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**2024: main new legislation
needing to be considered
by companies in Spain**



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December 2023

Professionals in the various practice areas at Garrigues take a look, from all angles of business law, at the main new legislation that companies will face in the coming year.

2024 promises to be an intense year in terms of statutory and case law. The new Government formed in Spain in the final stages of the year arrives with an agenda of reforms to be added to those already scheduled and all the reforms that were put on hold when the general election was called in May.

Below is an analysis of the most significant laws and legal provisions that companies will need to bear in mind.

This document has been updated to December 29, 2023.

Corporate law and commercial contracts

Financial legislation

- An important piece of legislation in the coming years is **Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023, on markets in crypto-assets (MiCA Regulation)**. Following its publication in the Official Journal on June 9, 2023, member states will have to take a decision on the application period of the legislation in each country. If no decision is taken, that regulation will start to apply in July 2026 in relation to crypto-asset service providers, with a 36 month transitional period. On October 26, the Ministry of Economic Affairs and Digital Transformation announced that in Spain there will be an 18 month transitional period starting on the date of publication of the regulation (June 2023), because it will come into force in December 2025. In that period, the European Securities and Markets Authority (ESMA) and the European Banking Authority (EBA) will approve implementing technical standards for MiCA, so major advances may be expected in 2024 in the specific way that MiCA will take shape in Spain and in the EU as a whole. (More information in the Digital Economy section).
- **FOGAIN and collective investment vehicles.** Royal Decree 1180/2023 of December 27, 2023, amending Royal Decree 948/2001 of August 3, 2001 on investor-compensation schemes, and the implementing regulations for Law 35/2003 of November 4, 2003, on collective investment schemes (or undertakings), approved by Royal Decree 1082/2012 of July 13, 2012, has introduced minor adjustments changing contributions to the Investment Guarantee Fund (FOGAIN). The amendment of the implementing regulations on collective investment schemes has introduced changes to the rules on fees, liquidity, calculation of net asset value and other investment limits for collective investment schemes. Flexibility has been added to the minimum investment in hedge funds and new risk diversification limits in collective investment scheme managers have been introduced.
- **'Greenwashing'**. On September 19, 2023 it was announced that the European Parliament and the Council had reached a provisional agreement on new standards to prohibit misleading

advertising on sustainability and to provide consumers with better product information. Before it can become a directive, the provisional agreement will have to receive final approval from both the Parliament and the Council. The vote is expected to take place shortly. When the directive comes into force, member states will have 24 months to include the new provisions in their legislation, so 2024 is expected to be a key year for implementation of this legislation in Spain and the other member states.

- The [European Green Bond Regulation](#) will also start to apply in 2024. This regulation lays down a set of uniform requirements for bond issuers wanting to use the “European green bond” designation for their sustainable green bonds. The European Council adopted the regulation on October 23, 2023, it was published in the Official Journal on November 30, 2023 and came into force 20 days later. It will start to apply 12 months after its entry into force (in 2024).
- The **ELTIF 2.0 Regulation** will also start to apply in 2024. Aimed at providing impetus to and extending European long-term investment funds (ELTIF) as investment vehicles, Regulation (EU) 2023/606 of 15 March 2023 amending the ELTIF Regulation was published in the Official Journal on March 15, 2023. The regulation came into force in April and will start to apply on January 10, 2024.
- Other important legislation under discussion are the **6th Anti-Money Laundering Directive** or the **3rd Payment Services Directive**, which are currently going through the European parliament, so although they are not expected to start to apply or have a direct effect in 2024, they will be discussed over this coming year.

Securities Market

- Implementing regulations on the [new Securities Market Law](#) expected in 2024 will implement the impact on application of the tender offer legislation to companies listed on multilateral trading facilities.
- Additionally, in 2024 work will continue on distributed ledger technology which disappeared in the definitive wording of Royal Decree 814/2023 on financial instruments.

Consumer law

- The Customer Services Law is expected to be approved in 2024.

