

## **Resolution by which the entity called Associació Catalana de l'OpenStreetMap is registered in the Register of Associations of the Generalitat of Catalonia**

File instructed following the request, presented by Mr. Carlos SANCHEZ Lopez and others, for registration of the association called Associació Catalana de l'OpenStreetMap in the Register of Associations of the Generalitat of Catalonia

### **Facts**

1. On 25/03/2025, Mr Carlos Sanchez Lopez submitted an application for registration, in the Register of Associations, of the association called Associació Catalana de l'OpenStreetMap, of Barcelona, together with the deed of incorporation and the statutes of the entity.

1.1 During the processing of the file, this General Directorate urged the association to rectify certain deficiencies. The entity responded to this request.

2. The statutes include the following legally prescribed aspects:

2.1 The purposes of the association, which, according to article 2, are:

“The Association aims to promote and defend the use of open data and catalan around the OpenStreetMap project. The entity is also created with the aim of supporting the catalan community of OpenStreetMap. Any collective or individual profit motive is excluded.”

2.2 The address, which the association has set in Barcelona, Carrer de Concepció Arenal, 165.

2.3 The scope of action, which will mainly be the territory of Catalonia.

2.4 The rights and duties of the members, the procedures for admission and termination of the same, the management and organization of the entity, its assets and the economic resources it has, as well as the application of the assets in the event of its dissolution.

### **Legal foundations**

**First.** Article 22 of the Spanish Constitution recognises the fundamental right of association and establishes, in point 3, that associations are registered in a register for the sole purpose of publicity.

**Second.** Article 118.1 of the Statute of Autonomy of Catalonia provides that the Generalitat, respecting the basic conditions established by the State to guarantee equality in the exercise of the right and the reservation of organic law, has exclusive jurisdiction over the legal regime of associations that carry out their functions mainly in Catalonia.

**Third.** Article 10.1 of Organic Law 1/2002, of 22 March, regulating the right of association, provides that associations regulated in this organic law must be registered in the corresponding register, only for the purpose of advertising.

In the same sense, Law 4/2008, of 24 April, of the third book of the Civil Code of Catalonia, relating to legal persons (hereinafter, CCC), establishes in article 321-5 that associations must be registered, only for the purpose of advertising, in the Register of Associations.

**Fourth.** In accordance with article 30 of Organic Law 1/2002, of 22 March, regulating the right of association, the Registry of Associations must register the applicant entity and limit its activity to

verifying that the documents submitted meet the requirements required by law, so that it can only refuse registration if the documents do not comply with the legal provisions.

**Fifth.** Regarding the functions of the Registry of Associations, article 315-3 of the CCC, relating to qualification, provides that the bodies in charge of the registers qualify the content of the registrable acts, in accordance with what results from the documents under which registration is requested and the registry entries. It adds that the registration of any registrable act that meets the requirements established by law cannot be refused.

**Sixth.** Article 315-2.a) of the CCC establishes, in sections one, two, three and four, relating to the constitution of the entity, that the registration form opened for each entity must include the identity of the founding person or persons and that of those appearing to grant the constitutive act, the statutes of the legal entity and the identity of the persons who form part of the governing body, as well as the positions they hold therein, and the data that the law requires to be included in the constitutive act of a legal entity.

**Seventh.** Article 1 of Decree 206/1999, of 27 July, which approves the Regulation of organisation and operation of the Register of Associations, assigns this Register to the General Directorate of Law, Legal Entities and Mediation, and article 2 of the aforementioned Decree determines the organisation of the Register.

Article 16.a) of the Decree provides that the constitution of an association is subject to a registration entry.

In the processing of the file, both the provisions set forth in Law 26/2010, of August 3, on the legal regime and procedure of the public administrations of Catalonia, and the provisions established in Law 39/2015, of October 1, on the common administrative procedure of the public administrations, have been complied with, and this General Directorate is competent to resolve on the appropriateness of registering the constitution of the applicant entity.

By virtue of this Resolution, no right of the association to the registered office can be justified or presumed.

The association called Associació Catalana de l'OpenStreetMap meets the requirements set out in the aforementioned provisions to be considered a manifestation of the right of association recognised in the Constitution and, therefore, it is appropriate to register it in the corresponding register, considering that the activities related to its purposes will be carried out according to the rules that specifically regulate them, by obtaining, where appropriate, the relevant permits or licenses.

## **Resolution**

Therefore, I resolve:

To register the association called Associació Catalana de l'OpenStreetMap in section 1a of the Register of Associations of the Generalitat de Catalunya.

Against this act, which does not exhaust the administrative procedure, the interested person or persons may file an appeal with the head of the General Secretariat of the Department of Justice and Democratic Quality, within a period of one month from the day after its notification, or any other appeal they consider appropriate for the defense of their interests.

After three months have passed since the filing of the appeal without notification of the resolution, it may be considered dismissed and a contentious administrative appeal may be filed.

Barcelona, 5th september de 2025

Directora general de Dret, Entitats Jurídiques i Mediació

Inmaculada Barral Viñals