Consumer Sales and Guarantees Directive (1999/44) - Spain

National Law

Royal Decree of 24 July 1889 by which the Civil Code is published
Adoption date for national laws: Wed Jul 24 00:00:00 CET 1889
In force date: Thu Jul 25 00:00:00 CET 1889

Organic Law 9/1985, of July 1st, on the Judiciary
Adoption date for national laws: Mon Jul 01 00:00:00 CEST 1985
In force date: Wed Jul 03 00:00:00 CEST 1985

The General Act, of November 11th, on Advertising
Adoption date for national laws: Fri Nov 11 00:00:00 CET 1988
In force date: Tue Nov 15 00:00:00 CET 1988

Law 3/1991, 10 January, of Unfair Competition
Adoption date for national laws: Fri Jan 11 00:00:00 CET 1991
In force date: Thu Jan 31 00:00:00 CET 1991

30/1992 Act, on the Common Legal Framework and Administrative Procedure
Adoption date for national laws: Thu Nov 26 00:00:00 CET 1992
In force date: Sat Feb 27 00:00:00 CET 1993

Law 7/1996, of 15 January 1996, on the Regulation of Retail Commerce
Adoption date for national laws: Mon Jan 15 00:00:00 CET 1996
In force date: Wed Jan 17 00:00:00 CET 1996

Law 7/1998, 13 April, on general contracting conditions
Adoption date for national laws: Tue Apr 14 00:00:00 CEST 1998
In force date: Mon May 04 00:00:00 CEST 1998

Law 1/2000, of 7th January, of Civil Procedure
Adoption date for national laws: Fri Jan 07 00:00:00 CET 2000
In force date: Mon Jan 08 00:00:00 CET 2001

Royal Decree 3423/2000, of 15 December, on the regulation of price indication of products offered to consumers and users
Adoption date for national laws: Thu Dec 28 00:00:00 CET 2000
In force date: Fri Dec 29 00:00:00 CET 2000

Law 47/2002 of 19 December on the reform of the Law 7/1996 on retail trade, for the transposition into the Spanish legal system of the Directive 97/7/EC
Adoption date for national laws: Thu Dec 19 00:00:00 CET 2002
In force date: Wed Jan 01 00:00:00 CET 2003

Law 23/2003 on consumer sales
Adoption date for national laws: Thu Jul 10 00:00:00 CEST 2003
In force date: Thu Sep 11 00:00:00 CEST 2003

Law 22/2007, of July 11, on distance trading of financial services for consumers.
Adoption date for national laws: Wed Jul 11 00:00:00 CEST 2007
In force date: Fri Oct 12 00:00:00 CEST 2007

Royal Legislative Decree 1/2007, of 16 November, approving the revised text of the General Law for the Protection of Consumers and Users and other complementary laws.
Adoption date for national laws: Mon Nov 26 00:00:00 CET 2007
In force date: Sat Dec 01 00:00:00 CET 2007

Legislative Decree 1/2007
Adoption date for national laws: Mon Nov 26 00:00:00 CET 2007
In force date: Fri Jan 01 00:00:00 CET 9999

Law 29/2009
Adoption date for national laws: Tue Dec 22 00:00:00 CET 2009
In force date: Fri Jan 01 00:00:00 CET 2010
PDF: Law 30 December 2009-EN_en.pdf

Law 4/2012, of July 6, on timesharing, acquisition of long-term vacation products, resale and exchange, and tax rules
Adoption date for national laws: Fri Jul 06 00:00:00 CEST 2012
In force date: Sat Jul 07 00:00:00 CEST 2012

39/2015 Act , of October 1, on the Common Administrative Procedure of the Public Administrations.
Adoption date for national laws: Thu Oct 01 00:00:00 CEST 2015
In force date: Sun Oct 02 00:00:00 CEST 2016

Law No. 26/1991 of 21 November on consumer protection in case of contracts concluded out of the business premises
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Tue Dec 17 00:00:00 CET 1991

Law 42/1998 of 15 December on timesharing rights on immovable goods for tourist use and taxation norms
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Wed Jan 06 00:00:00 CET 1999

Act No 8/2012 on Timeshare Contracts
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999

Law 21/1995, of 6th of July on package travels

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Sat Oct 07 00:00:00 CET 1995
PDF: legislation293_en_en.pdf

Act 29/2006 on pharmaceuticals
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Wed Jul 26 00:00:00 CEST 2006

Law No. 32/2003 of 3 November on Telecommunications
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Wed Nov 05 00:00:00 CET 2003

Norms of the Autonomous Communities about Travel (examples)
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999

Law 34/2002 of 11 July on the services of the information society and on electronic commerce
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Sat Oct 12 00:00:00 CEST 2002