Competition law

- 2024 is likely to bring a **further amendment of Law 15/2007, of July 3, 2007, the Competition Law**, to include in Spanish law important elements of the [ECN+ Directive](#) (designed to provide member states’ competition authorities with means to apply competition rules more effectively and ensure the proper functioning of the internal market). We are referring to the elements that were not originally transposed, particularly the settlement procedure. It is also likely that lawmakers will take the opportunity to include other major amendments that appeared in the [draft of the preliminary bill published by the Economic Affairs and Digital Transformation Ministry in July 2020](#), in particular, a de *minimis* exemption applicable to the turnover (gross revenue) threshold, or an increase in the maximum penalties that may be imposed by the National Markets and Antitrust Commission (CNMC) on managers, ranging between €60,000 and €400,000.

Tax law

- Revealed towards the end of 2023, the **Preliminary bill establishing an additional tax to ensure a global minimum tax for multinational groups and large domestic groups** will, after it has been published, have effects in taxable periods beginning on or after December 31, 2023.
- In 2024 also, advances will be made on (i) the **proposal for a BEFIT Directive** (*Business in Europe: Framework for Income Taxation*), aimed at providing common rules for calculation of the consolidated tax base of groups operating in the European Union) with annual revenues greater than €750 million, (ii) the proposal for a **directive on transfer pricing** which proposes uniform rules for cross-border transactions on issues such as the definition of related entities, the making of adjustments or the content of mandatory documentation; and (iii) the **proposal for a FASTER Directive**, aimed at making withholding tax and refund procedures in the source state on dividends and interest on listed securities faster and more efficient so as to reduce tax obstacles to cross-border investments and prevent abuse. These directives are expected to come into force in July 2028, January 2026 and January 2027, respectively.
- The **implementing regulations related to DAC 7** (Council Directive (EU) 2021/514 of 22 March 2021 on the exchange of information between member states' tax authorities) should be published in 2024. According to circulated documents, it would appear that these implementing regulations will include new rules on correction self-assessments introduced in 2023 in the General Taxation Law.
- In the **corporate income tax** field, an **amendment to the general rule on deduction of borrowing costs** will come into force (for fiscal years beginning in 2024), according to which operating income will not be able to include revenues, expenses or income that have not been included in the corporate income tax base; and companies will be able to start recovering the effect of the limit on offsetting individual tax losses at tax groups, introduced for fiscal years beginning in 2023.
- On June 22, 2024, **the new corporate income reporting obligations will start to be applicable**, as defined in Directive 2021/2101/EU of 24 November 2021 (transposed into Spanish legislation in the Startups Law), for companies and groups with net revenues figures above €750 million.
- Following publication of the recent Royal Decree-Law 8/2023, confirmation has been given for **indefinite extension of the solidarity tax on large fortunes (with effects starting now in 2024)**, originally scheduled only for 2022 and 2023, until wealth tax has been revised in the context of the autonomous community finance system. The **temporary taxes on energy, credit institutions and specialized credit institutions** have similarly been extended.
- In the first few months of 2024, the European Commission is expected to issue a **new decision** (or amend the existing decision) **on the Spanish Tax Lease System for shipbuilding** to enforce the judgment of the Court of Justice of the European Union dated February 2, 2023. That judgment partially set aside Decision 2014/200/EU, and the order to recover state aid in particular, because it incorrectly identified EIG investors participating in the tax lease system as sole beneficiaries of the aid.
- **Supreme court judgments** are expected on (i) **the timing of recognition for corporate income tax purposes of tax refunds held to be precluded by EU law**, and (ii) **the technological innovation tax credit in relation to software development projects and software applications**. New judgments are also awaited (in addition to those published in 2023)

on the **deduction of directors' compensation for corporate income tax purposes** and on **refunds of excess withholding tax on nonresident investment funds**.

