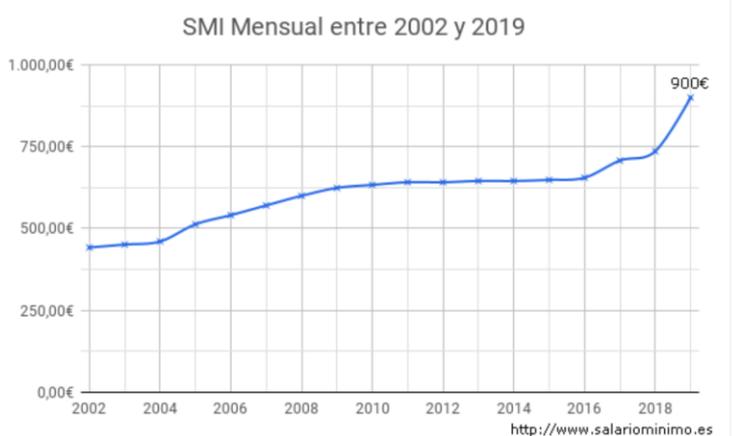


# Spain

## Preserving individual debtor's human dignity in distress

### 1. Monthly income

Adults	Single person	With 2 dependent children																																						
<p>Minimum wage for a full-time employee (if it exists): Name: SALARIO MÍNIMO INTERPROFESIONAL (MINIMUM INTERPROFESSIONAL SALARY) SMI</p>	<p>INTERPROFESSIONAL</p> <ul style="list-style-type: none"> <li>• Minimum daily wage: 30,00€</li> <li>• Minimum monthly wage: 900,00€</li> <li>• Minimum annual wage: 12.600,00€ (14 payments)</li> </ul> <p>OTHERS</p> <ul style="list-style-type: none"> <li>• Household Employees: 7,04€ per hour</li> <li>• Eventual and temporary: 42,62€ per day</li> </ul> <p>Note: These values are for 2019. Every year the government fix it taking in consideration the CPI and other factors. 2018 government fixed an increase of 22.3% compared to year 2018. Source: <a href="http://www.salariominimo.es/">http://www.salariominimo.es/</a></p>  <table border="1"> <caption>SMI Mensual entre 2002 y 2019</caption> <thead> <tr> <th>Año</th> <th>SMI Mensual (€)</th> </tr> </thead> <tbody> <tr><td>2002</td><td>450,00</td></tr> <tr><td>2003</td><td>450,00</td></tr> <tr><td>2004</td><td>480,00</td></tr> <tr><td>2005</td><td>500,00</td></tr> <tr><td>2006</td><td>520,00</td></tr> <tr><td>2007</td><td>550,00</td></tr> <tr><td>2008</td><td>580,00</td></tr> <tr><td>2009</td><td>600,00</td></tr> <tr><td>2010</td><td>620,00</td></tr> <tr><td>2011</td><td>630,00</td></tr> <tr><td>2012</td><td>640,00</td></tr> <tr><td>2013</td><td>640,00</td></tr> <tr><td>2014</td><td>640,00</td></tr> <tr><td>2015</td><td>640,00</td></tr> <tr><td>2016</td><td>650,00</td></tr> <tr><td>2017</td><td>680,00</td></tr> <tr><td>2018</td><td>700,00</td></tr> <tr><td>2019</td><td>900,00</td></tr> </tbody> </table>	Año	SMI Mensual (€)	2002	450,00	2003	450,00	2004	480,00	2005	500,00	2006	520,00	2007	550,00	2008	580,00	2009	600,00	2010	620,00	2011	630,00	2012	640,00	2013	640,00	2014	640,00	2015	640,00	2016	650,00	2017	680,00	2018	700,00	2019	900,00	<p>It is not taken in consideration.</p>
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### MEDIAN INCOME PER CAPITA

→ **SO SPANISH NATIONAL STATISTICS INSTITUTE**

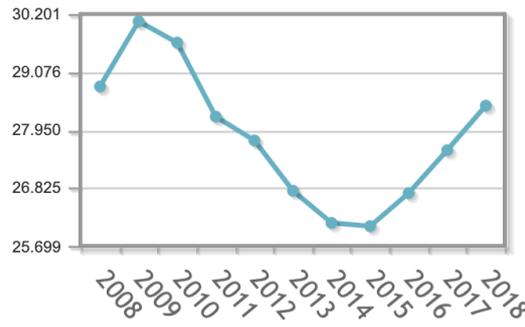
Last record 2017: **28.417,00€**

Source Spanish National Statistics Institute:  
[https://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica\\_C&cid=1254736176807&menu=ultiDatos&idp=1254735976608](https://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica_C&cid=1254736176807&menu=ultiDatos&idp=1254735976608)

Published : **27/06/2019**

Total Nacional. Total. Renta media por hogar. Base 2013.

