiar with the division of tasks (who rescues, gives first-aid, calls for help, supervises etc) and leadership responsibility in an accident situation. In activities which involve large risks, such as those listed in point 6.3, the division of tasks should always be reviewed before the start of activities in case of changes in personnel.

Safety training and drills should be arranged for all personnel at least once a year, for example before the season starts. This training should review emergency procedures, the use of rescue and fire-extinguishing equipment, resuscitation and what to do in case of common illnesses and accidents. Drills should focus attention on rescue procedures and cooperation between personnel. Special and emergency situations should be practised in real settings and in different conditions. Drills can be arranged in cooperation with rescue authorities and other operators, for instance. The operator should keep a log of training and drills, including the date, subject, participants and person in charge.

9 MACHINERY, STRUCTURES AND BUILDINGS

9.1 Machinery

Machinery such as snowmobiles, ATVs, chain saws and other hand-operated machines should be suitable for the purpose and should meet statutory requirements:

- Government decision on the safety of machinery (1314/1994).
- Government decision on the acquisition, safe use and inspection of machinery used at work and other work equipment (856/1998).
- Government Decree amending the Government decision on the acquisition, safe use and inspection of machinery used at work and other work equipment (437/2003).

If program services are arranged on a road, traffic safety should be taken into consideration so as to comply with the provisions in the Road Traffic Act (267/1981) and the Vehicle Act (1090/2002). Off-road vehicles are subject to the provisions in the Off-road Traffic Act (1710/1995) and Decree (10/1996). Permission must generally be obtained to drive off-road.

The operator should appoint a person responsible for machines and this person's name and contact information should be indicated in the safety document. Machinery should be inspected and maintained regularly. A maintenance plan should be prepared and a log should be kept of inspections and maintenance work.

9.2 Structures

Structures used in program services should be durable, safe and suitable for activities. Structures should meet existing safety requirements such as building regulations and relevant standards.

- Climbing walls must comply with the requirements in standard SFS-EN 12572 Artificial climbing structures. Protection points, stability requirements and test methods.

- Low exercise courses (up to about two metres high) must comply with the requirements in playground equipment standards SFS-EN 1176-1 - 1176-7 and SFS-EN 1177.
- There is no SFS-EN standard for high exercise courses but the standards approved by the Association for Challenge Course Technology (ACCT) can be used in designing courses.

In the case of runways and special structures, drawings must be made together with strength calculations. The operator must know the designer and builder and when structures were built. It is recommended that responsibility for the design and technical implementation of runways and special structures be entrusted to an expert. It is a good idea to discuss safety matters with the local building inspector. Special attention should be paid to ensuring the safety of runways and special structures.

Structures which are used in program services, such as duckboards and rafts, should be maintained and inspected regularly. A maintenance plan should be prepared and a log should be kept of maintenance work and inspections. The operator should appoint a person responsible for maintaining and inspecting structures and this person's name and contact information should be indicated in the safety document.

9.3 Buildings and accommodation

Buildings such as accommodation, meeting and business facilities and similar facilities such as tents, cooking shelters and portable cabins should comply with Finnish building regulations with regard to such things as strength and fire safety as well as the fire safety regulations in Finnish rescue legislation.

According to regulations, buildings must have a sufficient number of exits and exits must be clearly marked. Buildings must be equipped with smoke alarms or an automatic fire alarm system and fire-extinguishing equipment must be within easy reach. Temporary accommodation facilities should be equipped with smoke alarms when in use. If a stove or similar device is used to heat a tent, fire safety can be ensured by having the fire watched through the night.

10 SAFETY EQUIPMENT AND PERSONAL PROTECTIVE EQUIPMENT

Safety equipment and personal protective equipment should be suitable for the activity and should comply with regulations. The Government decision on personal protective equipment (1406/1993) contains regulations such as the requirement that personal protective equipment should bear the CE mark.

Sports in which participants should wear an approved helmet include biking, roller skating, horseback riding, white-water boating and rafting, rock climbing, flying, tobogganing, paintball and airsoft war games and other events in which a blow to the head is possible. Participants should wear type-approved helmets when riding vehicles. According to the Decree of the Ministry of Transport and Communications on the Structure and Equipment of Two- and Three-wheel Vehicles and Four-wheelers

(1250/2002), approved helmets are those which have been approved under ECE 22/04 and comply with FMVSS 218.

