



CONSTITUTIONAL COURT OF SPAIN  
Cabinet of the President  
Press Office

## INFORMATIVE NOTE No. 26/2017

### THE CONSTITUTIONAL COURT UNANIMOUSLY ANNULS THE DECREE WHEREBY THE CATALONIAN *GENERALITAT* CREATED A COMMISSIONER FOR NATIONAL TRANSITION

The Constitutional Court has unanimously upheld the positive competence conflict filed by the National Government against Catalanian *Generalitat* Decree 16/2015, of 24 February, creating the Commissioner for National Transition, and against the so-called plans and steps taken by the Catalanian Government to prepare state structures and strategic infrastructures. Santiago Martínez-Vares acted as Reporting Judge in the resolution.

The Court has considered that the competences disputed are ongoing, despite the subsequent repeal of Decree 16/2015, creating the Commissioner, and has declared its unconstitutionality and nullity, given the competences entrusted thereto on tasks inherent to promoting, coordinating and implementing the necessary measures to culminate a National Transition process.

Likewise, the so-called “*Executive Plan to prepare State infrastructures*” and “*Strategic Infrastructures Plan*” have also been declared unconstitutional and null and void, due to being evidently similar to the competences entrusted to the Catalanian Government under Parliamentary Act 3/2015, likewise declared unconstitutional and null and void by Constitutional Court Judgment (*Sentencia Tribunal Constitucional – “STC”*) STC 128/2016.

Madrid, 10 May 2017.