

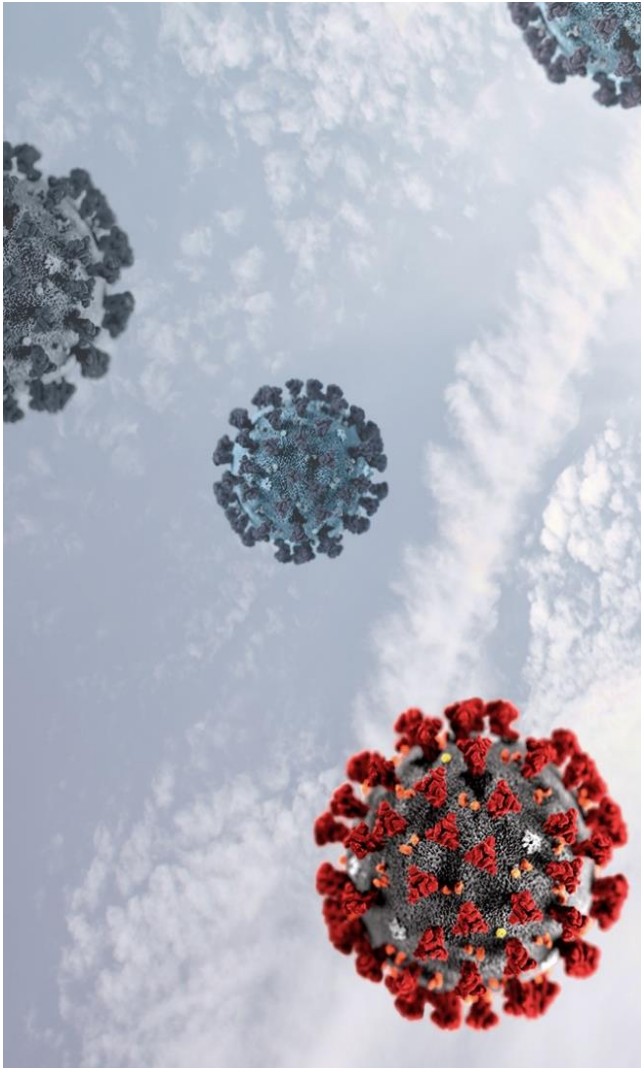
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# Royal Decree-Law 21/2020: main legal consequences for businesses

Legal flash

June 11, 2020

The Spanish Council of Ministers has approved Royal Decree-Law 21/2020, of June 9, adopting urgent prevention, contention and coordination measures to tackle the health crisis caused by COVID-19 ("[RDL 21/2020](#)"), which enters into force on June 11.



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RDL 21/2020 adopts a series of measures aimed at guaranteeing the protection of health while the COVID-19 crisis continues once the state of emergency is lifted (at 0:00 hours on June 21, 2020). Thus, it establishes health and safety measures, and measures on hygiene, transport, medicinal and health products, detection, epidemiological control and surveillance, and to ensure the capacity of the health care system.

This document provides an overview of the main measures that will generally apply to all companies with regard to:

- > Health and safety measures in the workplace.
- > Measures concerning corporate and registration matters: corporate bodies can hold online meetings until December 31, 2020, and the expiry dates for registry entries are lifted from June 10, 2020.
- > New developments regarding consumer contracts.



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## HEALTH AND SAFETY MEASURES IN THE WORKPLACE

- RDL 21/2020 includes several developments affecting employment that will be applicable from June 11, 2020, in territories entering into Phase 3 of de-escalation, and throughout Spain once the state of emergency is lifted and until the end of the health crisis caused by COVID-19.
- As a preventive measure, remote working must continue to be fostered when the nature of the activity allows this, adopting a progressive return-to-work plan.
- It reduces the minimum safety distance that companies must ensure between employees to 1.5 meters, thus increasing the capacity in work centers.
- Regarding other requirements companies must fulfill to avoid the risk of infection:
  - Generally speaking, companies are obliged to observe health and safety regulations.
  - Specifically, this entails adopting adequate ventilation, cleaning and disinfection measures; supplying water and soap, hand sanitizers and disinfectants; and avoiding the agglomeration of employees and clients.
  - Companies must also inform the competent regional authorities and occupational health and safety services if an employee has symptoms compatible with COVID-19. They must immediately place a mask over that employee's face and follow instructions until the employee has been assessed by a healthcare professional.
- Anyone with symptoms compatible with COVID-19 or who has been in self-isolation or quarantine owing to COVID-19 must not go to the work center.
- The following developments affect retail establishments; hotels and tourist accommodation establishments; and restaurant and catering services, among others:
  - The competent regional authorities will define and enforce regulations on capacity, disinfection, prevention and refurbishment.
  - It reduces the minimum safety distance between people to 1.5 meters.

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## CORPORATE AND REGISTRY MEASURES

- Boards of directors and general meetings can be held online, even if not expressly provided in the corporate bylaws, until December 31, 2020. Likewise, until December 31, 2020, boards



of directors can adopt agreements in writing with no meeting if so decided by the chairperson or requested by two members.

- From June 10, 2020, the suspension of expiry dates for entries that might be canceled due to the passage of time will be lifted (e.g., entry submissions, preventive entries for claims, seizures, and tax or urban planning liabilities), with the computation of the terms resuming from that date.

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## NEW DEVELOPMENTS REGARDING CONSUMER CONTRACTS

- Consumers' and users' right to terminate any purchase agreements and services agreements impossible to perform due to the measures adopted by the competent authorities while the state of emergency is in force now extends to the de-escalation phases or new normality (which we assume will last until the end of the health crisis).
- Thus, measures adopted regarding package travel canceled as a result of COVID-19 have been modified and adapted to [Commission Recommendation \(EU\) 2020/648](#), so that consumers must accept vouchers offered by organizers of package tours. Also, if the voucher has not been redeemed after the end of its validity period and the consumer requests a reimbursement, the amount must be paid within 14 days.

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