



SPANISH CONSTITUTIONAL COURT
Cabinet of the President
Press Office

INFORMATION NOTE No. 67/2014

THE TC GRANTS LEAVE TO PROCEED TO THE APPEAL LODGED BY THE GOVERNMENT AGAINST THE NAVARRA ACT FORBIDDING “*FRACKING*”

The Plenary Meeting of the Spanish Constitutional Court has granted leave to appeal lodged by the Government against Regional Act 30/2013, of 13 October, issued by the Parliament of the Regional Community of Navarra, which regulates the prohibition in Navarra of hydraulic fracking as as a non-conventional investigation and gas extraction technique.

The Court has resolved to serve notice of the claim to the Congress and Senate, as well as to the Government and Parliament of Navarra, which have been granted a term of fifteen days in which to appear as party to these proceedings and submit their pleadings.

The Plenary Meeting has also agreed to automatically suspend the rule challenged as a result of the Government upholding Art. 161.2 of the Spanish Constitution (*“The Government may contest before the Constitutional Court any provisions and resolutions adopted by the bodies of Autonomous Communities. Such challenge will entail suspension of the contested provisions or resolutions. The Court, however, must either ratify or lift the suspension within a maximum of five months”*).

The Plenary Meeting, in accordance to Art. 10.2 of the Public General Act of the Constitutional Court, has forwarded the appeal to Chamber Two, given that initially the situation is covered by Plenary Meeting case-law declaring the unconstitutionality of “anti-fracking” laws of Cantabria and La Rioja.

Madrid, 11 September 2014.