SmartSuite

Framework / Privacy / Global Privacy Regulations

Real Decreto 1720/2007, de 21 de diciembre, por el que se aprueba el Reglamento de desarrollo de la Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal

Royal Decree 1720/2007 implemented Spain's Organic Law 15/1999 on personal data with three-level security measures and AEPD file registration; largely superseded by the GDPR and LOPDGDD.



What it is

Royal Decree 1720/2007 of December 21, 2007 (Real Decreto 1720/2007, BOE-A-2008-979) approved the regulation implementing Spain's Organic Law 15/1999 on the protection of personal data (LOPD), and it is largely superseded: the GDPR has applied since May 25, 2018, and Organic Law 3/2018 of December 5 on the protection of personal data and the guarantee of digital rights (LOPDGDD, in force December 7, 2018) repealed the LOPD together with every lower-rank provision that contradicts the GDPR or the LOPDGDD. What survives of the Royal Decree is read through those two texts; the Agencia Española de Protección de Datos (AEPD) remains the authority.

At a glance

PUBLISHER
Government of Spain (Royal Decree, proposed by the Ministry of Justice); supervisory authority Agencia Española de Protección de Datos (AEPD)

TYPE
Regulation

VERSION
Royal Decree 1720/2007 (BOE-A-2008-979), consolidated text last updated March 8, 2012; largely superseded by the GDPR and Organic Law 3/2018

EFFECTIVE
April 19, 2008 (three months after publication); GDPR applicable May 25, 2018 and LOPDGDD in force December 7, 2018

DOMAIN
Privacy

FAMILY
Global Privacy Regulations

REGION
Spain

ADOPTION MODEL
Regulatory Compliance

IMPLEMENTATION COMPLEXITY
Medium

Source: boe.es/buscar/act.php?id=BOE-A-2008-979

Why it matters

- **A clear historical baseline** Title VIII's basic, medium and high levels (Articles 80 and 81) gave every file a defined set of controls, and that classification still appears in Spanish policies and contracts.
- **Documented security** Article 88 required a security document covering scope, measures, staff duties, file structure, incident handling, backups and media transport, the ancestor of today's records of processing and security policies.
- **Evidence of operation** Article 90's incident register, Article 103's access log and Article 96's two-yearly audit from the medium level produced the evidence the AEPD inspected.
- **Rights with procedure** Title III fixed the ARCO rights as independent, free and exercisable by simple means (Article 24), with AEPD enforcement procedures in Title IX.

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How SmartSuite supports RD 1720/2007

Processing Inventory and Security Levels

Record each processing activity with its data categories, the historical basic, medium or high level under Article 81 and the current GDPR Article 32 risk rating.

Security Policy Descended from the Security Document

Maintain the policies, staff duties, backup and media rules that Article 88 required, with review cadences and evidence of approval.

Access Control and Access Log

Track user profiles, authorized access and periodic reviews under Article 91, and retain access logs for the periods Article 103 set and the GDPR now justifies.

ARCO and GDPR Rights Requests

Manage access, rectification, erasure, opposition and the GDPR's added rights with deadlines, identity checks and an audit trail.

Incident Register and Breach Notification

Log incidents with the fields of Article 90 and run the GDPR's 72-hour notification to the AEPD from the same record.

Audit Program and AEPD Evidence

Schedule the two-yearly audits that Article 96 established and keep reports, findings and corrective actions ready for the AEPD.

Common framework mappings

CIS Controls v8.1 · GDPR · ISO 27001:2022 · ISO 27002:2022 · ISO 27701 · NIST CSF 2.0 · NIST Privacy Framework v1.0 · NIST 800-53 Rev.5 · PCI DSS 4.0.1 · SOC 2

Official resources

Spain Royal Decree 1720/2007 Regulation Text

Official text of the Royal Decree 1720/2007 implementing Spain's Organic Law on Data Protection.

boe.es/buscar/doc.php?id=BOE-A-2008-979

Spanish Data Protection Agency Guidelines

Provides guidance by the Spanish Data Protection Agency for compliance with data protection laws.

aepd.es/guias-y-herramientas/guias

AEPD Official Portal

Outlines resources and documentation available from the Spanish Data Protection Authority.

aepd.es

BOE: Ley Orgánica 3/2018 (LOPDGDD), texto consolidado

The organic law of 5 December 2018 that repealed the LOPD and defines what remains of Royal Decree 1720/2007.

boe.es/buscar/act.php?id=BOE-A-2018-16673

Frequently asked questions

Is Royal Decree 1720/2007 still in force in Spain?

Only residually. The GDPR has applied since May 25, 2018, and Organic Law 3/2018 (LOPDGDD) repealed Organic Law 15/1999, which the Royal Decree implemented, together with every lower-rank provision that contradicts the GDPR or the LOPDGDD (repealing provision, paragraph 3). The BOE still publishes the Royal Decree as a consolidated text with its 2010 and 2012 annulments, so provisions compatible with the GDPR can still be cited, but security, registration and transfer obligations now come from the GDPR and the LOPDGDD.

What were the three security levels in Title VIII?

Article 80 classified security measures as basic, medium and high, and Article 81 assigned them. Every file took the basic measures. Medium measures were added for files on administrative or criminal offenses, solvency and credit, tax administration, financial services, social security and personality profiling. High measures were added for data on ideology, union membership, religion, beliefs, racial origin, health or sex life, police data collected without consent and data from gender violence, with the high-level access log also applied to telecom traffic and location data.

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What did the security document have to contain?

Article 88 required an internal document, binding on staff with access to the systems, stating its scope and the resources protected, the measures and procedures that achieved the required level, staff functions and obligations, the structure of the files and the systems that processed them, the incident notification and response procedure, backup and recovery procedures, and the rules for transporting, destroying or reusing media and documents. At medium and high levels it also named the security officer and the periodic compliance checks.

How often did the Royal Decree require a security audit?

Article 96 required files at the medium level and above to undergo an internal or external audit at least every two years, and an extraordinary audit after substantial changes to the information system, which restarted the two-year count. The report had to assess the adequacy of the measures against the law and the regulation, identify deficiencies and propose corrective or complementary measures; it went to the security officer and the controller and was kept available for the AEPD. Article 110 set the same two-year cycle for paper files at medium level and above.

What replaced file notification to the AEPD?

Title V required public files to be created by a published instrument and notified to the AEPD within thirty days, and private files to be notified before creation, for entry in the General Data Protection Register (Articles 52 to 55). The GDPR removed prior notification: controllers and processors now keep records of processing activities under Article 30 of the Regulation, and the LOPDGDD requires public bodies and certain others to publish an inventory of their processing activities.

License included / downloadable: Yes The Royal Decree is Spanish law published free in the Boletín Oficial del Estado, including the consolidated text; the platform links to the BOE.

Full framework page and mappings: smartsuite.com/frameworks/spain-royal-decree-1720-2007-regulation-implementing-organic-law-data