



CONSTITUTIONAL COURT OF SPAIN
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THE CONSTITUTIONAL COURT GRANTS LEAVE TO PROCEED TO THE ACTION OF UNCONSTITUTIONALITY BROUGHT BY THE *PARTIDO POPULAR* PARTY IN THE SENATE AGAINST VALENCIAN LAW 8/2018, ON THE REGIONAL PUBLIC HEALTH SERVICE

The Plenary Session of the Constitutional Court has resolved to grant leave to proceed to the action of unconstitutionality (*“recurso de inconstitucionalidad”*) lodged by more than 50 senators of the Popular Parliamentary Group (PP). This appeal had been brought against article 1, chapter 65, of Valencian Law 8/2018, on the modification of Valencian Law 10/2014, dated December 29th, on the Regional Public Health Service.

The Court has resolved to notify the appeal and all related documents to the Congress of Deputies, to the Senate and to the national Government, as well as to the Government of the Valencian Community so that, within a period of 15 days, they can join the proceedings as parties and submit their arguments on this matter.

On the substance of the case, the appellants considered that the Valencian Law on public health may be contrary to articles 149.1.1 and 149.1.16 of the Constitution, insofar as the challenged reform would be contrary to article 104 of the General Health Law, to article 14 of the Law on the Regulation of Sanitary Professions, and to the additional provision No. 7 of the Organic Law on Universities. That is to say, to the extent that the aforementioned provision adopted by the Autonomous Community may cause an exclusion of private universities from the regime of educational cooperation on sanitary matters.

The action of unconstitutionality also alleged that the Valencian Law at issue breached the fundamental rights to equality, the freedom to create educational centres and the administration’s duty to sustain these centres.

Madrid, 21 September 2018