

**Unfair Commercial Practices Directive (2005/29) - 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

#### 161/2012

**National ID:** [161/2012](#)

**Common Name:** 161/2012

**Directive Part:** Chapter 2, Article 5, 1.

**Decision type:** Court decision in appeal

**Decision date:** Mon Mar 19 00:00:00 CET 2012

#### AP de Madrid (Sección 28ª) Sentencia num. 168/2009 de 23 junio

**National ID:** [AP de Madrid \(Sección 28ª\) Sentencia num. 168/2009 de 23 junio](#)

**Common Name:** link

**Directive Part:** Chapter 2, Section 2, Article 9, (c) Chapter 2, Article 5, 2., (a) Chapter 2, Article 5, 2., (b) Chapter 2, Section 1, Article 6, 1., (f) Chapter 2, Article 5, 2.

**Decision type:** Court decision in appeal

**Decision date:** Tue Jun 23 00:00:00 CEST 2009

#### AP de Madrid (Sección 28ª) Sentencia num. 208/2011 de 17 junio

**National ID:** [AP de Madrid \(Sección 28ª\) Sentencia num. 208/2011 de 17 junio](#)

**Common Name:** link

**Directive Part:** Chapter 2, Section 1, Article 7, 1.

**Decision type:** Court decision in appeal

**Decision date:** Fri Jun 17 00:00:00 CEST 2011

#### Juzgado de lo mercantil de Madrid Sentencia de 21 de enero de 2014

**National ID:** [Juzgado de lo mercantil de Madrid Sentencia de 21 de enero de 2014](#)

**Common Name:** link

**Directive Part:** Chapter 2, Article 5, 2., (a) Chapter 2, Article 5, 2., (b) Annex I, 19. Chapter 2, Article 5, 2.

**Decision type:** Court decision, first degree

**Decision date:** Tue Jan 21 00:00:00 CET 2014

#### AP de Barcelona (Sección 16ª) Sentencia num. 323/2014 de 26 junio

**National ID:** [AP de Barcelona \(Sección 16ª\) Sentencia num. 323/2014 de 26 junio](#)

**Common Name:** link

**Directive Part:** Chapter 2, Article 5, 2., (a) Chapter 2, Article 5, 2., (b) Chapter 2, Article 5, 4., (a) Chapter 2, Section 1, Article 7, 2. Annex I, 31. Annex I, 31., -

**Decision type:** Court decision in appeal

**Decision date:** Thu Jun 26 00:00:00 CEST 2014

### Legal Literature

**Grandes Tratados. Comentarios a la Ley de Competencia Desleal. BIB 2011/502. Editorial Aranzadi, S.A.U., Marzo de 2011.**

**Reference:** [Grandes Tratados. Comentarios a la Ley de Competencia Desleal. BIB 2011/502. Editorial Aranzadi, S.A.U., Marzo de 2011.](#)

**Title:** A commentary on article 22 of the Unfair Competition Law. Phishing practices and promotional misleading practices.

**Author:** SANCHEZ BARRIOS, M. I.

**Publication Year:** 2011

<http://www.uniondeconsumidores.org/UC/Jornadas/archivos/Ponencia1.pdf>

**Reference:** <http://www.uniondeconsumidores.org/UC/Jornadas/archivos/Ponencia1.pdf>

**Title:** Analysis and development of the law transposing the Directive by Law 29/09 of 30 December 2009 amending the statutory regime of unfair competition and advertising in order to enhance protection afforded to consumers and users

**Author:** B. HERNÁNDEZ

**Publication Year:** 2010

**Revista de Derecho Mercantil No. 283/2012**

**Reference:** [Revista de Derecho Mercantil No. 283/2012](#)

**Title:** Consequences of the principle of full harmonisation in Directive 2005/29 on unfair commercial practices, in the light of the CJEU's recent case law

**Author:** V. MARTÍ MOYA

**Publication Year:** 2012

**Aranzadi Civil-Mercantil Núm. 3/2011. Pamplona 2011.**

**Reference:** [Aranzadi Civil-Mercantil Núm. 3/2011. Pamplona 2011.](#)

**Title:** Denigration as illicit competing practice after reformation of the unfair competition and advertising legal regime.

