Basic information

2003/0804(CNS) CNS - Consultation procedure Decision	Procedure completed
Court of Justice: participation of non-member States in preliminary-ruling proceedings (amend. Art. 23 of the Statute) **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	GIL-ROBLES GIL-DELGADO José María (PPE-DE)	18/03/2003

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	2520	2003-07-15

Key events

Date	Event	Reference	Summary
13/02/2003	Legislative proposal published	06282/2003	Summary
13/03/2003	Committee referral announced in Parliament		
29/04/2003	Vote in committee		Summary
29/04/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0148/2003	
03/06/2003	Decision by Parliament	T5-0229/2003	Summary
03/06/2003	Results of vote in Parliament		
15/07/2003	Act adopted by Council after consultation of Parliament		

15/07/2003	End of procedure in Parliament		
26/07/2003	Final act published in Official Journal		

Technical information

Procedure reference	2003/0804(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/5/19275

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0148/2003	29/04/2003	
Text adopted by Parliament, 1st reading/single reading		T5-0229/2003 OJ C 068 18.03.2004, p. 0022-0081 E	03/06/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	06282/2003	13/02/2003	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2003/0527
OJ L 188 26.07.2003, p. 0001-0002 Summary

Court of Justice: participation of non-member States in preliminary-ruling proceedings (amend. Art. 23 of the Statute)

2003/0804(CNS) - 03/06/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Jose-Maria GIL-ROBLES GIL-DELGADDO (EPP-ED, Spain) and approved the draft Council decision.

Court of Justice: participation of non-member States in preliminary-ruling proceedings (amend. Art. 23 of the Statute)

2003/0804(CNS) - 15/07/2003 - Final act

PURPOSE : to amend the protocol on the statute of the Court of Justice. COMMUNITY MEASURE : Council Decision 2003/527/EC, Euratom amending Article 23 of the Protocol on the Statute of the Court of Justice. CONTENT : this Council Decision amending the Protocol on the Statute of the Court of Justice shall amend Article 23 of the Statute of the Court of Justice annexed by the Treaty of Nice to the Treaty on European Union, the EC Treaty and the EAEC Treaty in line with Council Decision 2002/653/EC of 12 July 2002 amending Article 20 of the EC Statute of the Court, now repealed, an amendment which it was not possible to take into account before the Treaty of Nice was signed on 26 February 2001. By Council Decision 2002/653/EC of 12 July 2002, Article 20 of the Protocol on the Statute of the Court of Justice of the European Communities has been amended. The purpose of that amendment was to provide for non-member States to participate 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 of Justice for a preliminary ruling a question falling within the scope of the agreement. In Article 23 of the Protocol on the Statute of the Court of Justice, the following paragraph shall be added: - where an agreement relating to a specific subject matter, concluded by the Council and 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 of Justice for a preliminary ruling a question falling within the scope of the agreement, the decision of the national court or tribunal containing that question shall also be notified to the non-member States concerned. Within two months from such notification, those States may lodge at the Court statements of case or written observations. ENTRY INTO FORCE : 26 July 2003.

Court of Justice: participation of non-member States in preliminary-ruling proceedings (amend. Art. 23 of the Statute)

2003/0804(CNS) - 13/02/2003 - Legislative proposal

PURPOSE : to amend the protocol on the statute of the Court of Justice. CONTENT : this proposed draft Council Decision amending the Protocol on the Statute of the Court of Justice is intended to amend Article 23 of the Statute of the Court of Justice annexed by the Treaty of Nice to the Treaty on European Union, the EC Treaty and the EAEC Treaty in line with Council Decision 2002/653/EC of 12 July 2002 amending Article 20 of the EC Statute of the Court, now repealed, an amendment which it was not possible to take into account before the Treaty of Nice was signed on 26 February 2001. By Council Decision 2002/653/EC of 12 July 2002, Article 20 of the Protocol on the Statute of the Court of Justice of the European Communities has been amended. The purpose of that amendment was to provide for non-member States to participate 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 of Justice for a preliminary ruling a question falling within the scope of the agreement. Following the entry into force of the Treaty of Nice amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts, signed at Nice, 26 February 2001, the Protocol on the Statute of the Court of Justice has been repealed and replaced by the Statute on the Court of Justice annexed to the Treaty on European Union, to the Treaty establishing the European Community and to the Treaty establishing the European Atomic Energy Community. It was not possible for Article 23 of the Statute of the Court of Justice, which reproduces the provisions of Article 20 of the Statute of the Court of Justice of the European Communities, to take account of the amendment made by Council Decision 2002/653/EC, which makes it necessary to amend Article 23.