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INFORMATIVE ALERT

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LAW 10/2025, ON CUSTOMER CARE SERVICES: A CHALLENGE FOR THE AIRLINE AND TOURISM INDUSTRY

Introduction

On 27 December, the Official State Gazette published the long-awaited Law 10/2025, of 26 December, which regulates customer care services ("**LSAC**") and entry into force the following day, 28 December. We say "awaited" because its parliamentary processing advanced in the previous legislature but was interrupted by the elections held in 2023. The new law is the first horizontal state standard that establishes minimum quality parameters, as well as reinforced obligations in terms of information, accessibility, complaints management, traceability of interactions and evaluation and audit systems.

As stated in its Preamble, the new legislation responds to the need to strengthen the protection of consumers, correct structural deficiencies in customer services and establish minimum standards in essential sectors. Added to this is the obligation to guarantee universal accessibility, with special attention to vulnerable consumers, as well as the adaptation to new technological models.

In the particular field of air transport, the LSAC is of particular relevance for three reasons. Firstly, because it considers passenger air transport as a basic service of general interest, applying to all companies that carry out services in Spanish territory,

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regardless of their size, where they are established or whether they outsource their customer service. Secondly, because even though the aeronautical sectorial regulations and the European regulations, which are directly applicable, maintain their preference in the event of contradictions, the Law introduces a series of cross-cutting obligations that airlines must integrate into their internal procedures. This requires a complete review of the organisational and technological systems linked to customer service, which must be fully adapted within the twelve-month period provided for in the transitional provision. Thirdly and finally, because we are dealing with a regulation that does not transpose or apply general European or international regulations: this will make it more difficult for airlines to adapt, for in most cases they also operate in other countries with different levels of demand in this area.

1. Companies to which it applies (arts. 2.1 and 2.2)

The LSAC applies to all companies, established in Spain or in any other State, that carry out the effective performance of certain services considered to be of a basic nature of general interest, offered or provided in Spanish territory. These services expressly include the effective execution of passenger air transport services in the Spanish territory. In this way, any airline that operates commercial flights in Spain is automatically subject, without exception, regardless of its country of establishment, the channel of provision of the customer service, the outsourcing or not of the service or whether it exceeds the billing thresholds and number of employees provided for in the LSAC as additional general guidelines.

The application of the LSAC is not, however, limited to providers of basic services of general interest, but also "large companies" and groups of companies are



subject to its compliance, whether they are established in Spain or in any other State. This will be determined by the concurrence of the following factors:

- carrying out the sale of goods or the provision of services aimed mainly at consumers and users in Spanish territory,
- in the previous financial year, individually or within the group of companies of which they are part, having employed at least 250 employees, an annual turnover in excess of 50 million Euro, or an annual balance sheet exceeding 43 million Euro.

2. Preference for sectorial regulations

The LSAC is subsidiarily applicable to the Spanish aeronautical sectorial regulations and the directly applicable European Union regulations. In the event of a conflict, those sectorial regulations shall prevail, and the Law is applied only as a complement. This is especially relevant with regard to European regulations on passenger rights, compensation, operational information or assistance in situations of transport disruption. We will see if in the coming months the Spanish aeronautical authorities choose to approve a regulation to develop the principles established in the LSAC.

3. General principles

The legal text establishes a series of general principles that must govern the provision of customer services ("**SAC**"). These include the free service, its universal accessibility, the obligation to guarantee effective and non-discriminatory care and the need to properly manage queries, complaints, claims and incidents. Each



file must be assigned an identification code and a receipt must be provided in durable format, and must always be answered in the language used by the client. Companies bear the burden of proof with respect to compliance with these obligations. The LSAC insists on the importance of accessibility for vulnerable consumers, (especially those with disabilities or the elderly) and on transparency on the characteristics, quality levels and accreditation systems of the service, proactively reporting on any incident that affects the service using the customer's preferred channels.

It is worth highlighting the sensitivity that the LSC shows towards the various languages used in Spain: in fact, the submission of complaints and claims may be made in Spanish, as well as in any of the other co-official languages when the SAC is aimed at clientele located in autonomous communities that have co-official languages.

4. Automated pricing

The LSAC takes the opportunity to modify the current regulations on prices of goods and services offered to consumers and users. In contracts concluded at a distance or outside the commercial establishment, the enterprise must provide information on the price in a clear and understandable way when it has been personalised on the basis of automated decision-making. The LSAC determines that this personalisation may not lead to increases in the final sale price when there is an increase in demand in contexts of urgency, risk or need of the consumer.

