



SPANISH CONSTITUTIONAL COURT
Cabinet of the President
Press Office

INFORMATION NOTE No. 84/2014

THE TC GRANTS LEAVE TO PROCEED TO THE APPEALS FILED BY THE GOVERNMENT AGAINST THE CALLING OF A POPULAR CONSULTATION ON OILFIELDS IN THE CANARY ISLANDS

The Plenary Meeting of the Spanish Constitutional Court has granted leave to proceed to two writs of challenge lodged by the Government against Decree 95/2014, issued by the Government of the Canary Islands on 25 September, which approves the Regulations on citizen consultations in matters of general interest entrusted to the Autonomous Community of the Canary Islands, and against Decree 107/2014, of 2 October, from the President of the Government of the Canary Islands, which allows a citizen consultation based on a direct question, within the territorial scope of the Canary Islands.

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 the provisions and resolutions adopted by bodies of the Autonomous Communities. This challenge shall entail the suspension of the contested provisions or resolutions, but the Court must either ratify or lift the suspension, as the case may be, within a period of not more than five months”*).

The application of said constitutional precept means that, since 27 October, when the appeals were filed, *“any step taken as a result of”* the challenged decrees is suspended.

The Court has also resolved to serve notice of the claims to the Government of the Autonomous Community of the Canary Islands, which has been granted a term of twenty days in which to appear as party to these proceedings and submit its pleadings.

The granting of leave to proceed does not entail any decision whatsoever on the merits of the appeal, which the Court will examine shortly.

Madrid, 4 November 2014.