The operator should appoint a person responsible for safety equipment and personal protective equipment. Personal protective equipment such as lifejackets and climbing equipment should be inspected and maintained regularly and a log should be kept of inspections. Equipment should be stored and maintained according to the manufacturer's instructions (for example climbing equipment in a warm place and protected from light).

Safety equipment and personal protective equipment should be in good condition, clean and easily available. Equipment which is broken or unusable should be thrown away so that it cannot be mixed with usable equipment.

Climbing and descending equipment is subject to wear, which has a major effect on safety. A log should be kept showing when and how many times equipment was used and who was responsible. Climbing and descending equipment which is worn out or no longer usable should be thrown away. Locking carabiners should always be used in situations where there is a large risk of the gate opening by itself.

If program services are located by the water, the operator should pay attention to water safety. A sufficient number of lifeboats and/or lifebuoys should be available on shore, keeping conditions in mind. A beach should have a sign with rescue and first-aid instructions. The sign can also contain other warnings and rules (for example large rocks on bottom, no motor-powered boats allowed). In the case of public beaches operators should also pay attention to the Ministry of Education's 1979 guidelines on the design, construction and maintenance of beaches as well as the safety recommendations approved by the Finnish Association for Swimming Instruction and Life Saving (for example marking a safe bathing area, inspecting the bottom regularly, first-aid and rescue equipment, alarm system). In designing winter swimming areas operators can use the information cards prepared by the Consumer Agency for this purpose.

11 EMERGENCY PREPAREDNESS

11.1 First-aid and rescue preparedness

The operator should have written instructions for emergency situations. These should indicate what to do in an emergency, who is responsible for doing what and how help can get there (for example drawings or map coordinates). In activities involving large risks, participants should be told before the start of the program what to do in an emergency and what to do if the instructor is incapacitated.

Instructions should also include what to do after an accident: who is responsible for reporting an accident within the organization, to participants' relatives, to the media; who is responsible for notifying the authorities (Consumer Agency, police, occupational safety and health district); what follow-up measures should be taken and how accidents should be documented and analysed.

First-aid and rescue equipment which is adequate and suitable for the activity should be easily available. This should include whatever is necessary to keep a patient warm. First-aid equipment should include disposable gloves and a resuscitation face shield to prevent infection.

The operator should make sure that help can be reached if necessary. This includes checking the proper functioning of mobile phones and the charging of batteries. Personnel should be aware of areas where no signal can be obtained. They should also know where fixed-line phones are located. Special solutions such as radio or satellite phones should be used if necessary. Written calling instructions together with phone numbers and addresses as well as directions for rescue vehicles should be located by a fixed-line phone. If possible there should be clear signs so that customers can find a phone to call for help.

The operator should make sure that help can reach the activity area or should prepare a contingency plan in case of an emergency. The operator should inform rescue authorities of fixed places and should contact rescue authorities or an ambulance service in advance to report the exact location. Possible landing sites for a rescue helicopter should also be determined. The operator should find out in advance how long it will take the local rescue service to get to the scene and what resources it has.

Activity areas, transport vehicles, accommodation facilities and campsites should have properly maintained fire-extinguishing equipment which is adequate in relation to risks. Fire-extinguishing equipment should be located in a visible place, within easy reach and marked clearly. A sufficient number of personnel should have fire-extinguishing training, at least one in each group. Fire-extinguishing drills should be held regularly and a log should be kept of drills. The safety document should contain instructions for handling fire indoors and outdoors.

11.2 Evacuation preparedness

If it may be necessary to evacuate an area rapidly, the operator should prepare a written evacuation plan in advance. The plan should indicate who is responsible for deciding to evacuate the area, how this information will be passed on, how personnel should act, where exit routes are located and their capacity, where people should meet and how personnel can make sure that everyone is safe and accounted for.

Evacuation should be planned according to a worst-case scenario. Personnel should practice evacuation procedures at least once a year.

11.3 Search preparedness

In programs where it is possible for participants to get separated from the main group or the instructor, such as treks and safaris, participants should be given instructions concerning what to do if this happens.

