

Special Information Briefing
COVID-19 (No. 12):

Measures regarding terms in administrative proceedings included in Royal Decree-law of 31 March, adopting additional urgent social and economic measures to deal with COVID-19

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Madrid, 2 April 2020

1. Introduction

On 1 April 2020, **Royal Decree-Law 11/2020 of 31 March** was published in the Official State Bulletin, **adopting additional urgent social and economic measures to deal with COVID-19 (“RDL 11/2020”)**. The RDL establishes a new range of measures, mainly of a social and economic nature, which expand upon and enhance those already adopted through the Royal Decree-laws approved in recent days, as well as Royal Decree 463/2020, of 14 March, which declared the state of alarm for the management of the health crisis caused by COVID-19, and its subsequent extension, approved by Royal Decree 476/2020, of 27 March.

2. Measures regarding terms in administrative proceedings

The Eighth Additional Provision, section 1, of RDL 11/2020 states that the term for filing appeals in administrative proceedings will be calculated from the business day that follows the end date of the state of alarm, regardless of the time elapsed from the date on which the administrative resolution subject to appeal was notified.

This provision establishes that, once the state of alarm has ended, the terms of administrative appeals that were running as of 14 March 2020 will be restarted and must be calculated again in their entirety. For example, if the one-month term to file an administrative reconsideration appeal (*recurso de reposición*) was running at the time of declaration of the state of alarm, such term will begin anew on the business day that follows the end date of the state of alarm.

The Eighth Additional Provision also affects the terms concerning any other challenge, claim, conciliation, mediation and arbitration proceedings that substitute administrative appeals, in accordance with the applicable legal provisions.

In other words, the Eighth Additional Provision only affects procedural actions that substitute administrative appeals, and does not affect administrative proceedings in general, nor the statute of limitations in the field of administrative proceedings (both are suspended as a consequence of the Third and Fourth Additional Provisions of RD 463/2020).

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