- Decisions by the **Constitutional Court** are expected on the requests for a ruling on unconstitutionality related to Royal Decree-Law 3/2016 of December 2, 2016 which, among other measures, restricted the **offset of tax losses** for entities with net revenues figures amounting to, at least, €20 million, and required prior years' impairment losses on securities to be recovered.
- A **supreme court judgment** is expected in 2024 in the field of the cadaster and local taxes **which will rule on application of the cost/benefit multiplier in relation to production cost and income from companies' development activities** in appraisals of the cadastral value for properties built under a self-managed property development system.
- In relation to the **tax on non-reusable plastic packaging**, a solemn declaration by the manufacturer will no longer be sufficient to evidence the amount of recycled plastic contained in the products on which the tax is charged. Starting in 2024, the amount of recycled plastic will have to be certified through an entity accredited to issue the certificate under standard UNE-EN 15343:2008 "Plastics. Recycled plastics. Plastics recycling traceability and assessment of conformity and recycled content" or whatever standards may replace it. In the case of chemically recycled plastic, that amount will be evidenced through the certificate issued by the relevant entity accredited or authorized for such purposes.

Administrative

- As a general rule, **reforms might be implemented again in certain regulated markets** (in the tobacco products market, for example, on which in the previous legislature a preliminary bill was proposed which was not ultimately sent to the Congress) or as a result of decisions by EU institutions (for example, a **reform of the rules on the financial liability of the State on the ground of a breach of EU law**, after they were criticized by the CJEU).
- Also, the process could continue for the **preliminary bill amending Legislative Royal Decree 7/2015 of October 30, 2015, approving the revised Land and Urban Renewal Law** (on which a public information period was held in January 2023).

Energy

- Approval is likely to be given to the **Royal Decree implementing the concepts of renewable energy communities and citizen energy communities** (its wording was submitted for a public consultation in May 2023) and the legislative framework for the **implementation of offshore wind farms and marine energy** (submitted for a prior public consultation period in June 2022).
- Also, at some point in the coming year, the Green Transition and Demographic Challenge Ministry could end up returning to and actually adopting the **draft order creating a capacity market in the Spanish electricity system**, which was submitted for public consultation in May 2021.
- Following publication of the recent Royal Decree-Law 8/2023, the grant of a new extension has been confirmed, for an additional 6 month period (in other words, up to 49 months), for evidencing fulfillment of the fourth milestone (authorization for construction) set out in Royal Decree-Law 23/2020 of June 23, 2020 for any generation plants that had obtained permission for access and connection between December 31, 2017 and December 29, 2023. Moreover, for

these plants, any developers wanting to extend the time period for the fifth milestone (authorization for final operation) may do so for up to 8 years, subject to certain conditions.

- In relation to this last point, it may reasonably be expected that in 2024 **the first calls for applications in competitive bidding processes for capacity at reserved transmission grid nodes** will be approved. Their draft orders were approved in 2022.

Environment and sustainability

- The **Sustainable Mobility Law** may now be expected to be approved after its passage through the Congress was canceled due to the change of legislature.
- The recent approval of the 7th Radioactive Waste General Plan has confirmed the road map for Spain to comply with European energy and climate goals, including the nuclear energy industry's standpoint, as well as with the procedure for staggered closure of the operations of nuclear power stations.

Labor and employment

- The increase in the **minimum wage** may be predicted to take place after the beginning of 2024. For the time being, no agreement has been reached on this issue between employer, employee and government representatives. In the meantime, the 2023 minimum wage has been extended.
- The **maximum weekly working hours** are expected to be reduced to 37.5. In the absence of implementing regulations and depending on the potential negotiations with employer, employee and government representatives, the proposal is to stagger the reduction to 38,5 hours in 2024 and 37.5 hours in 2025.
- Provisions are pending on the 8 weeks **parental leave** under article 48 bis of the Workers' Statute. The Government has signaled that the social security system will pay up to 4 of the 8 weeks leave. It has also announced the intention to increase maternity and paternity leave to 20 weeks over the term of this legislature.
- On June 15, 2023, the Ministry of Labor and unions UGT and CC.OO. announced the signature of the wording of the Interns' Statute, without the participation of employers' association CEOE. This wording has not yet been approved, however.
- **The implementing regulations for the LGTBI** protocol are pending. As provided in article 15 of Law 4/2023 of February 28, 2023 for real and effective equality of transgender people and to guarantee the rights of LGTBI people, starting in March 2024 companies with 50 or more workers must have a LGTBI protocol.