In addition, the company must inform whether the price has been personalised on the basis of automated decision-making, which must remain unchanged



throughout the purchase process, as well as the parameters that have been taken into account to carry out such personalisation, or on the data sources used in cases of contracting products or services in the financial sector. which, in no case, may be discriminatory or exploit situations of urgency or need.

It remains to be seen how the new regulations apply to cases where it is not clear whether the sudden increase in demand - and, consequently, in the price of tickets - is caused by a "situation of urgency or need" or by other factors that concur at the same time. Undoubtedly, we are facing a regulation of very complex technical implementation in the current state of the modern commercial aviation sector, with a very advanced automation of the pricing and dynamic fare management processes ("yield management").

5. Information duties

As for the information duties, companies must visibly integrate their customer service channels in the contract, in the invoices and, prominently, on the home page of their website, as well as in the audiovisual media and counters. When the tickets do not allow this information to be included, it must be provided at the points of sale, on the website itself or inside the means of transport. Prior to contracting, the user must receive information about the available channels, the evidence mechanisms, the maximum resolution periods, the alternative dispute resolution procedures and the hours of the service.

6. Minimum quality standards

The LSAC articulates a broad and demanding regulation regarding the minimum levels of quality that SACs must have. The means of communication with the



customer must include, in addition to the channel initially used, postal mail, telephone and electronic means, guaranteeing attention in the co-official languages where appropriate. Even physical establishments are obliged to accept possible complaints and provide the corresponding password to customers.

Personalized attention cannot be based exclusively on answering machines or automated systems (such as conversational "bots"): there must always be the possibility of immediate access to a human agent, and 95% of telephone requests must be answered in a time of less than three minutes on average per year. The LSAC prohibits cutting the call for waiting reasons and priority must be ensured for the elderly and people with disabilities. The telephone system is also subject to a cost limit comparable to that of a standard call, with the obligation to provide an alternative number if there is a special tariff.

It is clear that, in order to comply with the required standards, companies must have adequate personnel and technical means, as well as continuous training programs in accessibility and co-official languages. The traceability of the service requires the issuance of passwords, the delivery of supporting documents and, where appropriate, the recording of the call with the corresponding consent, which will be kept until notification of the decision. This must be reasoned, complete and written in the language used by the client, guaranteeing a minimum period of ten working days to correct the documentation and providing information on alternative resolution mechanisms in the event of rejection.

7. Deadlines for the resolution of incidents and complaints

The LSAC sets a general maximum period of fifteen working days to resolve queries, complaints, incidents or claims, as well as a limit of five days for billing



issues or undue collections. The hours of the customer service must coincide with business hours, with no obligation of 24/7 availability except for continuous services in the strict sense, which is not predicated of one-way air transport. The regulation also prohibits using customer service as a channel for commercial communications.

It should be noted that, as for the maximum period of fifteen working days to "resolve" claims set by the LSAC, it has been accompanied by a reform of the basic regulations on consumers and users (art. 21.3 TRLGDCU), in the same sense, in force since 28 December.

It can therefore be understood that the new maximum period for responding to consumer complaints, 15 days, is now fully in force.

8. Collaboration with user associations

Airlines will have to establish stable frameworks for collaboration with representative consumer associations, general or sectoral, in order to improve the quality of the customer service system.

9. Mandatory audits

A particularly significant element is the obligation to submit the system to periodic, annual or biennial audits, as the case may be, carried out by entities accredited by ENAC. The auditor must verify that the evaluation system is correctly implemented and that the measurement error does not exceed five percent in each parameter evaluated. Enterprises must publish on their websites both the descriptive documentation and the results of the audits.



10. Compliance roadmap for airlines

To facilitate compliance, the LSAC invites companies to develop a real roadmap that includes the identification of the applicable sectorial regulations, the review of contracts, transport tickets and digital platforms to ensure accessibility, the adaptation of the telephone service to new metrics, the implementation of document traceability systems, etc. the alignment of resolution deadlines with legal limits, the implementation of mandatory training programmes, the implementation of an evaluation and auditing system, and the functional separation between the customer service and the commercial areas.

Conclusion

In short, although Law 10/2025 does not replace existing aeronautical regulations, it does substantially increase the horizontal requirements related to customer service. All companies affected by the new regulation must be able to articulate a model that effectively combines sectorial obligations – national and European – with the new standards in terms of accessibility, traceability and quality, also guaranteeing a robust evaluation system that allows compliance to be accredited to the Administration and to the users themselves. In addition, the particularities of modern commercial aviation pose a real challenge for the effective implementation of the new regulations, and it will be necessary to review and adapt internal processes to the high requirements of the standard, which is especially complex in a regulatory framework that is not harmonized at Community level.

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