The operator should also prepare written instructions in case a participant is missing, including how to arrange a search and call for help. If there is good reason to suspect that someone is lost or injured, the police should be informed. The police will then take charge of the search.

12 RENTALS AND SUBCONTRACTING

Under the Product Safety Act, an operator offering a service to consumers is responsible for the safety of the service. This includes rentals and subcontracting. An operator using subcontracting services should ensure the safety of the entire service package. The operator should also ensure the effective flow of information in the subcontracting chain. Subcontracting services are subject to the same safety requirements as the main operator.

If an operator rents equipment to consumers for their own use, the condition of equipment should be checked and if necessary equipment should be maintained and cleaned (for example washing of hoods) between rentals. Personnel should guide customers in the correct and safe use of equipment and make sure that customers understand how to use equipment. Customers should be given written instructions concerning the use of equipment and what to do in an emergency. Personnel should also find out about customers' route plans in case someone gets lost.

Necessary safety equipment such as lifejackets and helmets should automatically be provided with equipment rentals. Certain types of safety equipment which may be damaged or defective without this being visible and which may thus endanger the user's safety, such as climbing ropes and harnesses, should not be rented at all. Rentals should also pay attention to age restrictions.

13 FOOD SAFETY

The operator should make sure that any food which is sold or served in connection with a program service is safe. If a program service includes meal services, the operator should always contact the local health inspector and find out on what conditions food can be cooked and/or served.

According to section 36 of the Health Protection Act (763/1994, with amendments), an operator must be aware of the hygiene risks involved in handling food and must prepare and implement a plan to reduce and eliminate health risks (in-house control).

According to section 40 of the of the Health Protection Act, an operator must see that everyone who works in a food establishment has sufficient knowledge of food hygiene in view of tasks and should if necessary train and advise personnel in food hygiene. According to the Hygiene Expertise Decree (1115/2001) and a subsequent Decree amending it (1227/2002), people who handle unpacked foods which can easily spoil must also display their knowledge of food hygiene by taking a written test or completing an approved certificate or instruction.

14 ANIMALS USED IN PROGRAM SERVICES

If program services involve animals (for example horseback riding, dogsledding, reindeer driving, pet farms), animals should be suitable and trained for activities. Animals should be safe for children and adults and should be reliable. The operator and personnel should have adequate experience working with animals. The operator or a person appointed by

the operator should supervise activities involving animals at all times in case of surprising situations.

The operator should comply with the provisions in the Animal Protection Act (247/1996) and Decree (396/1996) concerning the keeping, care and treatment of animals.

In program services involving wild animals (for example hunting safaris, watching/photographing bears) the operator must ensure participants' safety and provide the necessary guidance. People under the age of 18 need their guardian's approval to take part in program services of this kind.

15 PERMITS, NOTICES AND INSURANCE

The operator should if necessary:

- Notify the police of a public occasion under section 14 of the Assembly Act (530/1999).
- Notify the local health inspector of the sale and serving of food under section 13 of the Health Protection Act (763/1994), of a water supply plant under section 18 and of a public occasion where food is sold or supplied under section 37 of the same Act.
- Apply to the regional environment centre or environmental permit authority for a permit under section 35 of the Environmental Protection Act (86/2000) concerning substances and emissions mentioned in the Act (for example noise, exhaust gases).
- Obtain permission from the owner or occupant of the property or facility.
- Pay attention to the provisions in the Act on Private Roads (358/1962).

Appendix 3 lists organizations who can assist operators in starting and conducting activities.

The operator should arrange statutory insurance (pension and accident insurance) for personnel. The operator should also arrange voluntary accident and liability insurance for himself and personnel. Liability insurance coverage should be evaluated according to the case. The operator can also consider voluntary group insurance for participants or ensure that participants' accident insurance has been arranged in some other way. Insurance always comes with a deductible and a compensation ceiling and the restrictions in the insurance conditions. Insurance companies may not insure especially dangerous activities at all. Pricing is affected by turnover, risks and the amount of coverage.

If activities involve movable property or fixed facilities, these should also be insured. The operator should contact his insurance company and discuss insurance needs before activities begin. The service arranger and the party ordering the service should prepare a comprehensive and detailed written agreement which spells out different parties' tasks, responsibilities and obligations and the arranging of insurance coverage.

