

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

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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

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

Author: A. GONZÁLEZ and M. ZAMBRINI

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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.

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

Author: R. GARCÍA PÉREZ

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

Title: The amendment of Spanish legislation in the field of unfair competition, consumer protection and retail commerce made by Law 29/2009.

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

Publication Year: 2010

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Reference: [Revista Doctrinal Aranzadi nº 7/2010](#)

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

Author: J. AVILÉS GARCÍA

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

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Title: The Reformation of the Unfair Competition

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

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Title: The Reformation of the Unfair Competition Law

Author: J.I. RUIZ PERIS

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

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Other material

No results available