



## **World Consumer Protection Map**

Contribution by  
Spain



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Page 2: Contact of respondent

**Q1** Name of responding member State **Spain**

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**Q2** Name of responding authority/agency:

AGENCIA ESPAÑOLA DE CONSUMO, SEGURIDAD ALIMENTARIA Y NUTRICIÓN

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Page 3: Consumer protection legislation

**Q7** Does your country's Constitution contain a provision on consumer protection? **Yes**

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**Q8** If you do, please provide de following details:

Text of constitutional norm with reference to consumer protection

**Consstitución Española de 1978**

URL link

**<https://www.boe.es/buscar/pdf/1978/BOE-A-1978-31229-consolidado.pdf>**

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**Q9** Does your country have have specific law(s) on consumer protection ? **Yes**

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**Q10** If you do, when was the main specific law first enacted?

Date

**19/07/1984**

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**Q11** If your main specific law on consumer protection has been revised, when was the date of its latest revision?

Date

**04/11/2017**

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## Consumer Protection Survey

**Q12** Please provide the following details of the current specific law(s):

1- Name of law	<b>Real Decreto Legislativo 1/2007, de 16 de noviembre, por el que se aprueba el texto refundido de la Ley General para la Defensa de los Consumidores y Usuarios y otras leyes complementarias.</b>
1- URL link	<b><a href="https://www.boe.es/buscar/pdf/2007/BOE-A-2007-20555-consolidado.pdf">https://www.boe.es/buscar/pdf/2007/BOE-A-2007-20555-consolidado.pdf</a></b>
2- Name of law	<b>Real Decreto 897/2017, de 6 de octubre, por el que se regula la figura del consumidor vulnerable, el bono social y otras medidas de protección para los consumidores domésticos de energía eléctrica.</b>
2- URL link	<b><a href="https://www.boe.es/buscar/pdf/2007/BOE-A-2007-20555-consolidado.pdf">https://www.boe.es/buscar/pdf/2007/BOE-A-2007-20555-consolidado.pdf</a></b>
3- Name of law	<b>Ley 7/1998, de 13 de abril, sobre condiciones generales de la contratación</b>
3- URL link	<b><a href="https://www.boe.es/buscar/pdf/1998/BOE-A-1998-8789-consolidado.pdf">https://www.boe.es/buscar/pdf/1998/BOE-A-1998-8789-consolidado.pdf</a></b>
4- Name of law	<b>Ley 29/2009, de 30 de diciembre, por la que se modifica el régimen legal de la competencia desleal y de la publicidad para la mejora de la protección de los consumidores y usuarios.</b>
4- URL link	<b><a href="https://www.boe.es/boe/dias/2009/12/31/pdfs/BOE-A-2009-21162.pdf">https://www.boe.es/boe/dias/2009/12/31/pdfs/BOE-A-2009-21162.pdf</a></b>
5- Name of law	<b>Ley 34/2002, de 11 de julio, de servicios de la sociedad de la información y de comercio electrónico</b>
5- URL link	<b><a href="https://www.boe.es/buscar/pdf/2002/BOE-A-2002-13758-consolidado.pdf">https://www.boe.es/buscar/pdf/2002/BOE-A-2002-13758-consolidado.pdf</a></b>
6- Name of law	<b>Ley 16/2011, de 24 de junio, de contratos de crédito al consumo.</b>
6- URL link	<b><a href="https://www.boe.es/buscar/pdf/2011/BOE-A-2011-10970-consolidado.pdf">https://www.boe.es/buscar/pdf/2011/BOE-A-2011-10970-consolidado.pdf</a></b>

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## Consumer Protection Survey

**Q13** Please check all the fields that your consumer protections law(s) cover.

Consumer rights/legitimate needs,  
Access by consumers to essential goods and services ,  
Protection of vulnerable and disadvantaged consumers ,  
Physical safety,  
Product quality,  
Terms and conditions ,  
Promotional marketing and sales practices (including misleading advertisement)  
,  
Voluntary codes for businesses ,  
Restrictive business practices (competition/antitrust) ,  
Electronic commerce,  
Promotion of sustainable consumption ,  
Energy,  
Tourism,  
Data protection and privacy ,  
Financial services,  
Dispute resolution,  
Redress,  
Consumer education,  
Consumer information