Fecha: 2018  
 Dato: **28.417** Euros



→ **SO SPANISH TAX AGENCY**

Last record 2017:  
**26.618€ (gross) - 21.834€ (available)**

(Richest autonomy communities: Madrid 35.067€ and Cataluña 30.430€; poorest: Extremadura 19.870€ and Castilla La Mancha 22.003€).

Source Spanish Tax Agency:  
[https://www.agenciatributaria.es/AEAT/Contenidos\\_Comunes/La\\_Agencia\\_Tributaria/Estadisticas/Publicaciones/sites/irpfmunicipios/2017/jrubik5c71ccbbf784b68bb03524d7a59879e024c6c9e2.html](https://www.agenciatributaria.es/AEAT/Contenidos_Comunes/La_Agencia_Tributaria/Estadisticas/Publicaciones/sites/irpfmunicipios/2017/jrubik5c71ccbbf784b68bb03524d7a59879e024c6c9e2.html)

Poverty threshold	<ul style="list-style-type: none"> <li>• <b>2018 - a person's home: 8.870,9€</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>2018 – home with 2 adults and 2 children: 18.628,9</b></li> </ul>																																																
	<p>2018 &gt; Hogares de una persona &gt; Umbral</p> <p>Fecha: 2018                      Dato: <b>8.870,9</b> Euros</p> <table border="1"> <caption>Estimated data for Single Person Poverty Threshold</caption> <thead> <tr> <th>Year</th> <th>Threshold (Euros)</th> </tr> </thead> <tbody> <tr><td>2008</td><td>8.308</td></tr> <tr><td>2009</td><td>8.921</td></tr> <tr><td>2010</td><td>8.717</td></tr> <tr><td>2011</td><td>8.308</td></tr> <tr><td>2012</td><td>8.308</td></tr> <tr><td>2013</td><td>8.103</td></tr> <tr><td>2014</td><td>7.899</td></tr> <tr><td>2015</td><td>8.103</td></tr> <tr><td>2016</td><td>8.512</td></tr> <tr><td>2017</td><td>8.871</td></tr> <tr><td>2018</td><td>8.870,9</td></tr> </tbody> </table>	Year	Threshold (Euros)	2008	8.308	2009	8.921	2010	8.717	2011	8.308	2012	8.308	2013	8.103	2014	7.899	2015	8.103	2016	8.512	2017	8.871	2018	8.870,9	<p>2018 &gt; Hogares de 2 adultos y 2 niños &gt; Umbral</p> <p>Fecha: 2018                      Dato: <b>18.628,9</b> Euros</p> <table border="1"> <caption>Estimated data for 2 Adults and 2 Children Poverty Threshold</caption> <thead> <tr> <th>Year</th> <th>Threshold (Euros)</th> </tr> </thead> <tbody> <tr><td>2008</td><td>17.380</td></tr> <tr><td>2009</td><td>18.701</td></tr> <tr><td>2010</td><td>18.261</td></tr> <tr><td>2011</td><td>17.820</td></tr> <tr><td>2012</td><td>17.380</td></tr> <tr><td>2013</td><td>16.939</td></tr> <tr><td>2014</td><td>16.499</td></tr> <tr><td>2015</td><td>16.939</td></tr> <tr><td>2016</td><td>17.380</td></tr> <tr><td>2017</td><td>18.261</td></tr> <tr><td>2018</td><td>18.628,9</td></tr> </tbody> </table>	Year	Threshold (Euros)	2008	17.380	2009	18.701	2010	18.261	2011	17.820	2012	17.380	2013	16.939	2014	16.499	2015	16.939	2016	17.380	2017	18.261	2018	18.628,9
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<p><b>Population at risk of poverty: 21,5% (26,2% under 16 years old)</b></p> <p>Source:                      Poverty threshold (Spanish National Statistics Institute)  <a href="https://www.ine.es/jaxiT3/Datos.htm?t=9964">https://www.ine.es/jaxiT3/Datos.htm?t=9964</a></p>																																																		
<p>Minimum solidarity allowance for an adult without income (in Spanish: Salario Social / Importe de la Renta Mínima de Inserción – RMI = Social Salary or Minimum Insertion Income (RMI))</p>	<p>In 2016 the basic benefit is 400 euros, plus 112.67 euros for the second person, plus 75.11 euros for each additional person. However, the supplement for those people who are charging a public pension will be 300.45 euros per person (70% of the amount of the non-contributory pension).</p> <p>In each Autonomous Community there are benefits for these people, which can be quite different in terms of time and amount.</p>																																																	

