



San Miguel Centre
Calle Lope de Vega 45,
San Miguel de Salinas
03193, Alicante –

Telephone: 966 723 733 (24 Hr Emergency Line)

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INFORMATION SHEET No 06

LEGAL ADVISORS IN SPAIN

There are four main types of legal advisors that you can consult in Spain, depending on the sort of problems you have.

1 The ABOGADO

These are trained professionals who handle a wide range of situations and problems, such as if you are starting up a business, applying for a work permit, purchasing property, investing in a Spanish business, making a Spanish will etc.

They will be able to check out work contacts, investigate property deeds, advise on the legality of any will you wish to make and generally smooth the way with all the necessary paperwork. All reputable lawyers in Spain belong to a national association the “Llustre Colegio do Abogados”, a professional body that watches standards and defends the interest of its members. The association has branches in each province and will handle any complaints about the services or activities of its members.

Abogado fees can vary widely as they depend on the amount of work involved. They will normally provide a free consultation and this first meeting is the ideal opportunity to work out how much the work is likely to cost, although no guarantees can be made. Always ask for a written estimate before engaging them and for an formal itemised bill on completion of the work before making final payments.

Abogado fees will tend to be higher than many other advisers and it is for this reason that people tend to use the offices of other professionals listed below. However if you need to take a case to court, get divorced or are arrested, you will need to engage an Abogado.

On the Costa Blanca there are Abogados who can speak English and who are accustomed to dealing with foreign clients and their particular problems.

2 The ASESOR FISCAL

The nearest translation to this in English is an Accountant and this person is the one to contact if you need help with income tax, investments and business affairs although they frequently deal with the buying and selling of houses as well. They are able to advise you the best ways to save money and also on the ever-changing tax laws. Their services are particularly useful to non-residents who spend most of their time out of the country, but need to keep track of tax payments etc.

3 The ADMINISTRADOR DE FINCAS

This person handles all matters concerned with property, such as seeing that taxes are paid, managing rental payments etc., and is often employed by property owners associations to handle the administrations of community fees, minutes of meetings or any other transaction and general matter. They can advise on any aspect of owning, leasing or purchase of property. Again most reputable Administrators belong to an official Colegio.



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4 The GESTOR

There is no direct English translation for Gestor, as Gestorias are institutions peculiar to Spain.

They are licensed by the Government and act as middlemen between you the customer and the Spanish bureaucracy, dealing often with simple but time-consuming paperwork.

For a fee the agent will take over the application for a resident's permit, social security payments, driving licences, car papers, property registration, and advise on all sorts of transactions.

Using a "Gestor" can save lots of time, hassle and headaches as they will be familiar with what is required, but they do no more than you can do yourself. But they do know the ins and outs of the system.

Finally at some time you will most likely come in contact with **The NOTARIO.**

The Notario, or Notary, is a qualified Abogado who has studied to become a Notary.

The Notary is an official who cannot be employed by, nor instructed to act for, an individual, although if involved their services will be charged directly to you, the customer

The Notary is a public official who works in a capacity similar to that of a judge i.e. the Notary represents the State.

The Notary is responsible for making sure that certain matters such as wills, property deals, mortgage agreements, company charters etc., are officially noted and registered. They are required to give clearance on foreign investments and register your foreign money contribution when you buy a property and their stamp makes any paperwork official and available for public record.

Although some are bilingual, they are not expected to speak any language other than their native tongue or to explain the complexities of Spanish law.

College of Abogados Alicante
http://www.icali.es/PORTAL_ICALI/home.do

Calle Alberola, 36, Bajo.
03007 ALICANTE

Telephone 965 14 51 80 / 965 20 07 88