## Basic information

| | |
|---|---|
| **2003/0823(CNS)**<br><br>CNS - Consultation procedure<br>Decision | Procedure completed |
| Court of Justice, statute: the quorum and the number of judges following the 2004 enlargement (amend. art. 16, 17)<br><br>**Subject**<br><br>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) | 22/01/2004 |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| AFCO Constitutional Affairs | The committee decided not to give an opinion. | |

**Council of the European Union**

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 27/11/2003 | Legislative proposal published | 14617/2003 | Summary |
| 03/12/2003 | Committee referral announced in Parliament | | |
| 08/03/2004 | Vote in committee | | Summary |
| 08/03/2004 | Committee report tabled for plenary, 1st reading/single reading | A5-0128/2004 | |
| 30/03/2004 | Decision by Parliament | T5-0204/2004 | Summary |
| 19/04/2004 | Act adopted by Council after consultation of Parliament | | |
| 19/04/2004 | End of procedure in Parliament | | |
| 29/04/2004 | Final act published in Official Journal | | |

## Technical information

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|---|---|
| **Procedure reference** | 2003/0823(CNS) |
| **Procedure type** | CNS - Consultation procedure |

| | |
|---|---|
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Decision |
| **Legal basis** | Euratom Treaty A 160-p2<br>EC Treaty (after Amsterdam) EC 245-p2 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | JURI/5/20433 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee report tabled for plenary, 1st reading/single reading | | A5-0128/2004 | 08/03/2004 | |
| Text adopted by Parliament, 1st reading/single reading | | T5-0204/2004<br>OJ C 103 29.04.2004, p. 0031-0155 E | 30/03/2004 | Summary |

**Council of the EU**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | 14617/2003 | 27/11/2003 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Document attached to the procedure | SEC(2004)0319 | 16/03/2004 | Summary |

## Additional information

| Source | Document | Date |
|---|---|---|
| European Commission | EUR-Lex | |

## Final act

Decision 2004/0404
OJ L 132 29.04.2004, p. 0001-0001 Summary

# Court of Justice, statute: the quorum and the number of judges following the 2004 enlargement (amend. art. 16, 17)

2003/0823(CNS) - 30/03/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Jose Maria GIL-ROBLES GIL-DELGADO (EPP-ED, E) approving the proposal.

# Court of Justice, statute: the quorum and the number of judges following the 2004 enlargement (amend. art. 16, 17)

2003/0823(CNS) - 19/04/2004 - Final act

PURPOSE : to increase the number of judges in the Grand Chamber of the Court of Justice in order to take account of enlargement of the EU. LEGISLATIVE ACT : Council Decision 2004/404/EC, Euratom amending Articles 16 and 17 of the Protocol on the Statute of the Court of Justice. CONTENT : With the enlargement of the EU on 1 May 2004, the number of Judges comprising the Court of Justice will rise from 15 to 25. Therefore, this Decision adjusts the number of Judges forming the Grand Chamber from 11 to 13. Furthermore, it adjusts the quorum required for decisions of the Court sitting in full Court from 11 to 15. DATE OF EFFECT : 01/05/04.

# Court of Justice, statute: the quorum and the number of judges following the 2004 enlargement (amend. art. 16, 17)

2003/0823(CNS) - 16/03/2004 - Document attached to the procedure

COMMISSION OPINION To recall, when the When the Nice Treaty was signed, the exact number of countries acceding and the order in which they would do so had not yet been formally decided upon, so the Treaty merely aligned the quorum for the full Court on the number of Judges making up the Grand Chamber. The Commission is of the opinion that it would be preferable to maintain the balance embodied by Article 16 of the Statute. If it is nevertheless decided to increase the number of Judges in the Grand Chamber, the Commission stresses that this increase should not be linked to the number of Judges making up the Court. The Commission regards the proposal to increase the quorum for the full Court from 11 to 15 Judges as appropriate. The Commission stresses that this quorum should not, under any circumstances, be used as a reference for a future enlargement of the Grand Chamber.

# Court of Justice, statute: the quorum and the number of judges following the 2004 enlargement (amend. art. 16, 17)

2003/0823(CNS) - 27/11/2003 - Legislative proposal

PURPOSE : to amend the Protocol on the statute of the Court of Justice. PROPOSED ACT : Council Decision. CONTENT : with reference to the second paragraph of Article 245 of the EC Treaty and the second paragraph of Article 160 of the EAEC Treaty, the Court requests the Council to amend the Protocol on the Statute of the Court of Justice. The proposed amendments are designed with a view to the forthcoming enlargement, to make various adjustments to Articles 16 and 17 of the Protocol made necessary by the increase in the number of Judges as a result of the accession of the new Member States. More specifically, the amendments are follows : - according to the fourth paragraph of Article 17 of the Statute of the Court of Justice, decisions of the full Court are valid only if 11 Judges are sitting. The quorum fixed by this provision must be adjusted to the increased number of Judges (15 to 25) comprising the full Court. It is proposed that that quorum should be fixed at 15. - according to the second paragraph of Article 16 of the Statute the Grand Chamber, which sits when, in particular, a Member State or an institution of the Communities party to the proceedings so requests, consists of 11 Judges. With the increase in the number of Judges as a result of enlargement, it is proposed to raise the number of Judges forming the Grand Chamber to 13. It is proposed that the current quorum of 9 Judges for the Grand Chamber should be maintained.