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**Q14** From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Pharmaceuticals

**Real Decreto 782/2013, de 11 de octubre, sobre distribución de medicamentos de unso humano**

Public utilities

**Ley 7/1985, de 2 de abril, Reguladora de las Bases del Régimen Local.**

## Consumer Protection Survey

**Q15** Please indicate the URL Link of the relevant law(s) to each field:

Water	<a href="https://www.boe.es/buscar/pdf/1985/BOE-A-1985-5392-consolidado.pdf">https://www.boe.es/buscar/pdf/1985/BOE-A-1985-5392-consolidado.pdf</a>
Pharmaceuticals	<a href="https://www.boe.es/boe/dias/2013/10/19/pdfs/BOE-A-2013-10950.pdf">https://www.boe.es/boe/dias/2013/10/19/pdfs/BOE-A-2013-10950.pdf</a>

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**Q16** Name of Ministry responsible for consumer protection:

Ministerio de Sanidad, Servicios Sociales e Igualdad

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**Q17** URL link of responsible Ministry for consumer protection:

<https://www.msssi.gob.es/>

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**Q18** Year when consumer protection was assumed by the current responsible ministry:

1975

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**Q19** Do you have a main consumer protection authority/agency? **Yes**

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**Q20** Name of main consumer protection authority/agency:

AGENCIA ESPAÑOLA DE CONSUMO, SEGURIDAD ALIMENTARIA Y NUTRICIÓN

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**Q21** URL of main consumer protection authority/agency:

[http://www.aecosan.msssi.gob.es/AECOSAN/web/home/aecosan\\_inicio.htm](http://www.aecosan.msssi.gob.es/AECOSAN/web/home/aecosan_inicio.htm)

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**Q22** Year of creation:

2014

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**Q23** Annual budget: (in USD) **Respondent skipped this question**

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**Q24** Total number of staff: **Respondent skipped this question**

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## Consumer Protection Survey

**Q25** Total number of staff directly affected to consumer protection:

Respondent skipped this question

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**Q26** Do you have a law/decree that governs the main consumer protection authority/agency?

Yes

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**Q27** If you do, please provide the following details:

Reference of the law/decree

Real Decreto 19/2014, de 17 de enero

URL to law/decree

<https://www.boe.es/boe/dias/2014/02/03/pdfs/BOE-A-2014-1092.pdf>

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**Q28** Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

Consumer rights/legitimate needs,

Access by consumers to essential goods and services ,

Protection of vulnerable and disadvantaged consumers ,

Physical safety,

Product quality,

Terms and conditions ,

Promotional marketing and sales practices (including misleading advertisement)

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Voluntary codes for businesses ,

Electronic commerce,

Financial services,

Tourism,

Dispute resolution,

Redress,

Consumer education,

Consumer information

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## Consumer Protection Survey

**Q29** From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Restrictive business practices(competition/antitrust)	<b>Comisión Nacional de los Mercados y la Competencia</b>
Promotion of sustainable consumption	<b>Ministerio de Agricultura, Pesca, Alimentación y Medio Ambiente</b>
Food distribution	<b>Servicios Sociales de Comunidades Autónomas y Ayuntamientos</b>
Water	<b>Ayuntamientos</b>
Pharmaceuticals	<b>Agencia Española del Medicamento</b>
Energy	<b>Ministerio de Energía, Turismo y Agenda Digital</b>
Public utilities	<b>Ministerio de Fomento</b>
Data protection and privacy	<b>Agencia Española de Protección de Datos</b>

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**Q30** URL Link of the relevant authority/agency to each field:

Restrictive business practices(competition/antitrust)	<a href="https://www.cnmc.es/">https://www.cnmc.es/</a>
Promotion of sustainable consumption	<a href="http://www.mapama.gob.es/es/">http://www.mapama.gob.es/es/</a>
Pharmaceuticals	<a href="https://www.aemps.gob.es/home.htm">https://www.aemps.gob.es/home.htm</a>
Energy	<a href="http://www.minetad.gob.es/energia/es-ES/Paginas/index.aspx">http://www.minetad.gob.es/energia/es-ES/Paginas/index.aspx</a>
Public utilities	<a href="https://www.fomento.gob.es/mfom/lang_castellano/default.htm">https://www.fomento.gob.es/mfom/lang_castellano/default.htm</a>
Data protection and privacy	<a href="https://www.aepd.es/">https://www.aepd.es/</a>

