New Royal Decree-Law 21/2026 on transparency and integrity in the activities of interest groups

On 26 August, Royal Decree-Law 21/2026 of 25 August on transparency and integrity in the activities of interest groups was published in the Official State Gazette (BOE), establishing Spain's first general national framework for regulating lobbying activities. Within the sphere of the General State Administration and its institutional public sector, the legislation governs the relationship between interest groups and public officials and/or public office holders who may be subject to influence, with the aim of ensuring transparency, accountability, integrity, traceability and equal opportunities in lobbying.

Key new features include the creation of a nationwide, public and mandatory Register of Interest Groups; the establishment of principles of conduct that interest groups must observe; the introduction of the "regulatory footprint" report as a mechanism for tracing the influence exerted on draft legislation; and the adoption of a specific penalty regime, with infringements classified as minor, serious or very serious and fines of up to EUR 40,000.

1. INTRODUCTION

On 25 August 2026, **Royal Decree-Law 21/2026 on transparency and integrity in the activities of interest groups** was adopted; it was published in the BOE on 26 August (the "**RDL**"). The RDL consists of five titles, twenty articles, three additional provisions, one repealing provision and six final provisions; its scope is limited to the General State Administration and the State's institutional public sector. The following is a summary of the main provisions.

2. MAIN PROVISIONS OF THE RDL

2.1 SCOPE OF THE RDL: INTEREST GROUPS AND LOBBYING ACTIVITIES

First, the RDL defines an "**interest group**" as any natural or legal person or unincorporated group which, regardless of its form or legal status, carries out activities aimed at influencing public officials and/or public office holders who may be subject to such influence, without requiring that such activities be carried out on a professional or for-profit basis. Excluded from the scope of the RDL are public authorities, international organisations, political parties and professional bodies when exercising public functions.

In turn, "**public personnel and/or a public office holder susceptible to influence**" is defined as any person performing public functions with the capacity to intervene in the formulation, implementation or supervision of public policies, in the drafting of regulations or in administrative decision-making processes within the General State Administration and its institutional public sector. This includes senior officials;

members of trusted advisory teams; public-sector managers; and staff who play a decisive role in decision-making or the drafting of regulations, among others.

"Lobbying" comprises any direct or indirect communication by an interest group with such persons, made through any means or channel, with the aim of influencing public decision-making, the design or implementation of public policies, or the drafting, amendment or approval of legislative proposals, to further their own interests or those of third parties.

Activities considered to constitute lobbying include, among others, organising meetings, conferences or events aimed at exerting influence; requesting consultations or hearings; running communication campaigns; providing documents relating to public initiatives or position papers; and using third parties to convey positions.

The following activities are not considered lobbying: carrying out legally assigned public functions; participation in regulated public consultation procedures; participation in collegial consultative bodies; legal or professional advice linked to the defence of interests in administrative proceedings; mediation and arbitration; the exercise of the rights of demonstration and petition; and acting as an interested party in administrative proceedings.

2.2 STATE REGISTER OF INTEREST GROUPS

The RDL establishes the **Register of Interest Groups of the General State Administration**, which is public and free of charge, and registration with which is **compulsory**; it is managed by the Council for Transparency and Good Governance.

Registration must include the identification of the interest group and its representatives, a description of its lobbying activities, its sources of funding and, where applicable, the budget allocated to such activities. It must also list the group's members, or those providing services to it, who have held public office or public positions at any time during the previous five years, as well as information on meetings and hearings held with public officials and/or public office holders, together with documentation relating to the matters the group seeks to influence. As an exception to the general rule of public disclosure, interest groups may request that certain information be withheld on grounds of security, commercial or industrial secrecy, or where access to such information is legally restricted.

As a general rule, **without prior registration, no meetings or hearings may be held, nor may any contact be maintained with public officials and/or public office holders where such contact constitutes lobbying.** However, submitting a written undertaking of express acceptance of the rules of conduct has the effect of registration from the moment of submission. On an exceptional basis, contact may also be maintained with an unregistered group where the group undertakes in writing to apply for registration within the following three working days.

The **rights** of registered groups include the right to engage with public officials, to present themselves as a registered group and to participate in consultations. Their **obligations** include keeping their details up to date, accepting that information provided to the public authorities will be public by default, and ensuring that any meetings held are made public.

Public officials must, in turn, publish their meetings with interest groups on the Transparency Portal within one month.

2.3 PRINCIPLES OF CONDUCT AND REGULATORY FOOTPRINT REPORT

Without prejudice to the possibility of adopting specific codes of conduct, interest groups and individuals acting on their behalf are subject to a set of **principles of conduct** designed to ensure the transparency and integrity of their activities. They must, among other things, act transparently and with integrity, identify themselves to public officials and declare their interests, provide accurate information, and refrain from offering gifts or favours, exerting undue pressure, disclosing confidential information, or engaging in actions that give rise to conflicts of interest.

The RDL also requires every regulatory process to include a **regulatory footprint report** identifying the public officials contacted, the contributions made by each interest group and their impact on the final text, as well as any contributions that did not ultimately influence the regulation.

2.4 CONSEQUENCES OF NON-COMPLIANCE

The RDL also introduces a **specific penalty regime** applicable to interest groups. The Council for Transparency and Good Governance has jurisdiction, and infringements are classified as very serious, serious or minor.

Very serious infringements include, among others, exerting influence fraudulently, inciting public officials to breach the law or integrity rules, providing false information when registering, or repeatedly lobbying without being registered. Serious infringements include failure to comply with the rules of conduct, concealing the status of an interest group, and failing to update registration details annually. An unjustified delay of more than five working days in updating registration details constitutes a minor infringement.

Penalties range from a warning to **fines** of between EUR 5,000 and EUR 40,000, as well as a **ban on registration** for between two and five years or, where applicable, the **suspension or cancellation of an existing registration**, which effectively prevents the group from continuing to lobby the General State Administration for the period concerned.

In addition, Law 3/2015 of 30 March, regulating the exercise of senior office within the General State Administration, is amended to prohibit holders of senior office, for a period of two years after leaving their post, from lobbying in the service of, or on behalf of, entities registered in the Register of Interest Groups, in matters relating to the remit of the department, body or entity in which they previously served.

3. ENTRY INTO FORCE AND EFFECT

The Royal Decree-Law came into force on 27 August 2026, the day following its publication in the BOE.

Organisations that may be affected are advised to review their activities to determine whether they fall within the scope of the new regulations, assess whether they should prepare for registration in the Register of Interest Groups, identify their lobbying activities, and establish internal procedures to ensure adequate traceability, transparency and control.

The registration procedure for the Register is already available through the website of the Spanish Council for Transparency and Good Governance:Consejo Transparencia y Buen Gobierno | Registro de Grupos de Interés .

However, the RDL **is still subject to ratification by the Congress of Deputies**, which must vote on it within 30 days of its promulgation.

URÍA
MENÉNDEZ

4. CONTACT LAWYERS

Manuel Vélez Fraga
Partner, **Public Law, Litigation and Arbitration**
+34 915860160
manuel.velez@uria.com

Mario Barros García
Partner, **Employment Law**
+34 915864554
mario.barros@uria.com

Antonio Guerra Fernández
Partner, **Competition and EU Law**
+34 915860563
antonio.guerra@uria.com

Enrique Rodríguez Celada
Counsel, **Corporate Criminal Law**
+34 915860579
enrique.rodriguez@uria.com