**Author:** R. LARA GONZÁLEZ

**Publication Year:** 2011

**Aranzadi Civil-Mercantil núm. 8/2011 (Estudio).**

**Reference:** [Aranzadi Civil-Mercantil núm. 8/2011 \(Estudio\).](#)

**Title:** Disguised trade practices.

**Author:** N. IRACULIS ARREGI

**Publication Year:** 2011

**BIB 2007/1097, Revista Doctrinal Aranzadi Civil-Mercantil num.12/2007 Editorial Aranzadi, S.A.U.**

**Reference:** [BIB 2007/1097, Revista Doctrinal Aranzadi Civil-Mercantil num.12/2007 Editorial Aranzadi, S.A.U.](#)

**Title:** Illegal advertising and the study of Directive 2005/29 / EC (LCEur 2005, 1143) on unfair commercial practices.

**Author:** IRÁKULIS ARREGI., N.; LEIÑENA MENDIZÁBAL, E.

**Publication Year:** 2007

[http://www.uria.com/esp/actualidad\\_juridica/n25/04Legis13.pdf](http://www.uria.com/esp/actualidad_juridica/n25/04Legis13.pdf)

**Reference:** [http://www.uria.com/esp/actualidad\\_juridica/n25/04Legis13.pdf](http://www.uria.com/esp/actualidad_juridica/n25/04Legis13.pdf)

**Title:** Intellectual and industrial property and unfair competition. Modification of the legal regime on unfair competition and publicity.

**Author:** A. GONZÁLEZ and M. ZAMBRINI

**Publication Year:** 2010

**Actualidad Jurídica Aranzadi nº 799/2010**

**Reference:** [Actualidad Jurídica Aranzadi nº 799/2010](#)

**Title:** Legal actions relating to unfair practices and codes of conduct related to consumers and users

**Author:** J. G. PIPAÓN PULIDO

**Publication Year:** 2010

**Manual de derecho de consumo. Edificio Lex Nova, enero de 2013.**

**Reference:** [Manual de derecho de consumo. Edificio Lex Nova, enero de 2013.](#)

**Title:** Misleading advertising and unfair competition.

**Author:** PORTO CORTÉS, A.

**Publication Year:** 2013

**Aranzadi Civil-Mercantil Núm. 1/2012. Pamplona 2012**

**Reference:** [Aranzadi Civil-Mercantil Núm. 1/2012. Pamplona 2012](#)

**Title:** New relationships between the Trademarks Law and the Unfair Competition Law

**Author:** R. GARCÍA PÉREZ

**Publication Year:** 2012

**Revista Doctrinal Aranzadi Civil-mercantil num. 6/2010. Editorial Aranzadi, S.A.U.**

**Reference:** [Revista Doctrinal Aranzadi Civil-mercantil num. 6/2010. Editorial Aranzadi, S.A.U.](#)

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**Author:** LEIÑENA MENDIZABAL, E.; IRACULIS ARREGUI, N.

**Publication Year:** 2010

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**Title:** The information obligations after Law 17/2009 on the free access to services activities

**Author:** J. AVILÉS GARCÍA

**Publication Year:** 2010

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**Reference:** [Revista Doctrinal Aranzadi Civil Nº 6](#)

**Title:** The reformation of the Spanish Law in the matter of unfair competition, consumer protection and retail commerce by Law 29/2009

**Author:** E. LEIÑENA and N. IRACULIS

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**Reference:** [La Reforma de la Competencia Desleal. Wolters Kluwer España. 2010](#)

**Title:** The Reformation of the Unfair Competition

**Author:** A. TATO PLAZA, P. FERNÁNDEZ CARBALLO-CALERO, C. HERRERA PETRUS

**Publication Year:** 2010

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**Author:** J.I. RUIZ PERIS

**Publication Year:** 2010

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**Reference:** [Revista de Derecho Mercantil No. 284/2012](#)

**Title:** The structural elements defining the conduct subject to the Unfair Competition Act

**Author:** A. SUÑOL LUCEA

**Publication Year:** 2012

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#### **Other material**

No results available