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**Q31** Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

**Respondent skipped this question**

## Consumer Protection Survey

**Q32** From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Consumer rights/legitimate needs	<b>Comunidades Autónomas</b>
Access by consumers to essential goods and services	<b>Comunidades Autónomas</b>
Protection of vulnerable and disadvantaged consumers	<b>Comunidades Autónomas</b>
Physical safety	<b>Comunidades Autónomas</b>
Product quality	<b>Comunidades Autónomas</b>
Terms and conditions	<b>Comunidades Autónomas</b>
Promotional marketing and sales practices (including misleading advertisement)	<b>Comunidades Autónomas</b>
Voluntary codes for businesses	<b>Secretaria de Estado para la Sociedad de la Información y Agenda Digital</b>
Restrictive business practices (competition/antitrust)	<b>Comisión Nacional de Los Mercados y la Competencia</b>
Electronic commerce	<b>Secretaria de Estado para la Sociedad de la Información y Agenda Digital</b>
Financial services	<b>Banco de España, Comisión Nacional del Mercado de Valores y Dirección General de Seguros y Fondos de Pensiones</b>
Promotion of sustainable consumption	<b>Comunidades Autónomas</b>
Food distribution	<b>Comunidades Autónomas y Ayuntamientos</b>
Water	<b>Ayuntamientos</b>
Pharmaceuticals	<b>Agencia Española del Medicamento</b>
Energy	<b>Ministerio de Energía, Turismo y Agenda Digital</b>
Public utilities	<b>Ministerio de Fomento</b>
Tourism	<b>Comunidades autónomas</b>
Data protection and privacy	<b>Agencia Española de Protección de Datos</b>
Dispute resolution	<b>Juntas Arbitrales de Consumo y otros sectoriales</b>
Redress	<b>Comunidades Autónomas, Juntas Arbitrales y Juzgados</b>
Consumer education	<b>La AECOSAN las define y divulga</b>
Consumer information	<b>AECOSAN</b>

**Q33** URL Link of the relevant authority/agency to each field:

**Respondent skipped this question**

**Q34** Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

**Respondent skipped this question**



## Consumer Protection Survey

**Q35** Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)? **No**

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**Q36** Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD) **Respondent skipped this question**

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**Q37** Record highest amount for any sanction/measure imposed: (in USD) **Respondent skipped this question**

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**Q38** Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

IEVES, GRAVES Y MUJY GRAVES

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**Q39** Are there any non-governmental consumer organizations/associations in your country? **Yes**

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**Q40** Do you have a law/decree that governs consumer organizations/associations? **Yes**

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**Q41** In case you have a law/decree that governs consumer organizations, please provide the following details:

Reference of the law/decree **Real Decreto Legislativo 1/2007**

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**Q42** Do consumer organizations/associations fulfil any of the following functions? **Consultation in policy making,**  
**Legal advice to consumers,**  
**Consumer education,**  
**Consumer information,**  
**Consumer publications,**  
**Legal representation of consumers' individual interests before courts,**  
**Legal representation for consumer collective actions**

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**Q43** Do consumer groups/associations receive public funding? **Yes**

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## Consumer Protection Survey

**Q44** Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

1- Name	<b>Consejo de Consumidores y Usuario</b>
1- Website	<b><a href="http://www.consumo-ccu.es/">http://www.consumo-ccu.es/</a></b>

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<b>Q45</b> Can consumers obtain redress through judicial channels?	<b>Yes</b>
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<b>Q46</b> Is there a specialized judicial mechanism for consumer complaints?	<b>Yes</b>
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**Q47** If there is, please provide the following details

Name	<b>Juzgado de Primera Instancia de Condiciones Generales</b>
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<b>Q48</b> Do you have collective redress/class actions for consumer complaints?	<b>Yes</b>
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<b>Q49</b> Who can represent consumer interests in court?	<b>Consumers individually, Lawyers, Consumer protection enforcement authority/agency, Consumer associations</b>
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<b>Q50</b> What is the highest damages award following a collective redress/class action?	<b>Respondent skipped this question</b>
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## Consumer Protection Survey

