

Amendments to the Spanish Air Navigation Act and Air Safety Act

The Spanish Congress has recently amended two essential laws that underpin the aviation industry in our country: Law 48/1960 of July 21 on Air Navigation, and Law 21/2003 of July 7 on Air Safety. The aim is to modernize the aviation sector in key areas, which we will outline below, focusing on aspects that affect both airlines themselves and passenger transport.

Main Points of the Reform to Law 48/1960 on Air Navigation

- **Simplifying the information required on aircraft identification plates**, the owner's name is removed to make changes of ownership easier.
- **Alignment services to European regulations**, by making authorizations for international flights more flexible and enabling air traffic through agreements with the concerned States.
- **Regulation of UAS (Unmanned Aircraft Systems)**, commonly known as drones. Pilots and support personnel are now considered flight crew and ground crew, in that order. In addition, the Air Safety Law introduces a framework of infractions related to the use, registration, and training of drone pilots.

Main Points of the Reform to Law 21/2003 on Air Safety

- **The Spanish Aviation Safety Agency (AESA) will carry out inspection activities in the field of civil aviation**, under the authority conferred by the Spanish Government through the Ministry of Transport. AESA will conduct inspections either directly or through natural or legal persons acting under its direction and supervision.

Focusing on passenger compensation for cancellations, delays, and other incidents — as set out in Regulation 261/2004 — the law establishes a new system of sanctions to be imposed directly by AESA. Consequently, failure to comply with AESA's decisions after a period of three months from the date of notification is classified as a major infringement. On the other hand, a minor infringement is established when compliance with AESA's decision occurs late or inadequately —

that is, when the sanctioned airline fulfils its obligation within a period of one to three months. Sanctions will be imposed through administrative proceedings, without the need to make use of the courts.

- **Sanctions for airlines and airport operators in relation to Regulation (EU) 2023/2405 ReFuelEU Aviation**. A range of minor, serious, and major administrative infractions are established in cases where Spain is responsible for the supervision and enforcement of obligations imposed on aircraft operators under the said Regulation, thereby strengthening sustainability requirements.

In cases where the minimum standards requirements for the use of biofuels are not met, the financial sanction will correspond to double the value of the biofuel that ought to have been used. Airlines may also be sanctioned for omissions — for example, when they fail to comply with mandatory information requirements requested by the competent authorities.

- Finally, in response to one of the main threats looming over present and future air navigation, this reform provides that airlines, in collaboration with the competent cybersecurity authorities, **must develop specific measures and plans to protect against cyberattacks**. Furthermore, it stipulates the creation of a subsequent Regulation to define:

- The implementation of Cyberattack Response Plans.
- The availability of cybersecurity experts and action protocols.
- Performing simulated cyberattacks to enhance and solidify airline personnel's ability to respond.

In conclusion, this reform represents a decisive step toward modernizing the legal framework governing aviation in Spain. Its goal is well-defined: to align the system with European and international standards in terms of safety, sustainability, digitalization, and operational efficiency. Our firm is fully committed to informing and supporting airlines throughout this legislative transformation process. The changes outlined have been in effect since 20th October of 2025.



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