Compulsory traffic insurance must be arranged for motor vehicles, even if vehicles do not have to be registered. Provisions concerning compulsory traffic insurance are contained in the Traffic Insurance Act (279/1959).

16 CONTROL UNDER THE PRODUCT SAFETY ACT

According to section 3 of the Product Safety Act, the operator arranging a service is responsible for making sure that the service is safe.

Control authorities under the Product Safety Act are the Consumer Agency, the provincial state offices and the local product safety supervising authorities.

17 IMPLEMENTATION

The Espoo Regional Rescue Department, If P&C Insurance, the Finnish Tourist Board, the MoNo project (standards for program services), the National Board of Education, the Ministry of Education, the SETLA program (safety and quality in the adventure and activity field), the Department for Rescue Services at the Ministry of the Interior, the Department for Occupational Safety and Health at the Ministry of Social Affairs and Health and the Federation of Finnish Insurance Companies will promote the implementation of these guidelines.

18 ENTRY INTO FORCE

These guidelines enter into force on 5 September 2003.

19 OTHER REGULATIONS, GUIDELINES AND RECOMMENDATIONS

19.1 Acts and Decrees

- Act on Persons Maintaining Order (533/1999)
- Act on Private Roads (358/1962)
- Act on the Supervision of Occupational Safety and Health and Appeal in Occupational Safety and Health Matters (131/1973)
- Animal Protection Act (247/1996)
- Animal Protection Decree (396/1996)
- Assembly Act (530/1999)
- Consumer Protection Act (38/1978)
- Decree of the Ministry of Social Affairs and Health on Certain Establishments Referred to in the Health Protection Act and Notification of a Moving Vehicle or Equipment (167/2003)
- Decree of the Ministry of Social Affairs and Health on Quality Requirements for Household Water Supplied by Small Plants and Control Testing (401/2001)
- Decree of the Ministry of Social Affairs and Health on Quality Requirements for Household Water and Control Testing (462/2000)
- Decree on Rescue Activities (857/1999), will be reformed in 2003
- Decree on the Safety of Hired Boats (438/1983)
- Employment Accidents Act (608/1948)
- Environmental Protection Act (86/2000)

- Environmental Protection Decree (169/2000)
- Fishing Act (286/1982)
- Food Act (361/1995)
- Government decision on personal protective equipment (1406/1993)
- Government decision on the acquisition, safe use and inspection of machinery used at work and other work equipment (856/1998)
- Government decision on the safety of machinery (1314/1994)
- Government Decree amending the Government decision on the acquisition, safe use and inspection of machinery used at work and other work equipment (437/2003)
- Health Protection Act (763/1994)
- Health Protection Decree (1280/1994)
- Hunting Act (615/1993)
- Hygiene Expertise Decree (1115/2001 and 1227/2002) (Decree of the Ministry of Social Affairs and Health on the Food Hygiene Expertise Required of Employees in Food Establishments and Related Testing)
- Land Use and Building Act (132/1999)
- Ministry of Transport and Communications' Decree on the Structure and Equipment of Motor Vehicles and Trailers (1248/2002)
- Ministry of Transport and Communications' Decree on the Structure and Equipment of Two- and Three-wheel Vehicles and Four-wheelers (1250/2002)
- Nature Conservation Act (1096/1996)
- Nature Conservation Decree (160/1997)
- Occupational Safety and Health Act (738/2002)
- Off-road Traffic Act (1710/1995)
- Off-road Traffic Decree (10/1996)
- Outdoor Recreation Act (606/1973)
- Package Travel Act (1079/1994)
- Product Liability Act (694/1990)
- Public Order Act (612/2003)
- Rescue Act (468/2003), will come into force on 1 January 2004
- Road Traffic Act (267/1981), new Act will enter into force in 2003
- Tort Liability Act (412/1974)
- Travel Information Decree (1085/1994)
- Vehicle Act (1090/2002)
- Waste Management Act (1072/1993)
- Water Traffic Act (463/1996)

Legislation is available in Finnish and Swedish from the FINLEX databank at <http://www.finlex.fi/>. Some of the legislation has been translated into English. The databank is maintained by the Ministry of Justice and Edita.

