# Court of Justice: review of decisions delivered by the Court of First Instance, Protocol on the Statute

2003/0820(CNS) - 03/10/2005 - Final act

PURPOSE : to amend the Protocol on the Statute of the Court of Justice

LEGISLATIVE ACT : Council Decision 2005/696/EC, Euratom amending the Protocol on the Statute of the Court of Justice, in order to lay down the conditions and limits for the review by the Court of Justice of decisions given by the Court of First Instance

CONTENT : This Council Decision gives effect to certain provisions of the Nice Treaty which affect the European Court of Justice.

Article 225 of the EC Treaty as amended by the Treaty of Nice provides that decisions given by the Court of First Instance hearing and determining actions or proceedings brought against decisions of the judicial panels set up under Article 225a and decisions given on questions referred for a preliminary ruling may exceptionally be subject to review by the Court of Justice, under the conditions and within the limits laid down by the Statute, where there is a serious risk of the unity or consistency of Community law being affected.

Article 62 of the new Statute of the Court of Justice, annexed to the Treaty of Nice, also provides that the proposal for review of the decision of the Court of First Instance may be made by the First Advocate General where he or she considers that the condition laid down in Article 225 is satisfied, namely, that there is a serious risk of the unity or consistency of Community law's being affected.

This Decision amends the Statute to give effect to both the detailed procedural rules for the conduct of the review procedure and the effects of that procedure on the substance of the action and the interests of the parties.

ENTRY INTO FORCE : 11/10/2005.