

Case T-2/93 (92)

Société Anonyme à Participation Ouvrière
Compagnie Nationale Air France

v

Commission of the European Communities

(Competition — Taxation of costs)

Order of the Court of First Instance (Third Chamber, Extended Composition),
17 April 1996 II - 237

Summary of the Order

Procedure — Costs — Demand for costs — Time-limit for submission — Taxation — Recoverable costs — Concept — Factors to be taken into consideration
(*Rules of Procedure of the Court of First Instance, Arts 91(b) and 92(1)*)

Where a party which is owed costs waits for about one year before submitting a demand for them, that period does not exceed the reasonable period beyond which the party owed costs might justifiably be regarded as having waived its right to recover them.

In the absence of Community provisions laying down fee scales, the Community judicature must, when taxing costs under Article 92(1) of the Rules of Procedure of the Court of First Instance, assess in its discretion the relevant features of the case, taking into

account the purpose and nature of the proceedings, their significance from the point of view of Community law, as well as the difficulties presented by the case, the amount of work generated by the case for the agents or advisers involved and the financial interest which the parties had in the proceedings, but without taking account of any national scales of lawyers' fees or any agreement concluded in that regard between the party concerned and its agents or advisers.

Translation costs incurred by an intervener do not generally constitute expenses neces-

sarily incurred for the purpose of the proceedings within the meaning of Article 91(b) of the Rules of Procedure. The position may be otherwise where the translation costs are offset by a reduction in the time which the intervener's lawyers had to spend on the case.

Since, in fixing the recoverable costs, the Court takes account of all the circumstances of the case up to the date of its decision, there is no need to give a separate ruling on the costs incurred by the parties for the purposes of the taxation proceedings.