19.2 Safety and risk assessment

The following literature is only available in Finnish.

- A safe public occasion. Ed. Tapio Välikylä. Ympäristö ja Terveys magazine. Vammalan Kirjapaino Oy 2003.
- Building fire safety. Regulations and instructions. Finnish Building Regulations Collection E1. Ministry of the Environment, Helsinki 2002.
- Camping site safety. Finnish Federation of Caravanning. Gummerus, Jyväskylä 2003.

- Fire-extinguishing guide. Finnish Association of Fire Chiefs, Helsinki 2000.
- Principles in planning and implementing outdoor recreation routes. www.suomenlatu.fi/poluistareiteiksi.
- Risk assessment. Occupational safety and health manuals and instructions 14. Ministry of Social Affairs and Health. Tampere 2002.
- Safety plan, guide for businesses and establishments. Finnish Central Organization for Rescue Services. Helsinki 2001.
- SMEs' risk management www.pk-rh.com.

19.3 Standards

Helmets:

- **SFS-EN 966:** Helmets for airborne sport.
- **SFS-EN 1077:** Helmets for alpine skiers.
- **SFS-EN 1078:** Helmets for pedal cyclists and for users of skateboards and roller skates.
- **SFS-EN 1384:** Helmets for equestrian activities.
- **SFS-EN 1385:** Helmets for canoeing and white water sports.
- **SFS-EN 12492:** Mountaineering equipment. Helmets for mountaineers. Safety requirements and test methods.
- **SFS-EN 13484:** Helmets for users of luges.
- **SFS-EN 13781:** Protective helmets for drivers and passengers of snowmobiles and bobsleighs.

Eye-protection:

- **SFS-EN 166:** Personal eye-protection. Specifications
- **SFS-EN 13178:** Personal eye-protection. Eye protectors for snowmobile users.
- **SFS-EN 1938:** Personal eye protection. Goggles for motorcycle and moped users.

Lifejackets and personal buoyancy aids:

- **SFS-EN 393:** Lifejackets and personal buoyancy aids. Buoyancy aids. 50 N.
- **SFS-EN 395:** Lifejackets and personal buoyancy aids. Lifejackets. 100 N.
- **SFS-EN 396:** Lifejackets and personal buoyancy aids. Lifejackets. 150 N.
- **SFS-EN 399:** Lifejackets and personal buoyancy aids. Lifejackets. 275 N.
- **CR 13033:** Personal protective equipment. Lifejackets and buoyancy aids. Guide for selection and use.

Personal protective equipment against falls from a height:

- **SFS-EN 341 + A1:** Personal protective equipment against falls from a height. Descender devices.
- **SFS-EN 354:** Personal protective equipment against falls from a height. Lanyards. -
- **SFS-EN 355:** Personal protective equipment against falls from a height. Energy absorbers.
- **SFS-EN 358:** Personal protective equipment for work positioning and prevention of falls from a height. Belts for work positioning and restraint and work positioning lanyards.
- **SFS-EN 361:** Personal protective equipment against falls from a height. Full body harnesses.

- **SFS-EN 363:** Personal protective equipment against falls from a height. Fall arrest systems.
- **SFS-EN 813:** Personal protective equipment for prevention of falls from a height. Sit harnesses.

Protective clothing:

- **SFS-ENV 342:** Protective clothing. Ensembles for protection against cold.
- **SFS-ENV 343:** Protective clothing. Protection against foul weather.

Structures:

- **SFS-EN 1176-1:** Playground equipment. Part 1: General safety requirements and test methods.
- **SFS-EN 1176-2:** Playground equipment. Part 2: Additional specific safety requirements and test methods for swings.
- **SFS-EN 1176-3:** Playground equipment. Part 3: Additional specific safety requirements and test methods for slides.
- **SFS-EN 1176-4:** Playground equipment. Part 4: Additional specific safety requirements and test methods for runways.
- **SFS-EN 1176-5:** Playground equipment. Part 5: Additional specific safety requirements and test methods for carousels.
- **SFS-EN 1176-6:** Playground equipment. Part 6: Additional specific safety requirements and test methods for rocking equipment.
- **SFS-EN 1176-7:** Playground equipment. Part 7: Guidance on installation, inspection, maintenance and operation.
- **SFS-EN 1177:** Impact absorbing playground surfacing. Safety requirements and test methods.
- **SFS-EN 12572:** Artificial climbing structures. Protection points, stability requirements and test methods.
- ACCT standard (The Association for Challenge Course Technology), 5th edition. USA, Michigan 2002 (<http://www.acctinfo.org/index.html>).

