RocaJunyent Informs

Financial Law Department
16 March 2026

Customer Service Act: Key Aspects and Implications for Financial Institutions

Act 10/2025 of 26 December on Customer Service regulates the minimum quality standards and the assessment of customer service provision. Its scope of application covers two categories of obligated entities:

- **Companies providing essential basic services** of general interest in Spain, irrespective of where they are established.

- **Large companies and corporate groups** which, in the previous financial year, exceeded at least one of the following thresholds: 250 employees, an annual turnover of 50 million euros, or an annual balance sheet total of 43 million euros, provided that their goods or services are primarily intended for consumers and users.

The purpose of this Act is to strengthen consumer and user protection by harmonising standards relating to customer service, accessibility, and complaints management.

Impact of this Act on the Financial Sector

This alert examines the implications that the entry into force of this Act has for the financial sector. In this context, the most significant effect arises from the amendment of Act 44/2002 of 22 November on Measures to Reform the Financial System, which can be summarised as follows:

- **Extension of the subjective scope of application.** Until the entry into force of this Act, Act 44/2002 applied only to credit institutions, insurance undertakings, and investment services firms. The Customer Service Act extends the obligation to have a Customer Service Department or Unit to the following additional entities:
  - Specialised lending institutions
  - Payment institutions and electronic money institutions
  - Entities covered by Articles 14 and 15 of Royal Decree-Law 19/2018 on payment services
  - Management companies of collective investment undertakings
  - Insurance brokerage firms and insurance brokers
  - Pension fund management entities (subject to certain specifications)
  - Real estate lenders that are not credit institutions
  - Credit intermediaries operating in more than one Autonomous Community
  - Financial institutions operating in Spain under the freedom to provide services regime
  - Branches in Spain of entities with their registered office in another State

- **Enhanced substantive requirements for the Customer Service Department.** It must be free of charge, effective, universally accessible, inclusive and non-discriminatory, with reinforced support for vulnerable persons or those at risk of financial exclusion. It shall operate during business hours and, where necessary to address incidents affecting the provision of continuous services, uninterrupted assistance must also be ensured 24 hours a day, 365 days a year.

- **Customer service and complaints-handling channels.** Entities must provide in-person, telephone and electronic channels that enable personalised assistance, adapted to factors such as age, disability, digital skills or risk of exclusion. The exclusive use of automated answering systems is prohibited, and no additional costs may be passed on to customers for telephone lines.

- Complaints and claims may be submitted on paper or by electronic means, either personally or through a representative, but not by telephone. The telephone is excluded as a valid channel for the formal submission of complaints and claims, although it may be used for enquiries and incident reporting.

- **Customer Ombudsman and functional separation of the Customer Service Department.** Entities may appoint a Customer Ombudsman—a natural or legal person who is independent and of recognised standing—whose decisions favourable to the claimant shall be binding, without prejudice to other avenues of redress. Furthermore, the Customer Service Department must be functionally separate from commercial areas in order to avoid conflicts of interest and improper cross-selling practices, and it must have sufficient staff and specific training to assist vulnerable groups.

- **Transparency and information obligations.** Entities must publish, both at their branches and on their website, detailed information regarding the Customer Service Department, including response times, available channels and the operating regulations.

- **Resolution procedure.** The Customer Service Department or the Customer Ombudsman must resolve complaints and claims within a maximum period of one month from their submission (subject to the special regime provided for payment services in Article 69 of Royal Decree-Law 19/2018). Notification of the decision to the interested parties must be made within 10 calendar days of its date.

- **Complaints system before the supervisory authorities**. Technical clarifications are introduced regarding the complaints system before the Bank of Spain, the CNMV and the Directorate-General for Insurance and Pension Funds, pending the establishment of the future Financial Customer Protection Authority.

Transitional Regime

The Customer Service Act, applicable in those Autonomous Communities where it does not conflict with the powers conferred by their respective Statutes of Autonomy, was published in the Official State Gazette (BOE) on 27 December 2025 and entered into force the following day. Under its transitional regime, the entities subject to the Act have **12 months** to adapt their Customer Service Departments, meaning that the adaptation period expires on **28 December 2026**.

Other Amendments Introduced in the Financial Sector

- **Classification of financial services as essential services of general interest.** The Customer Service Act amends the General Consumer and User Protection Act to expressly include financial and insurance services within this category, thereby strengthening the requirement for high quality standards, free and accessible channels, and reduced response times.

- **Partial repeal of Order ECO/734/2004.** The Customer Service Act repeals Articles 6 and 9 to 16 of Order ECO/734/2004 of 11 March, which regulated customer service departments and the role of the Customer Ombudsman in financial institutions. This matter is now fully governed by Act 44/2002, as amended in the terms set out above.