As stated in that article, regulations must be adopted to implement the content and scope of the measures set out in the law, and these regulations have yet to be approved.

- In the transposition of the Directive on **transparent and predictable working conditions** in the European Union, it is stated that a few reforms will be undertaken, such as:
 - A duty to provide information on essential elements of the employment relationship.
 - Potential amendments to the provisions on permanent contracts for intermittent work.

- Amendment of the provisions on part-time contracts and clauses on supplementary hours.
- Changes to the trial period.
- Limits on irregular working hours.
- Elsewhere, in relation to the **dismissal rules**, it has been proposed to put in place protection for workers against dismissal, interpreting the European Social Charter and strengthening the need for grounds in cases of termination of employment.
- Potential amendments to the legislation on **material modifications to working conditions** and the procedure for opting out of the collective labor agreement. The Government is proposing reforming the procedure for material modifications to working conditions to strengthen the protections for workers in the process, revise the grounds, give priority to negotiations with trade union organizations, or determine the reversible nature of the measures.
- **The Bill for an Organic Law on equal representation and a balanced presence of women and men** has been **approved**, which seeks to guarantee effective representation of women in political and economic decision-making spheres and is at the parliamentary stage.

Litigation and arbitration

- The dissolution of parliament to make way for general elections halted the legislative process for three **bills on efficiency** –organization, procedural and digital efficiency– which provide the legislative basis for the 2030 justice system plan. **Royal Decree-Law 6/2023 of December 19, 2023** wrote into Spanish law a large part of the measures set out in Bill 121/000116, on digital efficiency measures for the public justice service and Bill 121/000097 on procedural efficiency measures for the public justice system, the aim being to provide the justice system with tools for an efficient service in step with the present and the needs of citizens and companies, focusing especially on digitalization and procedural swiftness (as we explained, [here](#) and [here](#)).

Earlier, a reform of the cassation appeal set out in the Bill on procedural efficiency measures had been approved in Royal Decree-Law 5/2023 of June 28, 2023 (see [here](#)).

- In 2024 the Government could return to the **Bill for an Organic Law on organizational efficiency of the public justice service** aimed at undertaking an important reform of the justice system, by: (i) converting the existing single-judge courts of first instance into multi-judge courts, (ii) changing the existing courts of a justice of the peace, which will become newly created offices of justice in towns, and (iii) putting in place a new judicial office.

Consumers

- **New legislation on collective action** is expected to be approved in 2024. On December 20, 2022 the Council of Ministers authorized an administrative procedure as a matter of urgency for a preliminary bill – on representative actions for the protection of the collective interests of consumers –, to transpose Directive 2020/1828 of the European Parliament and of the Council of 25 November 2020. The time period for transposition ended on December 25, 2022, and the directive's provisions have to apply from June 25, 2023.

The aim of the new legislation is to provide citizens with an effective tool enabling them to exercise their rights and obtain the amounts of indemnification to which they are entitled, through the co-called collective actions to be brought by the consumer associations representing them.

Arbitration

- No changes are expected to the arbitration legislation in force (Law 60/2003 of December 23, 2003, the Arbitration Law). It does need to be mentioned however that the plenary session of the **Madrid International Arbitration Center** (CIAM) approved, on October 19, 2023, **new rules** aimed at speeding up arbitration proceedings with shorter time periods. These rules will come into force on January 1, 2024.

Litigation trends

- The trend observed in recent years **relating to damages claims in respect of infringements of competition law** may be expected to continue in 2024 and we may expect to see the first **collective actions by consumers in this respect**. We will also need to pay attention to other potential new trends such as **collective litigation for damages related to mass access to personal data in cyberattacks or climate litigation** (see [here](#)). The best way to prevent these lawsuits will undoubtedly be to ensure adequate compliance with the applicable obligations.