<p>EXAMPLES</p> <p>SOURCE:  <a href="http://www.ayudasparados.com/salario-social-orenata-minima-de-insercion-rmi/498">http://www.ayudasparados.com/salario-social-orenata-minima-de-insercion-rmi/498</a>  <a href="http://rmituderecho.org/iii-importe-de-la-renta-minima-de-insercion-2/">http://rmituderecho.org/iii-importe-de-la-renta-minima-de-insercion-2/</a></p>	<p>ANDALUSIEN</p> <p>1 member: 419,52 €  2 members: 473,30 €  3 members: 527,08 €  4 members: 580,86 €  5 members: 634,64 €  6 members: (3 or more children) 688,42 €  7 members: (3 or more children) 742,20 €  8 or more members: (3 or more children) 779,87 €</p>	<p>MADRID</p> <p>1<sup>st</sup> person: 375,55 €  2nd person: 112,67 €  3rd person and following 75,11 €  Maximum: 532,51 €</p> <p>VALENCIA</p> <p>1 member: 641,40€  2 members: 769,68€  3 members: 833,82 €  4 members: 897,96€  5 or more: 962,10€</p>
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Elderly people	Single person	Couple
<p>Minimum pension for a former employee (full career)</p> <p>SOURCE → SPANISH SOCIAL SECURITY  <a href="http://www.seg-social.es/wps/portal/wss/internet/Pensionistas/Revalorizacion/30434">http://www.seg-social.es/wps/portal/wss/internet/Pensionistas/Revalorizacion/30434</a></p>	<p>677,40€  (9.483,60 PER YEAR)</p>	<p>835,80€  (11.701,20 PER YEAR)</p>
<p>Average pension per capita (all types of pensions)</p> <p><a href="https://www.epdata.es/datos/pensiones-graficos-datos/20/espana/106">https://www.epdata.es/datos/pensiones-graficos-datos/20/espana/106</a></p>	<p>994,02€  (AVERAGE OF ALL KIND OF PENSIONS)</p>	<p>1.141,63€  (RETIRED PENSION)</p>
<p>Minimum solidarity allowance for elderly people with no or very limited pension (In Spanish: PENSIONES NO CONTRIBUTIVAS = NON-CONTRIBUTIVE PENSIONS )</p> <p><u>For the year 2019, a pension supplement, set at 525.00 euros per year, is established for the pensioner who credibly certifies that they lack home ownership and have, as usual residence, a house rented to the pensioner whose owner has no relationship with him kinship until third grade, either spouse or person with whom it constitutes a stable union and coexists with an analogous relationship of affection to the spouse. In the case of family units in which several recipients of non-contributory pensions live, only the holder of the rental contract may receive the supplement or, if several, the first one.</u></p> <p>Source → SPANISH SOCIAL SECURITY  <a href="http://www.seg-social.es/wps/portal/wss/internet/Pensionistas/Revalorizacion/36869#40882">http://www.seg-social.es/wps/portal/wss/internet/Pensionistas/Revalorizacion/36869#40882</a></p>	<p>392,00€  (5.488,00 PER YEAR)</p>	

**Additional information:**

## 2. Garnishment of funds in bank accounts

This concerns the seizure of funds directly from the bank account of the debtor, as a result of a court ruling or equivalent procedure.

