



CONSTITUTIONAL COURT OF SPAIN
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THE CONSTITUTIONAL COURT ADMITS THE GOVERNMENT APPEAL AGAINST THE LAW OF CASTILE-LA MANCHA THAT ESTABLISHES MEASURES FOR THE PROTECTION OF HEALTH AND THE ENVIRONMENT IN RELATION TO FRACKING

The Plenary Session of the Constitutional Court has admitted the appeal on the grounds of unconstitutionality lodged by the President of the Government against various precepts of Autonomous Region of Castile-La Mancha Law 1/2017, of 9 March, establishing additional measures for the protection of public health and the environment in relation to exploration, investigation into and the exploitation of hydrocarbons employing the technique of hydraulic fracturing.

The Court has resolved to serve notice of the appeal to the Chamber of Deputies and the Senate, along with the Parliament and Regional Government of Castile-La Mancha, which have fifteen days in which to appear as a party within the proceedings and make the representations they deem appropriate.

The Plenary Session has also decided to suspend the validity and application of the challenged precepts, as an automatic consequence of the Government's invocation of article 161.2 of the Spanish Constitution in its appeal. The aforementioned precept establishes the following points: "*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 provision or resolution, but the Court must either ratify or lift the suspension, as the case may be, within a period of not more than five months*".

Admission does not imply any form of advance pronouncement on the merits of the appeal, which the Court will resolve upon concluding this process.

Madrid, 31 January 2018