Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction

2003/0825(CNS) - 19/04/2004 - Final act

PURPOSE : to amend the Rules of Procedure of the Court of First Instance of the Court of Justice of the European Communities with a view to the new allocation of jurisdiction in direct actions and to the enlargement of the Union. LEGISLATIVE ACT : Council Decision 2004/406/EC, Euratom amending Article 35(1) and (2) of the Rules of Procedure of the Court of First Instance of the European Communities. CONTENT : On 1 May 2004, the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union entered into force. This Decision adds the new official languages, namely Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovene to the list of languages of the case in Article 35(1) of the Rules of Procedure of the Court of First Instance of the European Communities. In addition, and as a result of the new allocation of jurisdiction in respect of direct actions between the Court of Justice and the Court of First Instance made by the Treaty of Nice, this Decision lays down a rule for the determination of the language of the case before the Court of First Instance where the applicant is an institution. Therefore, where the defendant is a Member State or a natural or legal person having the nationality of a Member State, the language of the case shall be the official language of that State. Where that State has more than one official language, the applicant may choose between them. DATE OF EFFECT : 01/05/04.