Unseizable funds SEE SMI ↓	€ 900 (single person) PER MONTH	
Unseizable_income	Description	Designation
SALARIO MÍNIMO INTERPROFESIONAL – SMI (MINIMUM INTERPROFESSIONAL SALARY)	<p>SMI = Salary or Minimum Insertion Income (€ 900 – 2019)</p> <p>The salary, pension, compensation or its equivalent, not exceeding the amount indicated for the minimum interprofessional salary, cannot be attached.</p> <p>- Autonomous worker (free lance). The income from the economic activity they perform also has the same limitation of non-attainment of the interprofessional minimum wage</p>	<p>SMI = Salario Mínimo Interprofesional (€ 900 – 2019)</p> <p>Es inembargable el salario, pensión, retribución o su equivalente, que no exceda de la cuantía señalada para el salario mínimo interprofesional.</p> <p>- Autónomo. los ingresos provenientes de la actividad económica que desempeñan también tienen la misma limitación de inembargabilidad del salario mínimo interprofesional</p>
Partly seizable income	<ol style="list-style-type: none"> <li>1. For the first additional amount up to the amount of double the interprofessional minimum wage, 30%.</li> <li>2. For the additional amount up to the amount equivalent to a third interprofessional minimum wage, 50%.</li> <li>3. For the additional amount up to the amount equivalent to a fourth minimum interprofessional salary, 60%.</li> <li>4. For the additional amount up to the amount equivalent to a fifth interprofessional minimum wage, 75%.</li> <li>5. For any amount that exceeds the previous amount, 90%.</li> </ol>	<ol style="list-style-type: none"> <li>1. Para la primera cuantía adicional hasta la que suponga el importe del doble del salario mínimo interprofesional, el 30%.</li> <li>2. Para la cuantía adicional hasta el importe equivalente a un tercer salario mínimo interprofesional, el 50%.</li> <li>3. Para la cuantía adicional hasta el importe equivalente a un cuarto salario mínimo interprofesional, el 60% .</li> <li>4. Para la cuantía adicional hasta el importe equivalente a un quinto salario mínimo interprofesional, el 75%.</li> <li>5. Para cualquier cantidad que exceda de la anterior cuantía, el 90%.</li> </ol>
Income that can be fully seized	The compensation provided for in Article 26.2 of the Workers' Statute, including that of dismissal, whether obtainable or inadmissible, is fully seized, without applying any limit other than the amount of the debt.	Las indemnizaciones previstas en el Artículo 26.2 del Estatuto de los Trabajadores, incluida la de despido, sea objetivo o improcedente, son embargables en su totalidad, sin aplicación de ningún límite más que el del importe de la deuda.

**Additional information:**

Unseizable funds – In a bank account, you have same limitation of non-attainment of the interprofessional minimum wage. So if your only bank deposit is your salary, the bank can't attach more than the SMI.

### 3. Seizures on wages and from third parties

This concerns seizures made directly by the debtor's employer from their employee's wages, following a court ruling or equivalent procedure. The same type of seizure may be made with other third parties.

Unseizable amount	X (single person)			
Seizable amounts (single person)	Income range	Monthly income	Percentage portion that can be seized	Maximum amount that can be seized per month
	1	<= € 900	0%	€ 0
	2	From € 901 to € 1,800	30%	€ 270
	3	From € 1,801 to € 2,700€	50%	€ 450 + € 270 = € 720
	4	From € 2,701 to € 3,600	60%	€ 540 + € 720 = € 1,260
	5	From € 3,601 to € 4,500	75%	€ 675 + € 1,260 = € 1,935
	6	> € 4,501	90%	€ 1,935 + 90% all amounts in excess of € 4,501
	7	---	----	---

#### Additional information:

The Tax Agency provides a calculator online -

<https://www2.agenciatributaria.gob.es/wpl/SREM-EMBA/CalcSdoEmb>

There are collection agencies, which a very aggressive practices to get the money back. They call daily and at any time, sometimes they even call the family, workmates or friends, they show up at the debtor's house (sometimes with a singular car or clothing to take the attention of the neighbours, i.e., "El cobrador del Frac", the collector of the frac – see pictures <http://bit.ly/2rFqfU1> - see website <https://www.elcobradordelfrac.com/>)

Collection Agencies that are very active in Spain - Axactor y Kruk España

#### 4. Additional rules for the protection of debtors

As part of an amicable debt mediation procedure or of a personal bankruptcy procedure, some additional protection rules exist in some countries, such as:

- The freezing of the recovery costs and default interest;
- The freezing of recovery procedures (made by registered mail or through a bailiff);
- The possibility for the debt advisor or the judge to lower or increase the protected amounts;
- The possibility of choosing other methods or calculation rules to determine the remaining income.

If similar rules exist in your country, it would be very useful to describe them.

There is the so called "Second Chance Law" which contemplates mechanisms so that the debtor, a natural person, who is in a situation of insolvency, is exempt from the debt owed.

Law 25/2015 of July 28 of the Second Chance Mechanism, reduction of financial burden and other measures of social order // Ley 25/2015 de 28 de Julio de Mecanismo de segunda oportunidad, reducción de carga financiera y otras medidas de orden social\_\_\_\_\_ - <https://www.boe.es/buscar/act.php?id=BOE-A-2015-8469>

The Barcelona Law Bar has a very good webpage about this mechanism:

<http://segonaoportunitatadvocacia.cat/?lang=es>

<http://segonaoportunitatadvocacia.cat/normativa/?lang=es>

Do you accept we include your name, or the name of your organisation, in the list of respondents that will be included in the final report?		YES	NO
			✓
Personal name	PATRICIA SUAREZ		
Name of the organisation	ASUFIN		