Basic information

2001/0827(CNS) CNS - Consultation procedure Decision	Procedure completed
Court of Justice, Statute: amending article 20 on preliminary-ruling proceedings **Subject** 8.40.04 Court of Justice, Court of First Instance	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	GARGANI Giuseppe (PPE-DE)	26/02/2002

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	The committee decided not to give an opinion.	
AFCO Constitutional Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2444	2002-07-12

European Commission

Commission DG	Commissioner
Legal Service	

Key events

Date	Event	Reference	Summary
19/10/2001	Legislative proposal published	12991/2001	Summary
07/02/2002	Committee referral announced in Parliament		
23/04/2002	Vote in committee		Summary
23/04/2002	Committee report tabled for plenary, 1st reading/single reading	A5-0149/2002	
14/05/2002	Decision by Parliament	T5-0213/2002	Summary

12/07/2002	Act adopted by Council after consultation of Parliament		
12/07/2002	End of procedure in Parliament		
13/08/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/0827(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 245-p2
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/15895

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0149/2002	23/04/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0213/2002 OJ C 180 31.07.2003, p. 0022-0078 E	14/05/2002	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	12991/2001	19/10/2001	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	SEC(2002)0201	22/02/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2002/0653
OJ L 218 13.08.2002, p. 0001 Summary

Court of Justice, Statute: amending article 20 on preliminary-ruling proceedings

2001/0827(CNS) - 12/07/2002 - Final act

PURPOSE : to amend Article 20 of the Protocol on the Statute of the Court of Justice of the European Communities. COMMUNITY MEASURE : Council Decision 2002/653/EC amending the Protocol on the Statute of the Court of Justice of the European Communities. CONTENT : in accordance with the second paragraph of Article 245 of the EC Treaty, the Council has decided to amend the protocol on the statute of the Court of Justice in order for provisions to be made for participation by non-member States in preliminary-ruling proceedings before the Court of Justice in the event that an agreement relating to a specific subject matter, concluded by the Council with one or more non-member States. It provides that those States are to be entitled to submit statements of case or written observations where a court or tribunal of a member State refers to the Court of Justice for a preliminary ruling a question falling within the scope of the agreement. The amendment is necessary as a result of the entry into force of the agreement concluded by the Council in 1999 with the Republic of Iceland and the Kingdom of Norway concerning the association of those States to the implementation, the application and the development of the Schengen acquis. ENTRY INTO FORCE : 13/08/2002.

Court of Justice, Statute: amending article 20 on preliminary-ruling proceedings

2001/0827(CNS) - 19/10/2001 - Legislative proposal

PURPOSE : to present a draft Council Decision which aims to amend Article 20 of the Protocol on the EC Statute of the Court of Justice. CONTENT : the proposed amendment of Article 20 of the Statute is designed to provide for the participation of non-Member States in preliminary-ruling proceedings before the Court of Justice where an agreement relating to a specific subject-matter, concluded by the Council with one or more non-Member States, provides that those States are to be entitled to submit statements of case or written observations where a court or tribunal of a Member State refers to the Court for a preliminary ruling a question falling within the scope of the agreement. The amendment has become necessary as a result of the entry into force of the Agreement concluded on 18 May 1999 by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those States with the implementation, application and development of the Schengen acquis. Article 9(2) of the Agreement provides that, subject to the adoption of the necessary modifications of the Statute of the Court of Justice, Iceland and Norway are to entitled to submit statements of case or written observations to the Court in cases where a question has been referred to it by a court of tribunal of a Member State for a preliminary ruling concerning the interpretation of any provision of the Schengen acquis falling within the scope of the Agreement.

Court of Justice, Statute: amending article 20 on preliminary-ruling proceedings

2001/0827(CNS) - 22/02/2002 - Document attached to the procedure

The Commission presents an opinion of the proposal for a Decision which aims to amend Article 20 of the Protocol on the EC Statute of the Court of Justice. In its opinion, the Commission reveals that the proposed amendment is necessary as a result of the entry into force of the agreement concluded by the Council in 1999 with the Republic of Iceland and the Kingdom of Norway concerning the association of those States to the implementation, the application and the development of the Schengen acquis (OJ L 176 of 10 July 1999, p.36) of which Article 9, paragraph 2, provides for the possibility for these two third countries to participate in the preliminary rulings introduced before the Court. A similar amendment was made to Article 20 of the Statute of the Court in order to allow the States participating in the agreement on the European Economic Area as well as EFTA Surveillance Authority to participate in the preliminary rulings before the Court of Justice. According to the Commission, the proposed formulation shall prevent the amending of Article 20 of the Statute, at the time of the entry into force of any new agreement foreseeing the participation of other third countries in preliminary rulings. Consequently, the Commission agrees with the proposed text by the Court of Justice.

Court of Justice, Statute: amending article 20 on preliminary-ruling proceedings

2001/0827(CNS) - 14/05/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament, using its procedure without debate, adopted the report by Giuseppe GARGANI (EPP-ED, Italy) and approved the draft Council Decision on amending Article 20 of the Protocol on the Statute of the ECJ on preliminary rulings.