



SPANISH CONSTITUTIONAL COURT
Cabinet of the President
Press Office

INFORMATION NOTE No. 59/2015

THE TC GRANTS LEAVE TO PROCEED TO THE APPEALS BROUGHT BY THE GOVERNMENT AGAINST THE TRADE ACT AND AGAINST THE MINING ARRANGEMENT ACT OF THE BALEARIC ISLANDS

The Plenary Meeting of the Constitutional Court (TC) has granted leave to proceed to the two unconstitutionality appeals brought by the Government against two rules of the Autonomous Community of the Balearic Islands: the first one challenged various precepts of Balearic Islands Trade Act 11/2014, of 15 October; the second appeal was brought against Article 23.1 of Act 10/2014, of 1 October, on Mining Arrangement in the Balearic Islands.

The Court has resolved to serve notice of both claims to the Congress of Deputies and the Senate, as well as the Government and Parliament of the Balearic Islands, which have been granted a term of fifteen days in which to appear as party to each suit and present any pleadings are deemed appropriate.

The Plenary Meeting has also agreed to automatically suspend the validity and application of the challenged precepts (both of the Trade Act and Mining Arrangement Act), 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 granting of leave to proceed does not entail any decision whatsoever on the merits of the appeal, which the Court will examine shortly.

Madrid, 22 July 2015