Appendix 1

SAFETY DOCUMENT

1. Person responsible for safety and deputy
 - name and contact information (phone numbers)
 - tasks:
 - For example
 - general safety monitoring, planning and instructions
 - personnel training and drills
 - responsibility for fire-extinguishing and first-aid equipment
 - reporting and monitoring of accidents and close calls
 - monitoring of the condition of rescue routes

2. Employees' job descriptions
 - name, position and contact information
 - skills, training or certification
 - tasks
 - tasks in an emergency situation

3. Participants and participating groups
 - maximum number of participants at a time
 - requirements or restrictions concerning age, condition, skills etc
 - what type of clothing, shoes and other gear participants should wear
 - instructing participants (use of personal protective equipment, what to do in an emergency)

4. Buildings and structures
 - person responsible for inspections and maintenance, name and contact information
 - list of buildings and structures
 - map/drawing showing location of buildings and structures
 - inspection and maintenance
 - maintenance plan
 - maintenance log
 - location of drawings and strength calculations
 - exit paths and protection, assignment of fire-extinguishing and rescue tasks
 - fire safety (list of equipment including smoke alarms, fire-extinguishers, fire blankets and their location)
 - fire inspection log

5. Safety equipment and personal protective equipment
 - person responsible for safety equipment and personal protective equipment, name and contact information
 - list of safety equipment and personal protective equipment and where it is stored
 - inspection and maintenance

- maintenance plan
 - maintenance log
 - special log for climbing and descending equipment
6. Other equipment (sports equipment, machines etc)
 - person responsible for equipment, name and contact information
 - list of equipment and where it is stored
 - inspection and maintenance
 - maintenance plan
 - maintenance log
 7. Risk assessment and safety planning (comprehensive risk assessment)
 - what dangers (physical and mental) are involved
 - possible consequences
 - probability and seriousness of risks
 - measures to eliminate risks or prevent accidents (for example using safety equipment and personal protective equipment, guiding participants, setting restrictions on conditions, instructors' orientation and activities)
 - what to do after an accident (follow-up measures, information, notifying authorities, reporting, compensation)
 8. Instructions for accidents and emergencies
 - means and instructions for getting help and back-up system
 - division of tasks and leadership responsibility
 - order of activities and giving first-aid
 - list of first-aid and rescue equipment and where it is stored
 - evacuation plan
 - search plan
 - emergency training log
 9. Instructions for handling fire
 - handling fire indoors
 - risks associated with heating
 - risks associated with candles and other light sources
 - handling oil- or gas-burning equipment
 - what to do if fire breaks out
 - what to do if someone smells gas
 - what to do in case of carbon monoxide poisoning
 - handling fire outdoors
 - risks associated with lighting an open fire and restrictions (for example if a forest fire warning has been issued)
 - risks associated with different types of stoves (alcohol, petrol, gas etc)
 - what to do if fire breaks out
 10. Documenting and investigating accidents
 - accidents and serious near-miss situations

- procedure for documenting and investigating accidents
 - completing a notification form
 - sending the form to the person responsible for safety
 - analysing the accident (for example contributing factors)
 - deciding and implementing measures to prevent similar accidents, person responsible for measures and timetable
 - information on the accident (responsible person and method)
 - reporting the accident (Consumer Agency, occupational safety and health district, police, insurance company)

11. Separate safety plans for individual activities and/or activity areas according to the instructions in point 6.3.

The scope and content of the safety document should be in line with the scope of the program service.

