

**Question for written answer E-000004/2025/rev.1
to the Commission**

Rule 144

Adrián Vázquez Lázara (PPE)

Subject: Spanish Government uses a Royal Decree-Law to undermine the role of the Senate, creating legal uncertainty

As part of Spain's fiscal pact process, last week the Senate approved an amendment which postponed the entry into force of a key modification to Law 38/2022, thereby keeping the law in force until publication of said modification in the State Official Gazette.

However, the government has now presented a Royal Decree-Law (without parliamentary support) to extend the temporary tax on energy companies, even if the law referred to above is repealed as a direct result of the aforementioned amendment. This move raises questions about legality and legal certainty, as it could be interpreted as a potential circumvention of the law since it anticipates the imminent repeal of another law.

Given that these actions could violate the principles of the rule of law, which are championed by the Commission, I request that the European executive assess whether this situation is compatible with the provisions of the new European fiscal framework and the obligations of Member States.

1. How could the Commission help to ensure that Spain and other Member States fully respect their commitments to the rule of law?
2. How does the Commission view the undermining of the Senate – the very institution representing the sovereignty of the people – brought about by this Royal Decree-Law?

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