

СЪД НА ЕВРОПЕЙСКИЯ СЪЮЗ  
TRIBUNAL DE JUSTICIA DE LA UNIÓN EUROPEA  
SODNÍ DVŮR EVROPSKÉ UNIE  
DEN EUROPÆISKE UNIONS DOMSTOL  
GERICHTSHOF DER EUROPÄISCHEN UNION  
EUROOPA LIIDU KOHUS  
ΔΙΚΑΣΤΗΡΙΟ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΕΝΩΣΗΣ  
COURT OF JUSTICE OF THE EUROPEAN UNION  
COUR DE JUSTICE DE L'UNION EUROPÉENNE  
CÚIRT BHREITHIÚNAIS AN AONTAIS EORPAIGH  
SUD EUROPSKE UNIE  
CORTE DI GIUSTIZIA DELL'UNIONE EUROPEA



EIROPAS SAVIENĪBAS TIESA  
EUROPOS SAJUNGOS TEISINGUMO TEISMAS  
AZ EURÓPAI UNIÓ BÍRÓSÁGA  
IL-ĠORTI TAL-ĠUSTIZZJA TAL-UNJONI EWROPEA  
HOF VAN JUSTITIE VAN DE EUROPESE UNIE  
TRYBUNAŁ SPRAWIEDLIWOŚCI UNII EUROPEJSKIEJ  
TRIBUNAL DE JUSTIÇA DA UNIÃO EUROPEIA  
CURTEA DE JUSTIȚIE A UNIUNII EUROPENE  
SÚDNY DVOR EURÓPSKEJ ÚNIE  
SODIŠČE EVROPSKE UNIJE  
EUROOPAN UNIONIN TUOMIOISTUIN  
EUROPEISKA UNIONENS DOMSTOL

## CONDITIONS OF USE OF E-CURIA

1. E-Curia is a computer application common to both Courts of the Court of Justice of the European Union. This application allows procedural documents to be lodged and served electronically, and makes them available for consultation.
2. Users are asked to read the following information carefully and to give the undertakings set out at the end of this document.
3. The rules relating to the use of e-Curia are contained in a number of documents.

At the Court of Justice, those rules are contained in:

- the Rules of Procedure of the Court of Justice;
- the decision of the Court of Justice of 16 October 2018 on the lodging and service of procedural documents by means of e-Curia.

At the General Court, those rules are contained in:

- the Rules of Procedure of the General Court;
- the decision of the General Court of 11 July 2018 on the lodging and service of procedural documents by means of e-Curia;
- the Practice Rules for the Implementation of the Rules of Procedure of the General Court.

Those documents, and the e-Curia User Guide which is common to both courts, are available online on the website of the Court of Justice of the European Union.

4. The display screens in e-Curia include information about the steps to be followed and a link to the e-Curia User Guide.

## **ACCESS TO E-CURIA**

5. Access to e-Curia is free of charge.
6. In both the General Court and the Court of Justice, a request to open an account may be submitted by:
  - an agent or a lawyer authorised to practise before a court of a Member State or of another State party to the Agreement on the European Economic Area;
  - a university teacher being a national of a Member State whose law accords him or her a right of audience.
7. In the Court of Justice — and for the purposes of preliminary ruling proceedings only — a request to open an account may also be submitted by:
  - a person acting on behalf of a court or tribunal of a Member State;
  - a person who does not have the status of agent or lawyer but who, under national procedural rules, is nevertheless authorised to represent a party before the court or tribunal of a Member State.

## **PROCEDURE FOR OPENING AN ACCOUNT**

8. In order to use e-Curia, users must submit a request to open an account in accordance with the procedure set out below.
9. The procedure for opening an account varies depending on whether the user follows the standard procedure or the special procedure. The standard procedure enables an account to be opened in order for procedural documents to be exchanged with the Court of Justice or the General Court. The special procedure is intended for urgent situations and enables an account to be opened provisionally in order for procedural documents to be lodged with the General Court only.

### **Standard procedure, applicable to both Courts**

10. The account request form is available on the website of the Court of Justice of the European Union via the e-Curia login page. The form must be completed, printed, dated, signed by hand, and then sent by post or physically delivered (Rue du Fort Niedergrünewald, L-2925 Luxembourg) to the Registry of the Court of Justice or the Registry of the General Court (in the case of requests referred to in point 6 of these conditions), or to the Registry of the Court of Justice (in the case of requests referred to in point 7 of these conditions), together with the necessary supporting documents.

11. Once the request to open an account has been validated by the Registry of the Court concerned, two separate emails are sent to the user. The first confirms the user's user ID, the second, his or her personal password. The user is required to change that password when first logging on to e-Curia, and subsequently at least once every six months.
12. Representatives may additionally request the opening of an account for every assistant they designate by name. That account allows the assistant to receive documents served, to consult procedural documents lodged or served via e-Curia and to prepare the lodging of a document, such lodging, once prepared, then requiring validation by the representative. The representative is responsible for the use of that account and is required to update the list of assistants regularly and, in particular, in the event of a change in professional responsibilities or termination of activity, to cancel any account assigned to his or her assistant(s).