Appendix 2

SUMMARY OF REQUIRED DOCUMENTS

1. Marketing materials such as ads and brochures (optional)
2. Advance information supplied to participants (as a rule for programs lasting over four hours and requiring preparation, equipment, good physical or mental condition and/or skills).
3. Health information form (optional)
4. Safety document with appendices
 - risk assessment
 - safety plan (if the program service consists of several activities and/or activity areas. Special attention should be paid to activities which involve large risks)
 - form which employees must sign, noting the date on which they read the document
5. Maintenance plan
 - buildings and structures
 - safety equipment and personal protective equipment
 - machinery
 - other equipment
6. Safety training and drills (form noting the date, subject, participants and person in charge)
7. Accident documentation
 - accidents
 - serious near-miss situations
8. Special log for climbing and descending equipment (if necessary)
9. Log for the following:
 - inspections and maintenance of buildings and structures
 - inspections and maintenance of safety equipment and personal protective equipment
 - inspections and maintenance of machinery
 - inspections and maintenance of other equipment
 - fire inspections
 - number of customers/participants, special groups etc

Appendix 3

CONTACT ORGANIZATIONS

The following list includes authorities and other organizations who can assist operators in starting and conducting activities. They can supply information on regulations and advice on improving safety. The list is not exhaustive.

- Consumer Agency (national centre of expertise in the area of product safety control)
- Employment and Economic Development Centre
- Finnish Maritime Administration
- Finnish Tourist Board (marketing abroad and information on service suppliers)
- Local building regulation authority (building construction and repairs, changing the purpose of a building)
- Local economic development officer (establishing a business)
- Local environmental permit authority
- Local health protection authority (product safety and food matters)
- Local occupational safety and health authority
- Local police department (notification of a public occasion, maintaining order)
- Own insurance company (coverage)
- Regional rescue department (fire inspector)
- Travel Development Finland Ltd

Appendix 4

SPORT ASSOCIATIONS AND OTHER ORGANIZATIONS

(contact information as of 10 July 2003)

Finnish Canoeing Association
Olympiastadion, Eteläkaarre
00250 HELSINKI
tel. (09) 494 965
www.kanoottiliitto.fi

Finnish Association for Swimming
Instruction and Life Saving
Kirvesmiehenkatu 4 A 6
00810 HELSINKI
tel. (09) 343 6560
www.suh.fi

Finnish Climbing Association
Radiokatu 20
00093 SLU
tel. (09) 348 131 35
www.climbing.fi

National Association for Recreational Sports
and Outdoor Activities
Fabianinkatu 7
00130 Helsinki
tel. (09) 170 101
www.suomenlatu.fi

Guides and Scouts of Finland
Kylänvanhimmantie 29
00640 Helsinki
tel. (09) 2533 1100
www.partio.fi/

Equestrian Federation of Finland
Radiokatu 20
00093 SLU
tel. (09) 2294 510
www.ratsastus.fi

Finnish Swimming Association
Hämeentie 105 A
00550 Helsinki
tel. (09) 5490 3477
www.uimaliitto.fi

Finnish Sports Federation
Radiokatu 20
00930 SLU
tel. (09) 348 121
www.slu.fi

Finnish Ascending Parasachute and kite
Association
Ruolankatu 20
FIN-15150 Lahti
Puh. 0400 337200
www.vetovarjo.com

Appendix 5

INSTRUCTIONS FOR CUSTOMERS PARTICIPATING IN PROGRAM SERVICES

1. The operator is responsible for the safety of a program service. Product Safety Act (914/1986).
2. Read and follow the instructions provided by the operator.
3. Notify the operator in advance (on a form or orally) of disabilities, illnesses and allergies. The operator can take these into consideration and if necessary modify the program.
4. Do not participate in an activity if you do not think you can do it safely. It is important to know your own limits.
5. Social pressure can make people do things they really should not attempt.
6. Watch out for others, especially children and young people.
7. Ask the operator if children can participate. Comply with age and size restrictions.
8. Use personal protective equipment and safety equipment. The operator does not supply these to increase excitement but to protect you and other participants.
9. Do not participate in activities while intoxicated. If you are intoxicated you may overestimate your abilities and you will not be as alert to danger. Remember that certain kinds of medicine can also cause drowsiness and affect your ability to drive.
10. Remember basic safety matters. Fasten seat belts, do not overload vehicles, obey traffic rules, be careful when jumping into water, use lifejackets on the water, handle fire properly and follow the operator's instructions.
11. If you are uncertain, ask about the operator's liability insurance, instructors' qualifications (skills, training, experience etc) and emergency preparedness.
12. A qualified instructor takes safety matters seriously.
13. Do not try to do stunts that you have seen on television or performed by professionals. Stunt men use special equipment and take special safety precautions even if these are not visible or mentioned.
14. The purpose of this program service is to provide positive experiences. By bearing your own responsibility and acting safely you can ensure that this happens.

