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

2003/0825(CNS) - 04/12/2003 - Legislative proposal

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. PROPOSED ACT : Council Decision. CONTENT : the aim of this proposal is to lay down a rule for the determination of the language of the case before the Court of First Instance where the applicant is an institution. Upon enlargement of the Union, it must be possible for the new official languages, namely, Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovene to become languages of the case before the Court of First Instance. It is therefore necessary to add them to the list of languages of the case contained in Article 35(1) of the Rules of Procedure of the Court of First Instance. Since Article 225 of the EC Treaty has been amended by the Treaty of Nice, and by virtue of the new allocation of jurisdiction between the Court of Justice and the Court of First Instance in respect of direct actions as a result of the amendment of Article 51 of the Statute of the Court of Justice which has been put before the Council, it will be possible for the institutions to bring actions before the Court of First Instance.