Trends in arbitration

- **Arbitration proceedings in the energy and construction industries** will set the agenda for 2024, largely due to a combination of the following three factors: the current wars, inflation and difficulties to comply with utilities contracts. In relation to more complex energy and construction projects, we are expecting **dispute boards to acquire greater importance**, particularly in Latin America, as we discussed in one of this year's publications (see [here](#)).

Restructuring and insolvency

- The **Insolvency Manager Regulations** could be approved in 2024. A bill on these regulations was published on October 4, 2023 by the Justice Ministry and Ministry of Economic Affairs and Digital Transformation. The regulations will implement the requirements for access to the profession (instating a professional suitability examination), the appointment system and the insolvency managers' compensation rules.
- Similarly, the **Regulations on the Insolvency Public Register** should be approved in 2024. A bill was published on October 10, 2023 by the Justice Ministry and Ministry of Economic Affairs and Digital Transformation. These regulations will determine the structure, content and public disclosure system of this register – thereby updating it to include the new concepts introduced by Law 16/2022, on the reform of the Revised Insolvency Law (such as the restructuring expert or court sanctioning of restructuring plans) – as well as the term of that public disclosure and the data protection rules.
- In 2024 we could also see the approval of **the proposal for a Directive harmonising certain aspects of insolvency law** (COM(2022) 702 final), aimed at providing common standards across all member states on issues such as (i) pre-pack proceedings, (ii) clawback action, (iii) creditors' committees or (iv) directors' duties. That proposed directive is now awaiting approval by the European Parliament, after obtaining in 2023 the necessary opinions of the European Data Protection Supervisor and of the European Economic and Social Committee.
- Lastly, updates and enhancements may be expected at some point in 2024, to (i) the **Liquidation in Insolvency and Sale of Business Units Portal**, aimed at facilitating and providing public information on liquidations of assets and business units, (ii) the **Electronically**

Supplied Microbusiness Service, which is used for the special procedure defined in Book III of the Revised Insolvency Law, and (iii) the **Liquidation Platform**, a portal publishing the assets of microbusinesses in liquidation and connected to the Electronically Supplied Microbusiness Service. All these insolvency tools were created in 2023 on the back of Law 16/2022, reforming the Revised Insolvency Law, which required the creation of several electronic tools to facilitate insolvency proceedings and pre-insolvency procedures.

Intellectual Property and Media & Entertainment

Copyright and related rights

- The **Directive on copyright in the digital single market** was transposed in Spain by royal decree-law at the end of 2021. Immediately afterwards, it was decided to process it, as a matter of urgency in the form of a bill to attempt to unify in the Intellectual Property Law a few elements that had been left out of this law, such as transparency, the limitation for pastiche or for text or data mining (essential for generative artificial intelligence models). Its approval was halted in the lower house of the Spanish parliament however and the dissolution of parliament in July caused the bill to be dropped. And the **Law creating the Spanish Copyright Office** did not have a successful outcome in 2023 either. Both of these were charted in the Recovery, Transformation and Resilience Plan, so they may be expected to be picked up again in 2024.
- Another piece of legislation that will have an impact on copyright is the [Artificial Intelligence Regulations](#) which, among many other elements, partly define the use of protected works and expressions in a generative artificial intelligence environment. In their latest wording, the regulations set out the obligation to inform about the use of artificial intelligence in the creation of a work, the obligation to avoid an infringement of design copyright protection and the obligation to publish the sources used to train algorithms.

Film and audiovisual arts

- One of the most eagerly awaited pieces of legislation in the entertainment industry is the new **Film and Audiovisual Culture Law**. Following approval of the related bill by the Council of Ministers on December 27, 2022, the law extends aid and subsidies beyond films to include series and other programs; modifies the share for European and Latin American films to at least 20% of those screened; and creates the State Film and Audiovisual Culture Council, among other measures. The new Minister for Culture held meetings with industry players in the final weeks of 2023 and it may be expected that the law, charted in the Recovery, Transformation and Resilience Plan, will see the light of day in 2024.

