Effects of the dissolution of the Spanish Parliament on legislation in the audiovisual sector

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Royal Decree 806/2026, of 5 October, issued on the initiative of Prime Minister Pedro Sánchez, dissolved the Congress of Deputies and the Senate and called general elections for 29 November 2026, bringing the 15th Legislature to an end.

This directly affects the legislative initiatives that, as at the date of dissolution, were still pending before the Parliament. With its dissolution, draft laws and preliminary draft laws pending examination and resolution before Congress lapse without having been enacted and must be reintroduced and undergo a new parliamentary procedure from the outset if their revival is sought following the constitution of the new Parliament.

This Legal Briefing is the first in a series of periodic updates in which we will report on the status of these initiatives, including their potential revival, any amendments introduced, and any regulatory developments relevant to your business.

It is important to note that some of the initiatives listed below constitute the implementation or transposition of European regulations and that, in these cases, the expiration of the national draft law does not mean that the underlying substantive obligation becomes inapplicable, given that European regulations with direct effect, such as regulations, remain fully applicable in Spain regardless of whether their domestic legislative implementation has lapsed.

The list below sets out, by subject matter, the ongoing initiatives affected by this lapsing that have the greatest impact on the audiovisual sector. Their scope is not limited to that sector, however, and they may also affect other areas.

I. Affected legislation

I. Intellectual Property and Audiovisual		
Initiative	**Purpose**	**Impact on the Sector**[1]
Draft Law on Cinema and Audiovisual Culture	To regulate cinema and audiovisual activities in Spain, promoting their production, distribution, and exhibition, and protecting cinema and audiovisual heritage.	The audiovisual sector would have benefited from the new age-rating system, with viewing and attendance monitoring extended to streaming; the establishment of the State Council for Film and Audiovisual Culture; and expanded subsidies for distribution via streaming and tax incentives.
Draft Law for the creation of the Spanish Copyright and Related Rights Office	To establish the Spanish Office for Copyright and Related Rights ("**OEDAC**") as an autonomous agency attached to the Ministry of Culture.	The Intellectual Property Commission (which has jurisdiction over mediation, arbitration, rate-setting, and the protection of rights) would have been attached to the OEDAC, which would have assumed the powers to inspect and sanction copyright infringements online.

1 The impact analysis presented in this column is limited to the issues deemed most relevant to the audiovisual sector, although each legislative initiative may contain many other issues that also warrant consideration.

Preliminary Draft Organic Law regulating the use of generative artificial intelligence within the special employment relationship of performing artists working in the performing, audiovisual and musical arts, as well as of persons carrying out technical or auxiliary activities necessary for that work	To regulate the use of generative AI to create content based on the image or voice of artists within the framework of the artistic employment contract, marking the first piece of legislation to address this issue with the force of law.	The use of generative AI on the artist's image, voice, or performances would have been subject to an express legal restriction that conditioned such use on the purpose of the contract and the work; outside of those circumstances, an express written agreement with separate financial compensation would have been required.
II. Personality Rights and Protection of Minors		
Initiative	**Purpose**	**Impact on the Sector**
Draft Organic Law on the civil protection of the right to honour, to personal and family privacy and to one's own image	To update the 1982 Organic Law in light of the risks posed by new technologies.	The use of deepfakes and the exploitation, by perpetrators, of their own criminal conduct (relevant to fiction, documentaries, and true crime) would be expressly classified as unlawful intrusion, and the age of consent for the use of minors' images would be set at 16.
Draft Organic Law for the protection of minors in digital environments	To safeguard the rights of children and adolescents in the digital environment and to promote a balanced and responsible use of technologies.	Audiovisual services and major content creators would have been required to implement the age verification and parental control systems provided for in this initiative.
III. Artificial Intelligence and Technology		
Initiative	**Purpose**	**Impact on the Sector**
Draft Organic Law for the proper use and governance of artificial intelligence	To align the Spanish legal framework with Regulation (EU) 2024/1689 ("**RIA**"), whose obligations (according to the implementation schedule set forth in the RIA itself) are directly applicable in Spain regardless of this legislative development.	This would have provided the national authority and sanctioning procedure in relation to the marking of AI-generated content and the visible labelling of deepfakes, both as mandated by the RIA, as well as to impose the corresponding sanctions.
Preliminary Draft Law on Security Coordination and Governance	To transpose Directive (EU) 2022/2555 ("**NIS2**"). The transposition deadline expired on 17 October 2024, and its provisions are already applicable in Spain, although its penalty regime will not be enforceable against companies until the national regulation is approved.	Broadcasting and cable television networks and systems would have been subject to the enhanced cybersecurity obligations established in this Preliminary Draft Law.
IV. Media and Online Platforms		
Initiative	**Purpose**	**Impact on the Sector**
Draft Law amending various legal provisions to improve democratic governance in digital services and media regulation	To align Spanish law with Regulation (EU) 2022/2065 ("**DSA**") and implement Regulation (EU) 2024/1083 ("**EMFA**"), both of which are directly applicable in Spain.	Media service providers would have been subject to new transparency obligations regarding their ownership and public funding, as well as to merger control in the media sector, which the Spanish National Markets and Competition Commission could have used to assess the impact of transactions on media pluralism and editorial independence.

Draft Organic Law regulating the right of rectification	To update Organic Law 2/1984, which regulates the right of rectification, so that it also covers the publication of information in digital media and on online platforms.	Social media platforms and users of particular significance would be subject to the obligation established in this draft organic law to publish, in digital environments, corrections requested by individuals affected by inaccurate information.

II. Next steps and recommendations

The lapsing of these initiatives does not amount to their definitive disappearance. Depending on the outcome of the upcoming general elections, much of their content could be taken up again by the next government.

It is therefore advisable to actively monitor legislative activity during the new term of office, in order to anticipate the revival of these initiatives and assess their impact on the audiovisual sector as soon as the texts that are ultimately submitted for parliamentary processing become available.

At Pérez-Llorca, we will continue to monitor these regulatory developments and, as appropriate, provide updates on new developments in the legislative process of these initiatives that may have a significant impact on the audiovisual sector.

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