Basic information

1994/0924(CNS) CNS - Consultation procedure Decision	Procedure completed
Amendment of Article 46 of the Statute of the Court of Justice **Subject** 8.40.04 Court of Justice, Court of First Instance	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs, Citizens' Rights		
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Competitiveness (Internal Market, Industry, Research and Space)	1851	1995-06-06

Key events

Date	Event	Reference	Summary
10/10/1994	Legislative proposal published	10259/1994	Summary
12/12/1994	Committee referral announced in Parliament		
23/03/1995	Vote in committee		
12/04/1995	Modified legislative proposal published	SEC(1995)0586	Summary
06/06/1995	Act adopted by Council after consultation of Parliament		
06/06/1995	End of procedure in Parliament		
15/06/1995	Final act published in Official Journal		

Technical information

Procedure reference	1994/0924(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Rules of Procedure EP 52-p1 EC Treaty (before Amsterdam) E 168A-p2
Stage reached in procedure	Procedure completed

Committee dossier	JURI/4/06221

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Text adopted by Parliament, 1st reading/single reading		T4-0175/1995 OJ C 109 01.05.1995, p. 0271-0281	07/04/1995	Summary
Council of the EU				
Document type		**Reference**	**Date**	**Summary**
Legislative proposal		10259/1994	10/10/1994	Summary
European Commission				
Document type		**Reference**	**Date**	**Summary**
Modified legislative proposal		SEC(1995)0586	12/04/1995	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 1995/0208 OJ L 131 15.06.1995, p. 0033	Summary

Amendment of Article 46 of the Statute of the Court of Justice

1994/0924(CNS) - 10/10/1994 - Legislative proposal

On 10.10.1994 the Court of Justice of the European Community submitted to the Council a draft text amending Article 46 of the Statute (EC) of the Court of Justice. Under the provision of Article 168 A(2) of the Treaty, the adjustments which need to be made to the Statute, as regards its application to procedures before the Court of First Instance, actually presuppose a request from the Court, which has a monopoly on initiatives in this respect and is dependent on a decision from the Council giving a unanimous ruling on this request, after consultation of the Commission and Parliament. On 18.11.1994 the Council decided to consult Parliament on this request for an amendment, which seeks to adapt the Rules of Procedure of the Court of First Instance to the specific features which have to be taken into account in accordance with Council Regulation (EC) No 40/94 of 20.12.1993, on the Community trade mark. This amendment was necessary in order to allow for the particular aspects of the proceedings relating to intellectual property rights, which differ from the proceedings which the Court is normally called upon to hear, in that these cases concern the conflicting interests of two private parties. The amendment therefore aims to ensure that the Rules of Procedure provide the possibility for the third parties concerned to participate in the proceedings with a view to defending their interests, independent of the procedural action of the Office for Trade Marks.

Amendment of Article 46 of the Statute of the Court of Justice

1994/0924(CNS) - 07/04/1995 - Text adopted by Parliament, 1st reading/single reading

The European Parliament approved this draft amendment without amendments, in accordance with the procedure laid down in Rule 143 of its Rules of Procedure (procedure without report).

Amendment of Article 46 of the Statute of the Court of Justice

1994/0924(CNS) - 12/04/1995 - Modified legislative proposal

In its opinion relating to the request from the Court of Justice to amend Article 46 of the Statute of the Court of Justice of the European Community, the Commission accepted the legitimacy of this amendment and approved it.

Amendment of Article 46 of the Statute of the Court of Justice

1994/0924(CNS) - 06/06/1995 - Final act

OBJECTIVE: to amend Article 46 of the Statute of the Court of Justice in order for the Rules of Procedure of the Court of First Instance to be adjusted. COMMUNITY MEASURE: Council Decision 95/208/EC amending the Protocol on the Statute of the Court of Justice of the European Community. SUBSTANCE: This amendment of the Statute of the Court of Justice (Article 46) aims to adjust the Rules of Procedure of the Court of First Instance to the specific features it must be aware of in accordance with Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark. This amendment is necessary to take account of the specific features of the proceedings relating to intellectual property rights that differ from the proceedings the Court is normally called up on to hear, in that these cases concern the conflicting interests of two private parties. The amendment thus aims to ensure that the Rules of Procedure provided the possibility for the third parties concerned to participate in the proceedings with a view to defending their interest, irrespective of the procedural action of the Trade Mark Office. ENTRY INTO FORCE: 6 June 1995.