EP Rules of Procedure, Rule 121: proceedings before the Court of Justice

2007/2266(REG) - 24/09/2008 - Text adopted by Parliament, single reading

The European Parliament adopted the report by Costas **BOTOPOULOS** (PES, EL), proposing an amendment of Rule 121 of Parliament's Rules of Procedure on proceedings before the Court of Justice. A new paragraph 3a has been inserted which states that the President shall submit observations or intervene on behalf of Parliament in court proceedings after consulting the committee responsible. Where the President intends to depart from the recommendation of the committee responsible, he shall inform the committee accordingly and shall refer the matter to the Conference of Presidents, stating his reasons. Where the Conference of Presidents takes the view that Parliament should, exceptionally, not submit observations or intervene before the Court of Justice where the legal validity of an act of Parliament is being questioned, the matter shall be submitted to plenary without delay.

In cases of urgency, the President may take precautionary action in order to comply with the time limits prescribed by the court concerned. In such cases, the procedure provided for in this paragraph shall be implemented at the earliest opportunity.

Interpretation: Nothing in the Rules prevents the committee responsible from deciding on appropriate procedural arrangements for the timely transmission of its recommendation in cases of urgency.