**Q51** Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

**Mediation/ Conciliation,  
Arbitration,**

Comments:

Sistema Arbitral de Consumo: Sistema público y gratuito que se presta a través de 72 Juntas Arbitrales de Consumo: Puede conocer de conflictos de todos los sectores económicos. Mediación que hacen las Comunidades Autónomas Servicio de reclamaciones de la Secretaría de Estado para la Sociedad de la Información y Agenda Digital. Agencia Estatal Seguridad Aérea. Servicios de reclamaciones del Banco de España, Comisión del Mercado de Valores y Dirección General de Seguros y Fondos de Pensiones. Todos ellos públicos y gratuitos

**Q52** If there are any of the above, please provide the following details:

**Respondent skipped this question**

**Q53** Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

**Yes**

**Q54** If there are, please provide the following details:

1- Name

**Centro Europeo del Consumidor**

1- URL Link

**<http://www.cec-msssi.es/CEC/web/home/index.htm>**

2- Name

**Plataforma ODR**

2- URL Link

**<https://ec.europa.eu/consumers/odr/main/index.cfm?event=main.home.show&lng=E>**

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**Q55** Are there any self-regulation initiatives from businesses?

**Yes**

**Q56** Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

1- Name of initiative

**Código PAOS**

1- Scope of application

**Código de Regulación de la Publicidad de Alimentos y Bebidas dirigida a menores**

1- URL link

**<http://www.eurest.es/codigo-paos/>**

2- Name of initiative

**Programa CARE**

2- Scope of application

**Juguetes**

Consumer Protection Survey

**Q57** Are there any co-regulation initiatives between businesses and public entities? **Yes**

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**Q58** Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

1- Name of initiative **Código PAOS**

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**Q59** Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

**Responsible commercial behaviour** ,

**Disclosure of information and transparency** ,

**Consumer complaints and disputes**

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**Q60** What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in? **Respondent skipped this question**

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**Q61** Please provide name and URL link of formal bilateral agreements (treaties): **Respondent skipped this question**

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**Q62** Please provide name and URL link of informal bilateral agreements (memoranda of understanding): **Respondent skipped this question**

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**Q63** Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection: **Respondent skipped this question**

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**Q64** Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection: **Respondent skipped this question**

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**Q65** Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields? **Respondent skipped this question**

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## Consumer Protection Survey

**Q66** Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

**Investigate,**  
**Pursue,**  
**Obtain ,**  
**redress**  
**Share information and**  
**evidence**

**Q67** Do you have any experience in cross-border cooperation on enforcement?

**Yes**

**Q68** If you do, please provide a short description

Dieselgate  
Alquiler de vehículos

**Q69** Do you engage in technical cooperation or capacity building activities on consumer protection?

Bilaterally

Through an international organization/network

As a recipient

**Yes**

**Yes**

As a donor

**Yes**

**Yes**

**Q70** If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

**Respondent skipped this question**

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**Q71** Does your authority/agency carry out information and education initiatives?

**Yes**

**Q72** Do information and education initiatives carried out by your authority/agency cover any of the following fields?

**Health, nutrition, prevention of food-borne diseases and**  
**food adulteration**  
,  
**Product hazard,**  
**Product labelling,**  
**Legislation, dispute resolution**

## Consumer Protection Survey

**Q73** Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

Respondent skipped this question

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**Q74** If your authority/agency does, please provide the following details:

Respondent skipped this question

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**Q75** Do consumer organizations/associations provide education and information initiatives?

Yes

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**Q76** If consumer organizations/associations do, please provide the following details:

1- Name of consumer organization/association

**Asociaciones de consumidores y usuarios inscritas en el registro estatal de asociaciones de ámbito estatal**

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**Q77** Does your authority/agency conduct research and analysis on consumer protection issues?

Yes

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**Q78** If your authority/agency does, please provide the following details:

Respondent skipped this question

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**Q79** Do other organizations/associations conduct research and analysis on consumer protection?

Respondent skipped this question

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**Q80** If other organizations/associations do, please provide the following details:

Respondent skipped this question

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