



CONSTITUTIONAL COURT OF SPAIN
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THE CONSTITUTIONAL COURT GRANTS LEAVE TO PROCEED TO THE GOVERNMENT APPEAL AGAINST THE LAW ON DIGITAL WILLS AND ON THE MODIFICATION OF THE SECOND AND FOURTH BOOKS OF THE CIVIL CODE OF CATALONIA

The Plenary Session of the Constitutional Court has granted leave to proceed to the appeal of unconstitutionality brought by the President of the Government against Catalanian Law 10/2017, dated June 27th, on digital wills and on the modification of the Second and Fourth Books of the Civil Code of Catalonia.

The Court resolved to communicate the said application to the Congress of Deputies and the Senate, as well as to the Parliament and the Government of Catalonia, which will have fifteen days to join the proceedings as parties and submit the arguments they deem appropriate.

The Plenary also resolved to suspend the validity and application of the challenged provisions. Such decision is an automatic consequence of the invocation by the Government of Article 161.2 of the Spanish Constitution in its appeal. This provision states that: *“The Government may contest before the Constitutional Court the provisions and resolutions adopted by the agencies of the Autonomous Communities, which shall bring about 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 admission of the appeal and the issuance of a precautionary suspension do not imply any ruling by anticipation on the substance of the appeal, which will be decided by the Court at a later date.

Madrid, 25 October 2017.