

**Priority question for written answer P-001686/2021
to the Commission**

Rule 138

Francisco José Millán Mon (PPE)

Subject: Retroactive reduction in the duration of coastal authorisations in Spain incompatible with EU law

The Spanish Government has put forward a bill being debated by Parliament that, once passed, would retroactively shorten the duration of administrative authorisations granted on public land along the Spanish coastline. The Galician employers' association has estimated that this reform would adversely affect 4 000 companies.¹

One such company is the Ence paper factory in Pontevedra, which would have to vacate its premises before 2033, despite the fact that it has been granted a legal extension to stay until 2073.²

The Xunta de Galicia believes that this legal reform constitutes a hidden expropriation, without compensation, that violates the fundamental right to property and to legal certainty (see the attached report).³

Since this case falls within the scope of EU law (Directive 2006/123/EC concerning authorisations and Directive 2014/23/EU concerning concessions) and in view of Article 17 of the Charter of Fundamental Rights of the EU and the case-law of the Court of Justice of the EU on legal certainty, I would like to ask the following:

1. Does the Commission consider the legislative reform proposed by the Spanish Government to be compatible with EU law?
2. Will the Commission urge the Spanish Government to guarantee the right to property and to legal certainty?

¹ <https://ceg.es/index.php/es/actualidad/la-ceg-insta-a-la-supresion-del-articulo-18-de-la-ley-de-cambio-climatico-a-favor-de-la>

² https://www.lavozdeg Galicia.es/noticia/pontevedra/2021/02/27/ence-augura-cierre-rapido-ley-cambio-climatico-reubicar-plantilla-lourizan/0003_202102P27C5991.htm

³ <https://www.lavozdeg Galicia.es/noticia/pontevedra/2021/03/17/xunta-tacha-frontalmente-inconstitucional-articulo-184-proyecto-ley-cambio-climatico/00031615991691954651806.htm>