



Spanish Supreme Court Ruling on Timeshare Perpetuity (2015)



Court: Tribunal Supremo (Spain)

Case Date: 15 January 2015

Summary:

The Spanish Supreme Court ruled that timeshare contracts signed after the Timeshare Law 42/1998 came into effect (5 January 1999) must be limited in duration and cannot be "in perpetuity." The court declared that any agreement that fails to specify a clear time limit is null and void.

Key Points:

- Contracts must specify a maximum duration (usually not exceeding 50 years).
- Perpetual timeshare agreements violate consumer rights and Spanish transpositions of EU Directive 2008/122/EC.
- The ruling set a binding precedent followed by lower courts in hundreds of similar claims.

Impact:

This decision opened the door for thousands of Spanish and foreign claimants to challenge and nullify lifelong contracts and seek refunds for payments made.