



AUGUSTAABOGADOS

NEWSLETTER

October 6th, 2025

THE SPANISH ROYAL DECREE 214/2025, OF 18 MARCH: THE NEW LEGAL FRAMEWORK FOR SUSTAINABILITY

The Spanish Royal Decree 214/2025, of 18 March, represents a significant regulatory change for Spanish businesses regarding sustainability and emissions management. If your company is a large enterprise, a consolidated group, or a public interest entity in Spain, this regulation applies directly to you. However, even if you are an SME, anticipating these requirements may provide a competitive advantage and an opportunity for market positioning. Below is a concise breakdown of the content of this new regulation.

I. **Does this apply to me, and am I required to register in the carbon footprint register?**

The Royal Decree establishes the National Register of Carbon Footprint, Compensation, and CO₂ Absorption Projects, and sets forth the obligation to calculate, publish, and reduce the carbon footprint for certain entities. However, registration is not mandatory for all, but only for those falling within the scenarios provided by the regulation.

- a) Companies required to provide non-financial information: The Royal Decree is primarily addressed to large companies, consolidated groups, and public interest entities which, due to their size or relevance, are already required to report non-financial and sustainability information in accordance with Articles 49.5 of the Spanish Commercial Code and 262.5 of the revised text of the Spanish Companies Act.

Barcelona

Vía Augusta, 252, 4.^a
08017 Barcelona
T +34 933 621 620 ◻ F +34 932 009 843

Madrid

Antonio Maura, 18, 2.^a
28014 Madrid
T +34 911 592 323 ◻ F +34 911 592 322

Brussels (with IUROPE)

Avenue de Cortenberg, 52
1000 Brussels (Belgium)
T +32 2 808 69 41



These are capital companies whose average number of employees during the financial year exceeds 500, or those considered public interest entities, or which, for two consecutive financial years, meet at least two of the following conditions at the end of each year:

1. The total assets exceed €20,000,000;
2. The net annual turnover exceeds €40,000,000; and/or
3. The average number of employees during the year exceeds 250.

In the case of newly incorporated companies, the obligation to report financial information only applies if, at the end of their first financial year, the employee requirement and two of the three aforementioned conditions are cumulatively met.

Finally, subsidiaries are exempt from reporting such information if they are included in the consolidated management report of another company that meets the above requirements.

- b) State public sector: The obligation extends to ministries, autonomous bodies, managing entities and common services of Social Security, and other entities of the state administrative public sector.
- c) Voluntary regime: For all other companies, self-employed individuals, and holders of CO₂ absorption projects, registration is voluntary, but with reputational incentives and the possibility of obtaining the official seal of the Ministry.



II. How does this regulation affect me?

- a) Annual calculation of the carbon footprint: Obligated entities must calculate their organisational carbon footprint annually, including both direct and indirect emissions. Furthermore, for the state public sector, from 2028 it will also be mandatory to include indirect emissions from the value chain.
- b) Preparation and publication of a reduction plan: There is an obligation to design and publish an emissions reduction plan, with quantified objectives over a minimum five-year horizon, aligned with climate neutrality by 2050 and the Paris Agreement. The plan must be public and accessible, either on the corporate website or in the sustainability report.
- c) Registration in the register: Registration is mandatory for the state public sector from 2026 (in relation to the 2025 footprint) and voluntary for private companies. However, publication of the information is mandatory for companies required to submit the “non-financial information” section with their annual accounts.
- d) Recognition and official seal: Registered entities may obtain an official seal certifying their commitment to emission reduction and/or compensation, which may be an added value in public procurement and with clients and suppliers.

III. When does this regulation come into force?

The Royal Decree will enter into force two months after its publication in the Spanish Official State Gazette (BOE), i.e., on 12 June 2025.



For the state public sector, the first mandatory registration will be in 2026 (corresponding to the 2025 footprint).

For private companies, the timetable established by Law 11/2018, of 28 December, amending, among other, the Commercial Code, regarding non-financial and diversity information, remains in force, so that obligations relating to the calculation and publication of the carbon footprint will apply within the framework of the preparation, approval, and filing of the annual accounts for the 2025 financial year.

IV. Recommendations for companies:

The entry into force of this regulation requires an assessment of its possible application and, where appropriate, a review of internal procedures for calculating the carbon footprint and preparing reduction plans, ensuring the traceability and accuracy of data.

Although registration is not mandatory for many companies, obtaining the Ministry's official seal—even on a voluntary basis—may provide a competitive advantage in public procurement, relationships with major clients, and access to international supply chains that already require advanced environmental standards.

Sergi Giménez, partner
Augusta Abogados
s.gimenez@augustaabogados.com

Clàudia Rouras, lawyer
Augusta Abogados
c.rouras@augustaabogados.com