



SPANISH CONSTITUTIONAL COURT
Cabinet of the President
Press Office

INFORMATIVE NOTE No. 38/2016

THE TC GRANTS LEAVE TO PROCEED TO THE GOVERNMENT'S APPEAL AGAINST THE CASTILLA-LA MANCHA ACT REGULATING WORKING HOURS AND THE RETIREMENT OF CIVIL SERVANTS

The Plenary Meeting of the Constitutional Court (TC) has granted leave to proceed to the unconstitutionality appeal filed by the President of the Government against Art. 1 of Castilla-La Mancha Act 7/2015, of 2 December. This provision reforms Act 1/2012, of 21 February, on complementary measures to apply the social services guarantee plan, as regards working hours, and Act 10/2014, of 18 December, on general budgets of the Board of Autonomous Communities of Castilla-La Mancha for 2015, as regards extended active service for civil servants and statutory staff working for the administration of the Board of Autonomous Communities of Castilla-La Mancha.

The Court has resolved to serve notice of the foregoing appeal to the Congress of Deputies and to the Senate, as well as to the Courts and Board of Autonomous Communities of Castilla-La Mancha, which have been granted a term of fifteen days in which to appear as parties to the suit and present any pleadings they deem appropriate.

The Plenary Meeting has also agreed to automatically suspend the validity and application of the challenged precepts, 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, and the interim suspension, do not entail any decision whatsoever on the merits of the appeal, which the Court will examine shortly.

Madrid, 3 May 2016.