



CONSTITUTIONAL COURT OF SPAIN  
Cabinet of the President  
Press Office

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### THE PLENARY MEETING OF THE TC SUSPENDS THE DECLARATION ISSUED BY THE CATALONIAN PARLIAMENT AND COMMENCES PROCEEDINGS TO ADOPT THE MEASURES FORESEEN IN ART. 92 LOTC

Following receipt of the writ whereby the State Attorney's Office has filed an incident to enforce a judgment related to Resolution 263/XI of the Catalanian Parliament, of 27 July 2016, the Plenary Meeting of the Constitutional Court (TC) has unanimously agreed as follows:

- To grant the incident leave to proceed and to forward the nullity petition, filed by the State Attorney's Office against Resolution 263/XI of the Catalanian Parliament, to the State Prosecutor's Office and the Catalanian Parliament. The Plenary Meeting has decided to grant both parties a 20-day term in which to bring the necessary pleadings, pursuant to Art. 92.1.2 of the Public General Act of the Constitutional Court (LOTC).
- To suspend the validity and application of Resolution 263/XI of the Catalanian Parliament, as a direct consequence of the Government upholding Art. 161.2 of the Spanish Constitution, which provides as follows: *"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"*.
- To personally notify this resolution to the President of the Catalanian Parliament, to the other members of the Parliamentary Board and to the General Secretary of the Catalanian Parliament, as well as to the President and other members of the Governing Council of the Catalanian Generalitat. The Plenary Meeting has advised them all of *"their duty to prevent or stop any initiative aimed at overlooking or evading the suspension agreed, warning them that they may be potentially held liable, even in criminal law"*.
- To request that the President of the Catalanian Parliament, the other members of the Parliamentary Board and the General Secretary of the Catalanian Parliament, within a term of 20 days, report on their compliance with Constitutional Court Judgment (STC) 259/2015 and Constitutional Court Order (ATC) of 19 July 2016, in order for the Court to eventually adopt the measures foreseen in Art. 92.4 LOTC.

Madrid, 1 August 2016