Law 7/1998 of 13th April on Standard Terms in Contracts
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Tue May 05 00:00:00 CEST 1998

Law 1/2000, of 7th January, of Civil Procedure
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Mon Jan 08 00:00:00 CET 2001

Royal Decree 3423/2000 of 15 December on the regulation of the indication of prices of the products offered to the consumers and users
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Dec 29 00:00:00 CET 2000

Law 39/2002 of 28th of October for the transposition into the Spanish legal system of some Community Directives on protection of the interests of consumers
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Tue Nov 19 00:00:00 CET 2002

Enforcement System

No results available

Cases

32/2005
National ID: 32/2005
Common Name: Diego v “Prosovano S. L.”
Directive Part: Article 1, 1. Article 5, 1. Article 5, 3.
Decision type: Other
Decision date: Wed Feb 09 00:00:00 CET 2005

313/2002
National ID: 313/2002
Common Name: Eduardo M. A. v “Auto-Olsan S. A.”
Directive Part: Article 1, 1. Article 3, 3. Article 5, 1.
Decision type: Other
Decision date: Thu May 30 00:00:00 CEST 2002

680/2003
National ID: 680/2003
Common Name: Eusebio v “Humbert Camions S. L.”
Directive Part: Article 2, 1. Article 1, 1. Article 3, 5. Article 3, 6.
Decision type: Other
Decision date: Mon Nov 22 00:00:00 CET 2004

371/2004
National ID: 371/2004
Common Name: José Pablo v “Electrodomésticos Pinedo S. A.”
Directive Part: Article 2, 1. Article 1, 1. Article 3, 5.
Decision type: Other
Decision date: Tue Jun 29 00:00:00 CEST 2004

AP de Barcelona (Sección 17ª) Sentencia num. 301/2011 de 16 junio
National ID: AP de Barcelona (Sección 17ª) Sentencia num. 301/2011 de 16 junio
Common Name: link
Directive Part: Article 6
Decision type: Court decision in appeal
Decision date: Thu Jun 16 00:00:00 CEST 2011

AP de Zamora (Sección 1ª) Sentencia no. 35/2012 de 8 marzo
National ID: AP de Zamora (Sección 1ª) Sentencia no. 35/2012 de 8 marzo
Common Name: link

Directive Part: Article 2, 2.
Decision type: Court decision in appeal
Decision date: Thu Mar 08 00:00:00 CET 2012

AP de Cantabria (Sección 4ª) Sentencia no. 178/2012 de 11 abril
National ID: AP de Cantabria (Sección 4ª) Sentencia no. 178/2012 de 11 abril
Common Name: link
Directive Part: Article 12
Decision type: Court decision in appeal
Decision date: Wed Apr 11 00:00:00 CEST 2012

487/2003
National ID: 487/2003
Common Name: Luis Enrique v “Médula Hombre”
Directive Part: Article 2, 1. Article 1, 1. Article 3, 3. Article 5, 1.
Decision type: Other
Decision date: Tue Nov 25 00:00:00 CET 2003

155/2003
National ID: 155/2003
Common Name: María Virtudes v “García Navarro S. L.”
Directive Part: Article 2, 1. Article 7, 1. Article 5, 3.
Decision type: Other
Decision date: Thu Mar 06 00:00:00 CET 2003

285/2004
National ID: 285/2004
Common Name: Mauro Carlos v “Renault España Comercial S. a.” and “Ferrolterra Móvil, S. A.”
Directive Part: Article 1, 2. Article 4 Article 5, 1.
Decision type: Other
Decision date: Fri Dec 10 00:00:00 CET 2004

Legal Literature

Diario La Ley, Nº 8472, Sección Doctrina, 3 de Febrero de 2015, Ref. D-42, Editorial LA LEY
Reference: Diario La Ley, Nº 8472, Sección Doctrina, 3 de Febrero de 2015, Ref. D-42, Editorial LA LEY
Title: The lack of conformity as a cause for termination of the sales contract of consumer goods.
Author: CASADO MELGAR, M.
Publication Year: 2015

Revista Doctrinal Aranzadi Civil-Mercantil no. 9/2011
Reference: Revista Doctrinal Aranzadi Civil-Mercantil no. 9/2011
Title: The principle of conformity in the sale of consumer goods: guarantees and after-sales services.
Author: RODRÍGUEZ MARÍN, C.
Publication Year: 2011

Other material

My rights as consumer
Title: My rights as consumer
Emanating from: Administrative Body of the Autonomous Community of Madrid

Your new rights according to the amendment of the Consumers Act
Title: Your new rights according to the amendment of the Consumers Act
Emanating from: FACUA (Spanish consumer association)