

## Case T-120/89 (92)

**Stahlwerke Peine-Salzgitter AG (now Preussag Stahl AG)**

**v**

**Commission of the European Communities**

(Taxation of costs)

Order of the Court of First Instance (Fifth Chamber), 8 November 1996 ..... II - 1549

### Summary of the Order

- 1. Procedure — Costs — Taxation — Factors to be taken into account  
(Rules of Procedure of the Court of First Instance, Art. 91)*
- 2. Procedure — Costs — Taxation — Recoverable costs — Meaning — Factors to be taken into account  
(Rules of Procedure of the Court of First Instance, Art. 91)*

1. The Community judicature is not empowered to tax the fees payable by the parties to their own lawyers but it may determine the amount of those fees which may be recovered from the party ordered

to pay the costs. It follows that it is not obliged to take account of any national scales of lawyers' fees or any agreement concluded in relation to fees.

Since Community law does not contain provisions on fee scales, the Court must freely consider the circumstances at issue, having regard to the subject-matter and nature of the dispute and its significance from the point of view of Community law, as well as to the difficulties presented by the case, the amount of work generated by it for the lawyer and the financial interest which the parties had in the proceedings.

The ability of the Community judicature to assess the amount of work generated by the case for the lawyers and the value of the work carried out is dependent on the accuracy of the information provided in that regard by the parties.

2. The significance of a case from the point of view of Community law by reason of the new and important questions of law and the complex questions of fact which it raises may justify, first, high fees and, secondly, a party's being represented by a number of lawyers.

Since the Court takes account, in fixing the recoverable costs, of all the circumstances of the case up to the date of its decision, there is no need to give a ruling on either a claim for interest for late payment or the costs incurred in relation to proceedings for the taxation of costs.