

# Procedure file

Basic information		
CNS - Consultation procedure Decision	<a href="#">2003/0825(CNS)</a>	Procedure completed
Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction		
Subject 8.40.04 Court of Justice, Court of First Instance		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>JURI</b> Legal Affairs and Internal Market		22/01/2004
		<a href="#">PPE-DE GIL-ROBLES</a> <a href="#">GIL-DELGADO José María</a>	
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFCO</b> Constitutional Affairs	The committee decided not to give an opinion.	

Key events			
04/12/2003	Legislative proposal published	<a href="#">15738/2003</a>	Summary
15/12/2003	Committee referral announced in Parliament		
08/03/2004	Vote in committee		Summary
08/03/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0126/2004</a>	
30/03/2004	Decision by Parliament	<a href="#">T5-0206/2004</a>	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	
Procedure reference	2003/0825(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
Legal basis	Euratom Treaty A 160-p2; EC Treaty (after Amsterdam) EC 245-p2
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/20490

### Documentation gateway

Legislative proposal	<a href="#">15738/2003</a>	04/12/2003	CSL	Summary
Document attached to the procedure	<a href="#">SEC(2004)0223</a>	01/03/2004	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0126/2004</a>	08/03/2004	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0206/2004</a> <a href="#">OJ C 103 29.04.2004, p. 0032-0157 E</a>	30/03/2004	EP	Summary

### Final act

[Decision 2004/406](#)  
[OJ L 132 29.04.2004, p. 0003-0004](#) Summary

## Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction

PURPOSE : to amend the Rules of Procedure of the Court of First Instance of the Court of Justice of the European Communities with a view to the new allocation of jurisdiction in direct actions and to the enlargement of the Union. PROPOSED ACT : Council Decision. CONTENT : the aim of this proposal is to lay down a rule for the determination of the language of the case before the Court of First Instance where the applicant is an institution. Upon enlargement of the Union, it must be possible for the new official languages, namely, Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovene to become languages of the case before the Court of First Instance. It is therefore necessary to add them to the list of languages of the case contained in Article 35(1) of the Rules of Procedure of the Court of First Instance. Since Article 225 of the EC Treaty has been amended by the Treaty of Nice, and by virtue of the new allocation of jurisdiction between the Court of Justice and the Court of First Instance in respect of direct actions as a result of the amendment of Article 51 of the Statute of the Court of Justice which has been put before the Council, it will be possible for the institutions to bring actions before the Court of First Instance.?

## Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction

COMMISSION OPINION The purpose of the amendments requested by the Court of Justice and the Court of First Instance is to add the new official languages of the enlarged Union to their lists of procedural languages. They also aim to reproduce, in the Rules of Procedure of the Court of First Instance, the provisions of the Rules of Procedure of the Court of Justice governing procedural languages in the direct actions that are now to be within the jurisdiction of the Court of First Instance under the distribution of jurisdiction in the process of being adopted by the Council. These purely technical amendments call for no comments from the Commission. The Commission accordingly agrees to the texts presented by the Court of Justice and the Court of First Instance.?

## Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction

The committee adopted the report by José María GIL-ROBLES GIL-DELGADO (EPP-ED, E) approving the proposal without amendment under the consultation procedure.?

## Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction

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

## Court of First Instance, Art. 35 Rules of Procedure: language of proceedings, division of jurisdiction

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**PURPOSE** : to amend the Rules of Procedure of the Court of First Instance of the Court of Justice of the European Communities with a view to the new allocation of jurisdiction in direct actions and to the enlargement of the Union. **LEGISLATIVE ACT** : Council Decision 2004/406/EC, Euratom amending Article 35(1) and (2) of the Rules of Procedure of the Court of First Instance of the European Communities. **CONTENT** : On 1 May 2004, the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union entered into force. This Decision adds the new official languages, namely Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovene to the list of languages of the case in Article 35(1) of the Rules of Procedure of the Court of First Instance of the European Communities. In addition, and as a result of the new allocation of jurisdiction in respect of direct actions between the Court of Justice and the Court of First Instance made by the Treaty of Nice, this Decision lays down a rule for the determination of the language of the case before the Court of First Instance where the applicant is an institution. Therefore, where the defendant is a Member State or a natural or legal person having the nationality of a Member State, the language of the case shall be the official language of that State. Where that State has more than one official language, the applicant may choose between them. **DATE OF EFFECT** : 01/05/04.?