### **Special procedure, applicable only to the General Court**

13. Where a representative referred to in point 6 of these conditions has not taken the requisite steps to open an account under the standard procedure in good time before the expiry of a time limit for lodging a procedural document with the General Court, that representative may open an account on a provisional basis in order to lodge that document under the special procedure. In order for the creation of that account to be validated by the Registry of the General Court, the representative must complete the account request form online, print it, date it, sign it by hand and send the paper version by registered post or have it physically delivered to the Registry of the General Court (Rue du Fort Niedergrünwald, L-2925 Luxembourg), together with the necessary supporting documents. If the paper version of the form, duly completed, dated, signed by hand and accompanied by the necessary supporting documents, does not reach the Registry of the General Court within 10 days of the date on which the procedural document was lodged via e-Curia, the General Court will declare the procedural document lodged via e-Curia inadmissible. That time limit cannot be extended and the extension on account of distance provided for in Article 60 of the Rules of Procedure of the General Court shall not apply.

### **DEACTIVATION OF AN ACCOUNT**

14. Accounts that remain unused for a period of three years will be deactivated automatically. In that case, a new request to open an account will have to be submitted.

## **THE FUNCTIONALITIES OF E-CURIA**

### **Lodging of procedural documents**

15. Procedural documents lodged by means of e-Curia must be transmitted as PDF files (image and text).
16. Documents transmitted to the Court of Justice and to the General Court are checked to ensure that transmission is secure. If such checks reveal an anomaly, the lodging of the document will be refused.
17. Confirmation of lodging stating, inter alia, the date and time of lodging is sent to the user. The point in time taken into account for the lodging of a procedural document is that of the representative's validation of the lodging of that document. The relevant time is the time in the Grand Duchy of Luxembourg.
18. Since the time involved in preparing the lodging of documents and in the uploading of files can vary, users are advised not to wait until the very last moment before the expiry of a time limit before lodging a document.
19. Confirmation of lodging is generated by e-Curia and is without prejudice to the procedural admissibility of the documents transmitted.
20. The transmission of procedural documents is automatically encrypted. Every procedural document lodged is given a unique digital signature, in accordance with a standard procedure (SHA-512). That digital signature appears in the confirmation of lodging which users are advised to retain electronically for the duration of the case. It is possible at any time to check that a procedural document has not been altered or amended; any change to that document will result in the allocation of a new digital signature.

### **Service of procedural documents**

21. The user is notified by email when a procedural document awaiting service is available in e-Curia.
22. Where a party is represented by more than one person holding an e-Curia account, an email confirming that a procedural document is awaiting service is sent to each of them and, if applicable, to any assistants designated by them.
23. The date and time of service is the point in time at which the user requests access to the procedural document. The relevant time is the time in the Grand Duchy of Luxembourg. Where a party is represented by more than one person, the point in time taken into account in the reckoning of time limits is the time when the first request for access was made.
24. A procedural document is, however, deemed to have been served on the expiry of the seventh day following the day on which an email was sent to the user to notify him or

her of the availability of the document in e-Curia. Users are advised to log on to e-Curia at least once a week.

25. The date of actual or presumed service of a procedural document is stated in e-Curia. In the event of service being presumed to have been effected, an email is sent to the user to notify him or her of the date of service.

#### **Consultation of procedural documents**

26. E-Curia allows users to consult the documents which they have lodged or which have been served on them via e-Curia.
27. The procedural documents in a case may be consulted until the expiry of a period of three months from the date of the decision closing that case in the Court concerned.

#### **Technical impossibility of using e-Curia**

28. If e-Curia cannot be used for technical reasons, users are invited to inform the Registry of the Court of Justice or of the General Court immediately and, where appropriate, to take all necessary steps in compliance with the procedural rules applicable in the Court concerned, as referred to in point 3 of these conditions.

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## **UNDERTAKINGS TO BE GIVEN BY THE REPRESENTATIVE**

**You are requested to give the following undertakings, breach of which may result in the deactivation of your account:**

I have taken note of the Conditions of Use of e-Curia and I expressly undertake:

- not to communicate my personal password to third parties, any process carried out using my user ID and my password being deemed to have been carried out by me;
- to communicate without delay any change of my email address as entered in e-Curia and any termination of my professional activity or change in my responsibilities;
- to log on to e-Curia regularly and to consult the procedural documents awaiting service of which I am the intended recipient, accepting that any such procedural document will, if not consulted, be deemed to have been served on me on the expiry of the seventh day following the day on which an email was sent to notify me of the availability of that document in e-Curia;
- to update regularly the list of any assistants I may have and, in particular, in the event of a change in professional responsibilities or termination of activity to cancel any account that I have assigned to them.

## **UNDERTAKING TO BE GIVEN BY THE ASSISTANT**

**You are requested give the following undertaking, breach of which may result in the deactivation of your account:**

I have taken note of the Conditions of Use of e-Curia, and I expressly undertake not to communicate my personal password to third parties, any process carried out using my user ID and my password being deemed to have been carried out by me.

Luxembourg, 17 October 2018.

A. Calot Escobar

E. Coulon