EU regulation on media freedom

- The aim of the regulation, better known as the **European Media Freedom Act**, is to uphold media pluralism and independence in the EU. Expected to be formally approved in 2024, it includes safeguards for protection against interference in editorial decisions and seeks independence and stable financing of the media, transparency of ownership and transparent allocation of state advertising.

Proposal for an organic law on artificial-intelligence generated human image and voice synthesis

- The [draft organic law](#) has sparked considerable interest due to proposing measures on the recreation of human images and voices using artificial intelligence (particularly, deep fakes) by strengthening protection of rights to reputation, to one's own likeness and privacy.

Digital economy

- The **Regulation on harmonised rules for fair access to and use of data**, known as the **Data Act**, was published in the Official Journal on December 22, 2023. It complements the 2022 Data Governance Regulation and contains rules on access by users and other third parties to data generated by products and services.
- **Artificial Intelligence Regulation.** After months of intense negotiations, on December 8, 2023, the European institutions (the European Commission, the European Council and the European Parliament) reached a historical political agreement on the artificial intelligence act. Following this political agreement the European Union now leads the AI race, with a rulebook that will undoubtedly influence other countries. Although the political agreement has yet to be ratified by the European Parliament and the Council few changes are expected to be made to the substance of the final wording. The agreement aspires to guarantee the protection of fundamental rights, democracy, the rule of law, and environmental sustainability against the risks associated with AI, while at the same time boosting innovation in this technology in the EU.

This political agreement has to be formally approved by the European Parliament and the Council, which may be predicted to happen at the beginning of 2024. When the final wording has been finally approved, it will come into force 20 days after its publication in the Official Journal and will be applicable two years later, with a few exceptions for specific provisions. In this transitional period, the Commission will launch an AI Pact, seeking the voluntary commitment of industry.

- Also expected to move forward in 2024 are the **proposal for a directive on liability for defective products** –COM/2022/495 final– and the proposal for a directive on adapting non-contractual civil liability rules to artificial intelligence (AI Liability Directive) -COM/2022/496 final-, which determines for the first time specific rules on the damage caused by any type of AI system.
- A consensus was achieved regarding the **e-IDAS Regulation 2** on digital identity in November and it will be published at the beginning of 2024. It contains rules on the European digital wallet among other important elements.
- In 2024 notable advances will also be made in relation to the **European Health Data Space Regulation**, on European digital health records and primary and secondary uses of health data.
- On the subject of **cybersecurity**, the time period for transposing the **NIS2 Directive** ends in October 2024 by which date member states will have to adapt their laws to this important directive, which imposes new obligations on a great many businesses in relation to cybersecurity and makes the members of managing bodies directly responsible for approval and supervision of security plans.
- Adapting to the **DORA Regulation** will also be an important factor, because it will become mandatory and directly applicable starting in January 2025. This regulation defines **cybersecurity obligations for businesses in the financial industry (banking and insurance) and for all businesses providing IT related services to them**. Managing bodies are also made directly responsible for approval and supervision of compliance programs. In

2024, businesses will have to take up the task of adapting fully to these provisions, to be compliance ready by January 2025.

