

Information release

The Spanish Government recalls that consumers affected by the DANA are vulnerable consumers and enjoy special protection

The Ministry of Social Rights, Consumer Affairs and Agenda 2030 urges companies, agencies and operators to eliminate formalities that may hinder the exercise of their rights.

Madrid, 31 October 2024. In view of the recent tragedy caused by the High Level Isolated Depression (HLD) in our country, the Ministry of Social Rights, Consumer Affairs and Agenda 2030 recalls that the people affected are considered vulnerable consumers within the meaning of consumer regulations and, therefore, their rights enjoy special protection. For this reason, the Ministry of Social Rights, Consumer Affairs and Agenda 2030 has asked companies, agencies and operators to eliminate formalities that may hinder the exercise of their rights. Likewise, and in accordance with consumer regulations the Ministry has asked them to be flexible and to give those affected the possibility of cancelling any services contracted that may have been affected by the DANA, such as travel, events or telecommunications services, or to offer other alternatives.

Likewise, the Ministry recommends that the population consult the updated information provided by the State Meteorological Agency (AEMET), the Directorate General for Civil Protection and Emergencies of the Ministry of the Interior (DGPCE), as well as the emergency services of the different municipalities affected.

Rights of affected consumers

- **Transport service cancellation**

Air passengers

Persons affected by flight cancellations are entitled to information, assistance and reimbursement or re-routing. Reimbursement must be made within seven days. In the event that the carrier offers a voucher in lieu of the fare, this option should not affect the passenger's right to opt for reimbursement if he/she prefers.

>>> More information on [air passenger rights](#).

Rail passengers

In the event of a delay in arrival of more than 60 minutes or cancellation of the journey, the passenger must be given an immediate choice between: (i) reimbursement of the full amount of the ticket under the conditions for which it was paid for the part or parts of the journey not made within 30 days; or (ii) continuation of the journey or re-routing by an alternative route to the final destination, under comparable transport conditions, at a later date at the passenger's convenience.

Railway companies must inform passengers of train delays and cancellations as soon as this information becomes available. In order to be informed, it is recommended to consult the websites of the companies.

If the train is blocked, the Railway Undertaking must organise the transport of passengers from the point where the train is blocked to the departure station or to an alternative departure point or to the final destination of the service where this is physically possible. In the event that continuation of the service proves impossible, the Railway Undertaking must organise alternative transport services as soon as possible.

>> More information on [rail passengers' rights](#).

Bus or coach passengers

In the event of cancellation of the trip, the traveller must be offered the choice between an alternative trip or reimbursement of the amount paid. This reimbursement must be made within 14 days.

>> More information on the [rights of bus and coach passengers](#).



Passengers travelling by sea and inland waterways

If the cancellation of the trip is due to the company itself or as a result of measures decreed by the port authorities, the shipping company that cancelled the trip must offer the passenger the choice between an alternative trip or reimbursement of the amount paid, which must be paid within 7 days.

In any case, the Ministry reminds that, in the above cases, when the carrier has not cancelled the journey, but the passenger cannot perform the journey due to the storm, it should be checked whether in the terms and conditions of the transport contract, for reasons of weather emergency, there is the possibility of cancelling the journey or whether the carrier offers the alternative of postponing or cancelling the journey.

>> More information on the [rights of passengers travelling by sea and inland waterway](#).

- **Cancellation of events**

Cancellation of events or activities shall entitle the customer to a full refund of all payments that have been performed, irrespective of any additional fees that may arise from the contract. The refund must be requested from the service provider who sold them. If the event is not cancelled, but the user is unable to access it due to the weather, it is recommended to check the terms and conditions of the contract to verify whether these cancellation circumstances are foreseen and the potential additional rights that may be attached to such cancellations.

- **Provision of services**

If certain services cannot be provided or certain supplies cannot be carried out due to the DANA, it must be taken into account that we are dealing with a case of 'force majeure', and therefore the parties to the contract are exonerated from its fulfilment. In these cases, and given the impossibility of providing the service, the amounts paid for the service that cannot be provided must be returned to the user. In any case, the Ministry recommends reviewing the contract in case it includes additional rights for this type of circumstances.

- **E-commerce**

If goods are purchased online, the trader must deliver them without undue delay and within a maximum period of 30 days from the date of purchase, unless other delivery periods have been agreed. If these delivery periods are not met due to DANA, the consumer may grant the trader an additional period of time to deliver the goods. In the event that the goods are also not delivered within this additional period, regardless of the cause, he shall be entitled to terminate the contract and receive reimbursement without undue delay.

- **Compensation for the damage caused by the DANA**

Damage suffered to property such as homes, motor vehicles, premises or other real estate as a result of the DANA may be subject to compensation from the Insurance Compensation Consortium (CCS). For this purpose, it is advisable to consult the CCS website for information on this event as well as on the management of possible compensation.

Source of information: [Ministry of Social Rights, Consumer Affairs and Agenda 2030](#).