The operator arranging a service is responsible for the safety of the service. If you have doubts about the safety of a service you can notify the municipal health inspector, the provincial state office or the Consumer Agency, tel. (09) 77 261. You can also notify the Consumer Agency online at www.kuluttajavirasto.fi.

Consumer Agency's guidelines

Dnro 2003/52/1025

9.10.2003

Basis for statute:

- Product Safety Act 914/1986

Target groups:

- Service providers
- Supervising authorities

THE FINNISH CONSUMER AGENCY'S GUIDELINES FOR THE PROMOTION OF SAFETY IN PROGRAM SERVICES

The Finnish Consumer Agency has revised its guidelines for the promotion of safety in program services. The guidelines are based on the Finnish Product Safety Act (914/1986, with amendments).

The purpose of these guidelines is, on the basis of the Product Safety Act, to define minimum requirements for the safety of program services, to increase the safety of program services, to improve the monitoring of safety under the Product Safety Act and to prevent accidents.

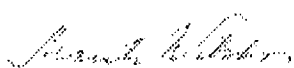
These guidelines serve as general instructions for program services of different types, sizes and levels. The guidelines incorporate general points on safety promotion. The guidelines are to be applied to the applicable part of different program services taking into account how physically and mentally demanding the service is. The Consumer Agency has drawn up more specific individual guidelines for some services.

The safety of program services contributes to the quality of the services. Safety also increases customer satisfaction.

Product safety legislation will be reformed in the first part of 2004.

These guidelines enter into force on 5 September 2003.

Director General


Marita Wilska

Deputy Director


Tomi Lounema



**CONSUMER AGENCY'S
GUIDELINES FOR THE
PROMOTION OF SAFETY
AT SWIMMING POOLS
AND FAMILY SPAS**

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CONSUMER AGENCY'S GUIDELINES FOR FURTHERING THE SAFETY OF KARTING

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THE FINNISH CONSUMER AGENCY'S GUIDELINES FOR THE PROMOTION OF SAFETY OF KARTING

1. PURPOSE OF THE GUIDELINES

The purpose of these guidelines is to define a minimum level for the safety of karting in accordance with the Product Safety Act (914/1986, with amendments), increase the safety of karting and to make the supervision pursuant to the Product Safety Act more effective, and to prevent accidents.

The Consumer Agency has drawn up these guidelines in cooperation with AKK – Motorsport ry, the Ministry of Social Affairs and Health, the Federation of Finnish Insurance Companies, and with representatives of the providers of karting services.

2. SCOPE OF APPLICATION

The guidelines apply to the determination of safety of indoor and outdoor karting within the scope of application of the Product Safety Act. The guidelines do not apply to the control of other ancillary services provided by karting tracks. Nor do the guidelines apply to track events that are outside the normal activities of the track, such as competitions, where stricter safety requirements are observed than those in these guidelines. The scope of application in these guidelines is hereafter referred to as karting.

The guidelines may also be applied to mini-motorcycling and other corresponding sports that take place on karting or similar tracks.

3. BASIC CONCEPTS

Driving rules: The service provider's rules governing driving.

Free area: The space between a driver sitting in a kart on the track and a fixed structure (excluding the protective barrier).

Indoor karting track: A clearly defined, mainly covered track, that has been designed and constructed for karting.

Kart: A four-wheeled motorised vehicle used on a karting track.

Logbook: A diary (e.g. calendar), in which a daily record is kept of such things as the number of users, special events, and any accidents or serious near-miss situations that have occurred.

Outdoor karting track: A clearly defined, uncovered track, that has been designed for karting. A track that has safety areas and track separators that has generally been inspected by AKK – Motorsport ry or an equivalent body involved in the sport.