- As we mentioned in the Corporate law and commercial contracts section, in 2024 various elements of the **Markets in Crypto-Assets (MiCA) Regulation** will come into force, which seeks to provide a harmonized framework for legal certainty across the EU with respect to issuance of crypto-assets other than financial instruments and to the provision of crypto-asset services:
 - En general, se aplicará desde el 30 de diciembre de 2024.
 - As a general rule it will start to apply on December 30, 2024.
 - Whereas the MiCA rules relating to issuance of asset-referenced tokens and e-money tokens will be applicable earlier, on June 30, 2024.
 - For entities that before December 30, 2024 were not providing crypto-asset services under domestic law, the licensing requirement under MiCA to provide crypto-asset services will be applicable from December 30, 2024.
 - For entities that were providing crypto-asset services under domestic law in Spain before December 30, 2024, [the Spanish Government has notified ESMA](#) that it was bringing forward by six months, to put it in place in December 2025, the transitional period to require them to operate with licenses granted under the MiCA rules.
- The recently published Directive (EU) 2023/2673 of the European Parliament and of the Council of 22 November 2023 amending Directive 2011/83/EU as regards **financial services contracts concluded at a distance** and repealing Directive 2002/65/EC comes into force in December 2023, although it requires transposition to internal law by December 19, 2025. The transposition of this new directive will make it necessary to amend or replace (probably by including the provisions in the general consumer and user protection legislation) Law 22/2007 of July 11, 2007 on the distance selling of financial services to consumers, which transposed Directive 2002/65/EC. The aim is to improve its integration with the general consumer and user protection provisions, and this will affect the requirements and procedures for purchasing services online, the right to withdraw and the information requirements. All of which are an attempt to update the legal framework to the changes brought by overall digitalisation of the selling of financial services regarding selling models, interfaces used and services provided.
- Other European legislative initiatives in progress which will move forward in 2024 are:
 - The legislative package presented on June 28, 2023 by the Commission to **modernize and digitalize payment services and allow consumers to access their financial data**, which includes:
 - A proposal for a Regulation on payment services.
 - A proposed revision of the Directive on payment services and electronic money services in the internal market (PSD3).
 - A proposal for a Regulation providing a legal framework for financial data access (FIDAR).
 - A proposal for a **Regulation on instant payments in euro**.
- Another proposal on the table, in Spain in this case, is the **preliminary bill on representative actions for the protection of the collective interests of consumers** (discussed in the Litigation and arbitration section above).

ESG

- From an ESG standpoint, one of the most notable elements in 2024 will perhaps be that many large companies will be **required to start reporting non-financial information in line with the EU Corporate Sustainability Reporting Directive (CSRD)** and the European Sustainability Reporting Standards (ESRS) approved by the European Commission. The CSRD will bring to the forefront issues relating to companies' carbon footprint and climate change, on which they will now have to report consistently. The CSRD will have to be transposed into internal law by July 6, 2024.
- Approval may also be expected in 2024 of the [Directive on corporate sustainability due diligence](#), which will mark a watershed moment for companies in terms of their engagement and responsibilities related to human rights and the environment.
- The 2021-2030 National Integrated Energy and Climate Plan will be revised. The revised Plan is currently in the draft phase.
- On top of this, the EU has announced very ambitious **renewable energy and energy efficiency targets for 2030**.
- In **Spain**, initiatives that were dropped when the previous legislature was cut short will be picked up again, such as **the bill for a sustainability mobility law**, which has important implications for companies, or the **bill on preventing food waste**.
- **Europe** will continue moving forward in its work to strengthen existing legislation that is having a large impact such as the provisions on **packaging**.
- In relation to cybersecurity, companies will have to take into account the **Good Governance Code on Cybersecurity**, prepared at the National Cybersecurity Forum and disseminated by the CNMV. The goal of the Code is to propose to organizations practices aimed at supporting a governance model on cybersecurity that facilitates management of the security of networks and information systems, as well as contributing to enhancing the decision-making process in this field by organizations' governing bodies, especially by their managing bodies.
- Elsewhere, companies will have to focus on the **recommendations on taxonomy reporting** for future years, published by the CNMV in the **Report on breakdowns regarding European Taxonomy** for 2023. The areas for improvement pinpointed by the CNMV mention adequate use of the templates required by the legislation, a detailed description of taxonomy aligned activities, correct evaluation of operating expenses and of turnover by reference to the business model and of the materiality of operations, a separate analysis of adaptation and mitigation goals and determining minimum safeguards relating to human rights.
- Companies will also have to take into account the new provisions on **greenwashing** and **European green bonds** (discussed in the Corporate Law and Commercial Contracts section above), on **the tax on non-reusable plastic packaging** (which we described in the Tax section) or those included in the **royal decree implementing the concepts of renewable energy communities and citizen energy communities** (see the Administrative section). There will also be a few social questions to consider such as the **Directive on transparent and predictable working conditions** or the **Bill for an Organic Law on equal representation and a balanced presence of women and men** (see the Labor and employment section).

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